



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
*100 Cambridge Street, Suite 900*  
*Boston, MA 02114*

DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

IAN A. BOWLES  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

June 8, 2007

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

PROJECT NAME : Daniels Village  
PROJECT MUNICIPALITY : Medway  
PROJECT WATERSHED : Charles River  
EOEA NUMBER : 14008  
PROJECT PROPONENT : **Barberry Homes, Inc.**  
DATE NOTICED IN MONITOR : April 25, 2007

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 consists of an eighty-unit Adult Retirement Community with associated infrastructure, which includes roadways, stormwater infrastructure, and water and sewer mains. The site will be serviced by municipal water and sewer. The site is currently undeveloped, comprised of open space pastures, low vegetation, wetlands and wooded areas.

The proposed project will result in alteration of approximately 18.7 acres of land, which includes creation of approximately 8.5 acres of impervious area. The remainder of the 51-acre project site will remain undisturbed and a Conservation Restriction will be placed on approximately 20 acres of the site. The project involves grading and drainage work in the 100-foot buffer zone of Bordering Vegetated Wetlands (BVW). Traffic impacts are estimated at 476 vehicle trips per day and the project includes 190 parking spaces. Water and wastewater generation is estimated at 17,600 gallons per day (gpd). The project includes construction of 0.7 miles of new water and sewer mains.

The project is undergoing review pursuant to Section 11.03(1)(b)(2) because it will result in creation of five or more acres of impervious area and Section 11.03(5)(b)(3)(c) because it involves construction of a new sewer mains of one half mile or more in length. The project



requires a Sewer Extension Permit from the Massachusetts Department of Environmental Protection (MassDEP) and an Order of Conditions from the Medway Conservation Commissions (and, upon appeal only, a Superseding Order from MassDEP). The project may also require 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 Permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to wetlands, wastewater, land, stormwater and drainage.

According to the Environmental Notification Form (ENF), the zoning classification for the site is Agricultural-Residential and the site has the potential for 153 units allowed under zoning based on land area. The ENF and comment letters received indicate that the proponent considered alternative designs including an 118-unit senior residential development and an 86-unit alternative. The proponent subsequently redesigned the project with shorter roadways and narrower common driveways to reduce impervious area and wetlands disturbance.

In its comment letter dated May 16, 2007, the Charles River Watershed Association (CRWA) requested that the proponent be required to prepare an EIR, and raised concerns about wetlands resource impacts and the need for the project to emphasize Low Impact Development (LID) and to maximize recharge. Since then, the proponent has consulted with the CRWA to address their concerns, and has committed to using LID techniques and additional mitigation measures, as further detailed in the proponent's comment letters and its letter to the CRWA (dated June 1, 2007). The CRWA subsequently withdrew its request for an EIR and, as noted in the CRWA comment letter dated June 4, 2007, the proponent has committed to include a rain garden in the project design, direct rooftop run-off into drywells, incorporate Vegetation Management and Snow and Ice Removal language in condominium bylaws, and consider water conservation measures. I encourage the proponent to consider the additional drywells for homes located in the buffer zone as recommended by the CRWA.

The Department of Agricultural Resources (DAR), in its comment letter, asked that the proponent provide mitigation for project impacts, which include conversion of approximately 14 acres of prime farmland. The DAR expressed interest in permanently protecting the proposed open space parcel with an Agricultural Preservation Restriction (APR) or allowing use of the parcel for haying or other agricultural purposes. The proponent has consulted with DAR since receiving its comment letter to discuss mitigation, and has committed to allow yearly haying as part of the Conservation Restriction (CR) proposed for the 20-acre open space parcel.

### Mitigation

The proponent has committed to the following measures to avoid, minimize, and mitigate project-related impacts:

- A Conservation Restriction (CR) on approximately 20 acres (40%) of the project site, which will be held by the Medway Conservation Commission and the Upper Charles Conservation Land Trust. The CR will allow for walking trails and yearly haying to preserve agricultural land;
- Language in the project's Condominium Bylaws that will protect environmentally sensitive areas by restricting the use of pesticides, herbicides and fertilizers as part of Vegetation Management and Integrated Pest Management Plans;
- Language in the project's Condominium Bylaws that will protect wetlands resources by requiring a Snow and Ice Removal Plan that includes the use of environmentally sensitive alternatives for deicing;
- Measures to promote aquifer recharge with a particular focus on residences located in the wetlands buffer zone. Units 10-17, located along the south side of road "A", will be required to use dry-well systems for roof run-off;
- Landscaping that will feature native New England plantings;
- LID measures including a rain garden in the central garden area;
- Water conservation measures - the proponent will consider high efficiency toilets and front-loading washing machines;
- A project design that will meet the MassDEP Stormwater Management Policy standards and will use Best Management Practices (BMPs) to meet pre-development conditions for groundwater infiltration, run-off rates and volumes, and water quality.

I commend the proponent for its efforts to address the concerns of CRWA and DAR during the ENF review, and to incorporate LID and agricultural soils preservation. I encourage the proponent to also consider EnergyStar Certification and Leadership in Energy and Environmental Design (LEED) Certification for Homes, which can provide additional environmental and economic benefits.

I have determined that the ENF has sufficiently defined the nature and general elements of the project, and proposed measures to avoid, minimize and mitigate project-related impacts. Based on review of the ENF and comment letters received, I find that the impacts associated with the project do not warrant further MEPA review. I am satisfied that any remaining issues can be adequately addressed during the state and local permit and review processes.

June 8, 2007

DATE



Ian A. Bowles, Secretary

Comments Received (continued on next page):

5/16/07	Department of Environmental Protection, Central Regional Office
5/16/07	Charles River Watershed Association
5/22/07	Jim Williamson, Barberry Homes, Inc. (proponent)

5/29/07 Department of Agricultural Resources  
5/30/07 Jim Williamson, Barberry Homes, Inc. (proponent)  
5/31/07 GLM Engineering Consultants, Inc. (on behalf of proponent)  
6/04/07 Charles River Watershed Association

IAB/AE/ae