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April 25, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Lancaster Golf Center Site Improvements
PROJECT MUNICIPALITY : Lancaster
PROJECT WATERSHED : Nashua
EOEA NUMBER : 14200
PROJECT PROPONENT : **Lancaster** Technology Park Limited Partnership
DATE NOTICED IN MONITOR : March 12, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 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).

As described in the Environmental Notification Form (ENF), and supplemental information provided by the proponent subsequent to the MEPA consultation session held for this project on March 28, 2008, the project involves the expansion of the existing Golf Center facility to include the construction of a second new 30,000 square foot (sf) child-friendly miniature golf course facility and an outdoor picnic area in close proximity to the existing clubhouse building. The expansion project will involve the filling and grading of an existing man-made rubber lined irrigation sump basin and associated Isolated Land Subject to Flooding (ILSF) located in the north central portion of the project site, currently used to store irrigation water for the existing golf course facility, and 2 smaller ISLF areas located in the northwestern portion of the project site.

Proposed work will include draining the 22,800 sf irrigation sump basin, removal of the rubber liner and filling and grading the basin area with clean fill, and construction of a loam and seeded. The 60.6-acre project site is located on the southern side of the Old Union Turnpike (also known as Leominster-Harvard Road) and is presently occupied by a 9-hole golf course and a 70-lane driving range with related clubhouse and snack bar, outdoor baseball batting cages, and surface parking. The southern, western and eastern portions of the site contain extensive bordering vegetated wetlands.

The project is undergoing MEPA review pursuant to Section 11.03(3)(b)(1)(f) of the MEPA regulations because the project will result in the alteration of 1/2 or more acres of isolated wetlands. It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre. The project may require a Section 401 Water Quality Certificate from MassDEP and a Section 404 Permit (PGP or Individual) from the U.S. Army Corps of Engineers contingent upon a determination of the jurisdictional status of an on-site irrigation pond. An Order of Conditions was issued from the Lancaster Conservation Commission on January 22, 2008, and has been appealed to MassDEP for a Superseding Order of Conditions (SOC) for work within wetland resource areas.

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that may have significant environmental impacts and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction exists over wetlands and stormwater.

Project Segmentation

According to the proponent's statements made at the MEPA consultation session and described in the supplemental information to the ENF provided by the proponent, the 60.6-acre project site (Parcels A/C) along with an additional contiguous parcel (Parcel B- 28.45 acres), abutting the project site's eastern border, are currently owned and controlled by the same ownership interests. In June 2006, Wal-Mart Stores, Inc. proposed to develop a 202,700 sf retail home improvement store (Wal-Mart "Supercenter") and 893 parking spaces with restaurants or smaller retail shops on the proponent's Parcel A (EEA #13816). On March 25, 2008 the proponent notified the MEPA Office and requested that the proposed Wal-Mart project proposal be withdrawn from MEPA review. In June 2007, the proponent sold a 28-acre development parcel (Parcel D) abutting the project site's western border to be developed for one or more new auto dealerships.

On April 14, 2008, the MEPA Office received an ENF submittal (EEA #14228) for a proposed new auto center development project to be located within a 105-acre project site that includes Parcel D. This auto center development project will require the preparation of an Environmental Impact Report (EIR). Parcel D – 28.45 acres), abutting the project site's western property boundary.

Under the anti-segmentation provisions of the MEPA Regulations (Section 11.01 (2)c), I must consider all the circumstances to determine if the proposed development activities associated with the development of Parcels A-C, B, and D constitute one project including but not limited to: whether the proposed work taken together comprise a common plan or independent undertakings regardless of the number of proponents, a time interval between the work or activities, and whether the environmental impacts caused by the proposed work are separable or cumulative. I am therefore requiring that a Notice of Project Change (NPC) be filed with the MEPA Office for any future development proposal that may be proposed for Parcel A, C and D prior to May 2013. The NPC will need to discuss both the potential cumulative infrastructure impacts including but not limited to land alteration and stormwater, water supply, wastewater and wetlands, and site planning issues arising out of the full build-out development of the developable land area located within the Lancaster Golf Center (Parcels A and C), Parcel D, and the full-build out (allowable as-of-right under current local zoning) of the 28.45-acre Parcel B development parcel. Depending upon the status of planning for these development parcels, the NPC may function as a "master plan" to guide the layout and development of these land areas fronting Old Union Turnpike (Leominster-Harvard Road) in a manner that minimizes overall impacts.

Water Supply

The Golf Center currently uses approximately 10,285 gallons per day (gpd) of irrigation water for the 9-hole golf course and the 70-lane driving range. As described in the ENF submittal, the man-made rubber membrane-lined sump receives water from within its corresponding 2.5-acre watershed including stormwater surface runoff and water pumped via a network of steel pipes from isolated lands subject to flooding (ILSF) located within the eastern portion of the project site, and bordering vegetated wetlands (BVW) located along the southern portion of the project site to an existing man-made rubber lined irrigation sump basin located in the north central portion of the project site. Water is withdrawn from the sump to irrigate the golf course and the 70-lane driving range. According to the proponent, the proposed expansion project will not result in an increase to the water supply demand for the Golf Center. The proponent has proposed to relocate the existing pump supply water from the ISLW resource area to the BVW located along the southern portion of the project site.

Wetlands/Drainage

In April 2006, the Lancaster Conservation Commission issued a Determination of Applicability and Order of Conditions (OOC) indicating that the sump area is an isolated land subject to flooding (ILSF). The proponent has proposed to drain the sump area, remove the rubber liner and fill and grade the sump area and loam and construct a pitch-and-putt facility. As described in the ENF submittal, the proposed filling and grading of the existing man-made rubber lined irrigation sump basin and associated Isolated Land Subject to Flooding (ILSF) is consistent with the MassDEP's performance standards for work in ILSF pursuant to 310 CMR 10.57(4)(b) of the Wetlands Protection Act. I note that the OOC issued by the Lancaster Conservation Commission has been appealed to MassDEP for a Superseding Order of Conditions. According to MassDEP, the MassDEP Superseding Order of Conditions review is currently underway and will address any/all concerns regarding the proposed project's permitability under the Wetlands Protection Act.

Construction Period

I encourage the proponent to consider participating in MassDEP's Clean Construction Equipment Initiative / MassDEP Retrofit Program consisting of an engine retrofit program and/or use of low sulfur fuel to reduce exposure to diesel exhaust fumes and increase the removal of particulate matter (PM) by approximately 25% beyond that which can be removed by retrofitting diesel-powered equipment. All construction-related refueling and equipment maintenance activities should be conducted under cover on impervious surface areas with containment, and outside of any wetlands resource areas, endangered species habitat areas, residential areas and wellhead protection areas.

The proponent can resolve any remaining issues regarding wetland impacts with MassDEP and the Lancaster Conservation Commission. The review of the ENF has served to demonstrate that the impacts of the project do not warrant the preparation of an EIR.

April 25, 2008

Date



Ian A. Bowles, Secretary

Comments Received:

03/28/08	Paul Gove
04/02/08	Department of Environmental Protection (MassDEP) - CERO
04/03/08	Montachusett Regional Planning Commission
04/07/08	Lisa Gove
04/08/08	Bohler Engineering
04/10/08	Don and Michelle LaBelle

ENF #14200

IAB/NCZ/ncz