



The Commonwealth of Massachusetts

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May 26, 2006

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

PROJECT NAME : Parker Hill Acres
PROJECT MUNICIPALITY : Fitchburg
PROJECT WATERSHED : Nashua
EOEA NUMBER : 13743
PROJECT PROPONENT : Matson Homes, Inc.
DATE NOTICED IN MONITOR : March 8, 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 41 single-family homes on a 27-acre project site. The project also includes construction of 3,050 linear feet of roadway, approximately 0.55 miles of water and sewer mains, and a stormwater management system. The project will result in approximately 19 acres of land alteration and five acres of new impervious area. Wetlands resources are located in the northern and south-eastern portion of the site. The project as proposed in the Environmental Notification Form (ENF) involves 1,705 square feet (sf) of wetlands alteration associated with roadway construction.

The project is undergoing environmental review pursuant to Section 11.03(1)(b)(2) of the MEPA regulations because it will create five or more acres of impervious area and Section 11.03(5)(b)(3)(c) because it will create ½ or more miles of new sewer mains. The project requires an Order of Conditions from the Fitchburg Conservation Commission (and, on appeal only, a Superseding Order from the Department of Environmental Protection (DEP)). The project requires a 401 Water Quality Certification from DEP unless the proponent submits a recorded Deed Restriction to DEP as further detailed in its comment letter. The project requires a major sewer extension permit (BRP WP13) from DEP. The project also requires a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the US 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 as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to land, stormwater and drainage, wastewater, wetlands and water quality.

The proponent submitted supplemental information during the ENF review process, which included an existing conditions plan, a summary of alternatives considered, and additional information on wetlands impacts and the proposed stormwater management system. Alternatives considered by the proponent included a 47-lot single-family subdivision and a 42-lot subdivision with two wetlands crossings that would result in 3,175 sf of wetlands alteration. Another alternative considered was a 33-lot single-family development, which would not require a wetlands crossing and result in less impervious area and land alteration. The proponent's preferred alternative, as described in the ENF, is a 41-unit subdivision with one wetlands crossing resulting in 1,705 sf of wetlands alteration (1,060 sf of filling and 645 sf of temporary alteration associated with culvert construction). The proponent has committed to construct a 1,880 square-foot wetlands replication area. I remind the proponent that an alternatives analysis, which should include alternatives to minimize wetlands impacts, is required as part of the 401 Water Quality Certificate (WQC) application.

The ENF indicates that the proposed stormwater management system will be designed to meet DEP Stormwater Management Policy standards. Site conditions include steep slopes, wetlands and high groundwater, which should be taken into account in project design to avoid and minimize adverse impacts to wetlands resources and hydrologic systems on and off-site. The proponent should consult with the City of Fitchburg regarding potential downstream flooding impacts and any design changes and/or mitigation that may be required. I also encourage the proponent to consult with the Nashua River Watershed Association (NRWA) regarding its comments and to provide additional information to NRWA and the City of Fitchburg Conservation Commission as further detailed in the NRWA letter.

The proponent should ensure that appropriate erosion and sedimentation controls are implemented to avoid and minimize wetland impacts during construction. The proponent should implement measures to avoid and minimize dust, noise, odor, traffic, and nuisance conditions associated with construction activities.

The project as proposed in the ENF is designed as a conventional subdivision. I encourage the proponent to consider a more clustered development to minimize impacts to wetland resource areas and buffer zone, and reduce land alteration and impervious area. I encourage the proponent to consider Low Impact Development (LID) techniques in site design and storm water management plans. LID techniques incorporate stormwater best management practices (BMPs) and can reduce impacts to land and water resources by conserving natural systems and hydrologic functions. The primary tools of LID are landscaping features and naturally vegetated areas, which encourage detention, infiltration and filtration of stormwater on-site. Other tools include water conservation and use of pervious surfaces. Clustering of buildings is an example of how LID can preserve open space and minimize land disturbance. LID can also protect natural resources by incorporating wetlands, stream buffers, and mature forests as project design features. For more information on LID, visit <http://www.mass.gov/envir/lid/>. Other LID resources include the national LID manual (Low Impact Development Design Strategies: An

Integrated Design Approach), which can be found on the EPA website at:
<http://www.epa.gov/owow/nps/lid/>.

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.

May 26, 2006

DATE



Stephen R. Pritchard, Secretary

Comments Received

3/21/06	Department of Environmental Protection
3/28/06	Nashua River Watershed Association
3/28/06	City of Fitchburg, Office of the Planning Coordinator
5/03/06	Nashua River Watershed Association

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