



# The Commonwealth of Massachusetts

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April 7, 2006

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

PROJECT NAME	: Jess Marie Estates
PROJECT MUNICIPALITY	: Raynham
PROJECT WATERSHED	: Taunton
EOEA NUMBER	: 13739
PROJECT PROPONENT	: Hometown Builders, Inc.
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 determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the proposed project consists of the development of a 5-lot single family residential subdivision on a 15.7-acre parcel of land fronting North Main Street in Raynham. The project is being proposed under the Town of Raynham's Open Space Cluster subdivision by-law, and includes the construction of approximately 900 linear feet of asphalt roadway with sidewalk to service the 5-lot residential subdivision project. The project's water supply needs (approximately 2,220 gpd), and wastewater flows (2,220 gpd) will be served by the Town of Raynham's municipal water supply system, and wastewater collection and conveyance system, respectively. According to the information provided in the ENF, the project site is also located within a Zone II protection area for the Town of Raynham's public water supply.

The project is undergoing review pursuant to 301 C.M.R. 11.03 (2)(b)(2) and 11.03 (11)(b) of the MEPA regulations, because it involves the taking of an endangered or threatened species, and is located within the Hockomock Swamp Area of Critical Environmental Concern (Hockomock Swamp ACEC). The project will require Orders of Conditions from the Raynham Conservation Commission (and hence Superseding Order(s) from DEP if any local Orders were appealed). The project requires a Sewer Extension Permit from DEP. The project may also require a 401 Water Quality Certification from DEP. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre.

The proponent is not seeking state funding or financial assistance for the proposed project. MEPA jurisdiction therefore is limited to those aspects of the project within the subject matter of any required or potentially required state permits that have the potential to produce significant damage to the environment (wetlands, rare species, and water quality).

**Wetlands:**

As described in the ENF, the project will not impact Bordering Vegetated Wetlands (BVW), or the 100-foot wetland buffer zone. According to the proponent, approximately 11.2 acres (71%) of the project site, including 4.2 acres of upland and 7.0 acres of wetland resource area, will remain as dedicated Open Space. I encourage the proponent to consider placing a Conservation Restriction (CR) on the proposed Open Space portion of the project site to ensure its permanent protection.

**Endangered Species Habitat:**

The project site is located within the Hockomock Swamp ACEC. In their comments, the Natural Heritage and Endangered Species Program (NHESP) has indicated that the project site contains priority habitat for one or more state-listed species of turtles and two aquatic invertebrate species habitat. According to NHESP, the project, as currently designed, could result in a "take" of state listed species under the Massachusetts Endangered Species Act (MESA) (321 CMR 10.02). The proponent will need to consult with NHESP to identify project alternatives, including the reconfiguration of individual site plan elements, which would avoid direct harm to Priority Habitat areas.

The proponent will need to adequately demonstrate to NHESP that project impacts to the Priority Habitat areas located within the project site have been avoided or minimized to the greatest extent practicable. If NHESP determines that a "take" cannot be avoided the proponent will need to apply to NHESP for a Conservation and Management permit pursuant to MESA (321 CMR 10.23).

I ask that the proponent also consult with the Town of Raynham's Conservation Commission during final project design and/or during the design process undertaken to develop a proposed conservation plan. The proponent should notify the MEPA Office of any changes to the proposed project design.

**Wastewater:**

According to the comments received from DEP, the Town of Raynham conveys its wastewater flows to the City of Taunton's sewer system and municipal wastewater treatment facility (WWTF) under an existing Inter-municipal Agreement (IMA) that provides for the treatment and discharge of up to 0.5 mgd of the Town's Raynham's wastewater at the City of Taunton's West Water Street Wastewater Treatment Facility (WWTF).

The proponent should consult with the Town of Raynham and the City of Taunton to ensure that Raynham has sufficient wastewater conveyance capacity for the proposed project's additional wastewater flows under the existing IMA, and that Taunton's wastewater treatment facility (WWTF) has sufficient treatment capacity to support the transmission and treatment of the project's wastewater flows pursuant to the City of Taunton's National Pollutant Discharge Elimination System Permit (NPDES Permit).

**Drainage/Water Quality:**

As described in the ENF, the stormwater management plan for the proposed project has been designed as an open drainage system to meet DEP's Stormwater Management Policy guidelines, and will incorporate the use of roadside water quality swales, a sediment forebay, and one stormwater retention basin. The proponent has identified a separate non-developable parcel within the project site, 'Drainage Parcel A', to locate the sediment forebay and stormwater retention basin.

**Construction Period:**

The proponent should analyze construction-period impacts, including temporary impacts to wetlands, and the extent of any blasting and/or re-grading during construction. The proponent should consult with the Town of Raynham, and DEP to ensure that the proponent will meet any performance standards associated with a federal NPDES permit for all proposed project construction activities.

Based on the information provided by the proponent and consultation with relevant public agencies, I conclude that no further MEPA review is required. The review of the ENF has served adequately to disclose potential impacts and mitigation, and to demonstrate that project impacts do not warrant the preparation of an Environmental Impact Report. The proponent can resolve any remaining issues in the permitting process.

April 4, 2006  
DATE

  
Stephen R. Pritchard, Secretary

Comments received:

03/14/06 MA Natural Heritage & Endangered Species Program (NHESP)  
11/30/05 Department of Environmental Protection, DEP – (SERO)

ENF #13739  
SRP/NCZ/ncz