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July 21, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE

PROJECT NAME : Hadley Estates/Julia Lane Extension/Beaver Creek Circle
PROJECT MUNICIPALITY : Pepperell
PROJECT WATERSHED : Nashua River
EOEA NUMBER : 11801
PROJECT PROPONENT : Robert M. Hicks, Inc.
DATE NOTICED IN MONITOR : June 21, 2006

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** the preparation of an Environmental Impact Report (EIR).

The project originally underwent MEPA review in 1998-99, at which time the project consisted of a 55-unit housing subdivision on a 125-acre parcel. It was determined at this time that the project did not require the preparation of an EIR. A Notice of Project Change (NPC) was filed in May 2004, for the review of an expansion of the original project encompassing 18 additional housing units on an adjacent 67-acre parcel. The cumulative impacts of both subdivisions remained below any mandatory EIR thresholds and it was determined that the revised project did not require the preparation of an EIR.

This most recent project change involves the reconfiguration of seven (7) single family home lots within portion of the subject property previously reviewed within the 2004 NPC. This reconfiguration of lots has been proposed in accordance with Pepperell's Open Space Residential Development regulations. According to the proponent, this reconfiguration will reduce the number of wetland crossings and allow for the creation of a 10.1± acre open space parcel to be preserved in perpetuity. The project change will result in a creation of one additional house lot,

and 440 gallons per day each of additional wastewater flow and water use. The project proponent states that the overall amount of land altered within the subdivision will be reduced from 49± acres to 48.8± acres.

The project site is located within an area presently mapped as Priority and Estimated Habitat by the Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP). Previous correspondence with NHESP in 2004 indicated a response from the NHESP that at "this time we are not aware of any rare plants or animals or exemplary natural communities in the vicinity of the site." Since the filing of the 2004 NPC, NHESP has implemented new regulations associated with the Massachusetts Endangered Species Act (MESA) and new mapped Priority and Estimated Habitats are anticipated to be released by NHESP in late summer/early fall 2006. I request that the proponent provide NHESP with a copy of the Notice of Intent filed for the Beaver Creek Circle subdivision to ensure an opportunity for NHESP to comment with regards to water quality and quantity impacts of proposed wetland crossings and the applicability of MESA regulations.

The impacts of the project within MEPA jurisdiction do not warrant the preparation of an EIR. I conclude that no further MEPA review is required. The proponent may resolve any remaining issues during the state and local permitting processes.

July 21, 2006

DATE



Stephen R. Pritchard, Secretary

Comments received:

6/26/2006 Department of Environmental Protection – CERO
7/11/2006 Northern Middlesex Council of Governments

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SRP/HSJ/hsj