

# The Commonwealth of Massachusetts

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March 24, 2006

## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Emerald Place at Lake Whalom  
PROJECT MUNICIPALITY : Lunenburg/Leominster  
PROJECT WATERSHED : Nashua  
EOEA NUMBER : 13736  
PROJECT PROPONENT : Global Property Developers Corp.  
DATE NOTICED IN MONITOR : February 22, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

The proposed project involves construction of a 240-unit condominium development at the site of the former Whalom Amusement Park. The project involves demolition of existing buildings and construction of forty new condominium buildings. The project also involves construction of 5,000 square feet (sf) of office space and 5,000 sf of retail space on a parcel opposite the former amusement park.

According to the Environmental Notification Form (ENF), water use and wastewater generation is estimated at 52,280 gallons per day (gpd). The project includes construction of approximately 1.3 miles of new water mains and 0.66 miles of new sewer mains. The proposed project will result in approximately 2,114 vehicle trips per day. The proposed project will be constructed primarily within previously disturbed areas of the former amusement park. The amount of impervious area existing on site is estimated at 14.4 acres. The proposed project will not result in any increase in impervious area.

The project is undergoing review pursuant to Section 11.03(1)(b)(1) of the MEPA regulations because it involves alteration of 25 acres or more of land, Section 11.03(1)(b)(2) because it involves creation of five or more acres of impervious area, and Section 11.03(5)(b)(3)(c) because it involves construction of ½ mile or more of new sewer mains. The proposed project will require a Sewer Connection/Extension Permit and a Water Supply Distribution System Modification Permit from the Department of Environmental Protection

(DEP). The project also requires an Order of Conditions from the Lunenburg Conservation Commission (and on appeal only, a Superseding Order from the DEP) and a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA). The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to land, wetlands and water quality, stormwater, water supply and wastewater.

The proposed project will be served by the Town of Lunenburg water and sewer system. As further detailed in the comment letter from DEP, the ENF did not indicate the source of water supply for the project. The proponent has since provided the MEPA Office with a letter from the Lunenburg Water District (indicating that the Board of Water Commissioners has committed to supplying water to the project). The letter indicates that the additional water supply will bring the Town close to the maximum withdrawal amount allowed under the Water District's Water Management Act (WMA) Permit. The proponent should provide detailed information regarding the water supply source to DEP as further detailed in its comment letter, and incorporate water conservation measures in the project design. The proponent should submit documentation to DEP from the Water District indicating that the system has adequate hydraulic capacity to provide safe drinking water at the anticipated demand flow, while maintaining compliance with the Water District's WMA permit. The project will require DEP approval of any distribution system as further detailed in its comment letter. The proponent should submit plans and specifications, stamped by a Registered Massachusetts Professional Engineer, to DEP.

The proponent should supply DEP with additional information regarding impacts associated with water withdrawal, as further detailed in its comment letter. The proponent should consult with DEP and the Town of Lunenburg regarding the additional analysis required to evaluate project impacts on the municipal public water system and impacts on any nearby rivers and overall hydrology of the area.

The proponent should submit to DEP a map of the proposed development areas showing all private and public water systems within one-half mile radius of the proposed project area. The proponent should also provide DEP with information on all Interim Wellhead Protection Areas (IWPAs), as well as any delineated Zone IIs within one mile of the proposed project area.

The ENF indicates that the proposed project will comply with the DEP Stormwater Management Policy, including the requirement for removal of total suspended solids (TSS). The proponent has indicated that soil testing was conducted to identify opportunities for stormwater infiltration on site, and that the results of the study indicated that the soils are not conducive to infiltration. The proposed project will use existing stormwater outfalls, and improve the stormwater system by replacing pipes and constructing additional stormwater management structures. According to the ENF, stormwater from a portion of the site currently discharges to Lake Whalom without any treatment. The proposed stormwater management system includes detention basins and water quality units, which will provide treatment prior to discharge. The proponent should ensure that mechanisms are in place for effective long-term operation and maintenance of the stormwater system.

The Nashua River Watershed Association (NRWA) raised some concerns in its comment letter regarding the potential for nutrient loading to Lake Whalom, which is an Outstanding Resource Water (ORW). I encourage the proponent to incorporate NRWA's recommendations in the project design in order to protect water quality. The proponent should ensure measures are in place to avoid and minimize adverse impacts to Lake Whalom due to nutrient loading. Such measures may include ecologically-sensitive landscape design and a turf management plan that avoids and minimizes use of fertilizers, pesticides and other chemical controls. I encourage the proponent to incorporate ecological landscaping requirements as part of the homeowner's association documents for the proposed development. The proponent should also evaluate additional pretreatment options that may enhance nutrient removal and avoid eutrophication of the lake.

The NRWA, in its comment letter, supports the proponent's plans to limit parking adjacent to the lake while enhancing public access and green space. I commend the proponent for its efforts to improve the lakefront area, and encourage the proponent to construct the lakefront pedestrian park as part of the initial phase of development. NRWA has expressed an interest in reviewing more detailed plans for the pedestrian walkway and I encourage the proponent to consult with NRWA and incorporate its recommendations to the extent feasible.

The proponent should ensure that appropriate erosion and sedimentation controls are implemented to avoid and minimize wetlands impacts during construction. The proponent should also ensure that appropriate measures are implemented to avoid and minimize dust, noise, odor, traffic, and nuisance conditions associated with construction activities. The proponent should develop and implement a plan to recycle and reuse construction and demolition materials to the maximum extent feasible.

The Montachusett Regional Planning Commission (MRPC) has determined that the project as proposed is not in conformity with its transportation goals. MRPC has expressed concerns regarding the traffic impacts on the Route 2A (Mass Ave)/Route 13 (Electric Avenue) intersection and the Route 13/Route 2 intersection in Leominster. In addition, the proponent has not made clear commitments to improvements at other intersections, as further detailed in the MRPC comment letter. The proponent should consult with the MRPC regarding its comments and concerns, and to discuss plans for additional analysis and traffic mitigation.

I encourage the proponent to consider high-performance/green building and other sustainable design measures to avoid and minimize environmental impacts. Sustainable design measures, which can reduce project development and long-term operational costs, may include:

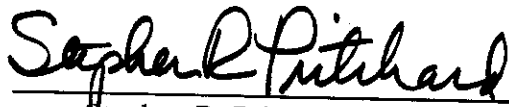
- EnergyStar Certification and Leadership in Energy and Environmental Design (LEED) Certification for Homes;
- water conservation and reuse of wastewater and stormwater;
- use of renewable energy;
- ecological landscaping;
- optimization of natural day lighting, passive solar gain, and natural cooling;

- energy-efficient Heating, Ventilation and Air Conditioning (HVAC), lighting systems, and appliances, and use of solar preheating of makeup air;
- use of building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- incorporation of an easily accessible and user-friendly recycling system infrastructure into building design; and
- implementation of a solid waste minimization and recycling plan.

I have determined that the ENF has sufficiently defined the nature and general elements of the project and that any remaining issues can be addressed during the state and local permit and review process. The project as proposed in the ENF requires no further review under MEPA.

March 24, 2006

DATE



Stephen R. Pritchard, Secretary

Comments Received:

2/21/06	Carol Racine
3/14/06	Nashua River Watershed Association
3/14/06	Montachusett Regional Planning Commission
3/15/06	Department of Environmental Protection, Central Regional Office

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