



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

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

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

August 9, 2006

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

PROJECT NAME: Avalon Sharon
PROJECT MUNICIPALITY: Sharon
PROJECT WATERSHED: Boston Harbor
EOEA NUMBER: 13835
PROJECT PROPONENT: AvalonBay Communities, Inc.
DATE NOTICED IN MONITOR: July 10, 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).

As outlined in the Environmental Notification Form (ENF), the project consists of a mixed-income residential apartment community on a 28-acre site located along Norwood Street in Sharon. The development will consist of 156 apartment homes comprised of 64 one-bedroom and 92 two-bedroom units. A single family home and a number of agricultural related buildings currently occupy the site which was previously used as an active farm. The proposed development is being co-sponsored by AvalonBay Communities, Inc. and the Town of Sharon through the Local Initiative Program (LIP) pursuant to MGL Ch 40B. The project will be served by municipal water from the Town of Sharon. Wastewater will be directed to the Massachusetts Water Resources Authority (MWRA) sewer system in the Town of Norwood.

The project is undergoing review pursuant to Section 11.03(5)(b)(3)(c) and 11.03(6)(b)(14) of the MEPA regulations because it requires the construction of more than ½ a

mile of new sewer main not located in the existing right of way and because the project is anticipated to generate more than 1,000 new average daily trips (adt) and require the construction of more than 150 new parking spaces at a single location.

The project requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA); an Access Permit from the Massachusetts Highway Department (MHD); a Sewer Connection Permit from the Department of Environmental Protection (DEP); a Sewer Connection Permit from the MWRA; a Determination of Insignificance on an Interbasin Transfer Request from the Department of Conservation and Recreation's (DCR) Water Resources Commission (WRC); a review of MWRA legislation by the Massachusetts General Court; a Comprehensive Permit from the Sharon Zoning Board of Appeals; LIP Endorsement from the Sharon Board of Selectmen; an Order of Conditions from the Sharon Conservation Commission; and a Sewer Connection Permit from the Town of Norwood.

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 or potentially required state permits with the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to stormwater, wetlands, wastewater and transportation.

Stormwater & Wetlands

The project will result in the creation of approximately 3.7 acres of new impervious surface. There is currently no stormwater management system located on the property. According to the ENF, the proposed development will feature a stormwater management system designed in compliance with DEP's Stormwater Management Policy. The system will feature an on-site detention basin; catch basins with deep sumps and oil separating elbows; stormwater quality areas to filter runoff from paved areas; and a rooftop recharge system. In addition, the proponent will develop an operation and maintenance program for the stormwater management system and will implement a pollution prevention and erosion control plan during construction.

The project will not result in impacts to jurisdictional wetland resource areas however one of the development's stormwater basins will be located in the buffer zone, and therefore the project requires an Order of Conditions from the Sharon Conservation Commission. A Notice of Resource Area Delineation was issued by the Conservation Commission for the site approximately 3 years ago. The proponent should determine if it is required to get a new delineation approved before filing the Notice of Intent.

Water Supply & Wastewater

According to the ENF, the development will require 26,840 gallons per day (gpd) of drinking water from the Sharon municipal system. The project is anticipated to generate approximately 26,840 gpd of wastewater. The project will connect to the MWRA system via a private forced sewer main that will extend to the Town of Norwood sewer system. Estimates of water and wastewater provided in the ENF are based on Title 5 design flows; the proponent

states however that based on AvalonBay's records from residential communities it is more likely that flows will range from 13,640 to 16,120 gpd.

The Town of Sharon's water supply sources are located in both the Taunton River basin and the Neponset River subbasin of the Boston Harbor basin. The proponents have investigated on-site wastewater disposal but due to poor soils, high groundwater levels and wetlands on site, have determined that it is not feasible. Therefore, it is proposed that the development's wastewater will be transported to the MWRA via the Norwood municipal system for treatment and discharge in the Massachusetts Coastal basin. This proposal triggers the Interbasin Transfer Act (ITA). Because the proposed transfer is less than 1 million gallons per day (mgd), it may qualify for a Determination of Insignificance under the Act if the proposed transfer can meet the criteria listed under 313 CMR 4.04(4) of the ITA regulations. The proponent has not yet filed the Request for Determination of Insignificance (RDI) with the Water Resources Commission (WRC). If it is determined by the WRC that the interbasin transfer is significant, the proponent should file a Notice of Project Change (NPC) with MEPA pursuant to 301 CMR 11.03(5)(a)(2).

The project will also need approval under the MWRA's OP.11, Admission of New Community to MWRA Sewer System and Other Requests for Sewer Service to Locations Outside MWRA Sewer Service Area. The proponent has been working with the MWRA for guidance through this approval process, and MWRA has stated in its comments that it will continue to work with AvalonBay to ensure that the requirements of OP.11 are met.

In response to concerns about water usage, the proponent has committed to incorporating water conservation measures into the project to minimize water use and resulting wastewater discharges. The proponent will install efficient water saving laundry facilities, will use drought tolerant plantings in landscaping, and will not use Town water for irrigation purposes. In addition, a holding tank with an aeration system is also proposed to provide the ability to restrict discharges to the Norwood and MWRA system during specified times. As part of the Sewer Agreement with the Town of Norwood, the proponent has committed to remove inflow sources from the Norwood system at a rate of 4:1. According to the ENF, this inflow reduction will benefit the Boston Harbor Basin by keeping approximately 100,000 gpd in the basin.

Several commenters have raised concerns about the proposed water and wastewater infrastructure for the project and the potential for creating a water deficit in Sharon. While it is preferable to pursue onsite wastewater treatment and recharge wherever possible, and while it is the goal of the MEPA office to encourage design alternatives that avoid and minimize environmental impacts, MEPA cannot force the proponent to provide onsite wastewater treatment, particularly in the case where subsurface conditions limit the practicality of such an option. I am confident that the regulatory and legislative approvals required for the transfer will ensure compliance with the applicable performance standards. I appreciate the thoughtful comments from residents and from the Neponset River Watershed Association on this subject, and encourage the WRC to consider the issues raised. The proponent should ensure that all regulatory and legislative approvals for the treatment of wastewater in the Town of Norwood are included in the sewer extension permit application to DEP.

Transportation

Based on Institute of Traffic Engineers (ITE) Land Use Code 220 (Apartment), the project is anticipated to generate approximately 1,040 new vehicle trips on an average weekday. The project will require an Access Permit from MHD for access to Norwood Street. The project is located approximately two miles from the Sharon Commuter Rail Station and three miles from the Canton Commuter Rail Station. MHD states in its comments that the traffic impacts associated with the project will be minimal.

The proponent has agree to contribute to a traffic mitigation fund that will be used for the construction of a traffic signal at the intersection of Edge Hill Road and Norwood Street and High Plain Avenue and/or sidewalk construction on Edge Hill Road. The proponent and the Town should ensure that any traffic mitigation does not negatively impact Edge Hill Road's designation as a scenic road.

Historic Resources

The Sharon Historical Commission and Sharon Historical District Commission have raised concerns regarding the existing residence on the site at 361 Norwood Street. According to the proponent, based on consultation with the Massachusetts Historical Commission (MHC), no part of the site or any structures at the site are listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth. MHC did not provide comments on the ENF. The proponent should consult with the Sharon Historical Commission to ensure that the development complies with local historic preservation and demolition delay bylaws.

Conclusion

I have determined that the ENF has sufficiently defined the nature and general elements of the project and proposed measures to avoid and mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state and local permitting and review process. The proposed project, as described in the ENF, requires no further review under MEPA.

August 9, 2006
Date


Stephen R. Pritchard

Comments Received:

- 7/22/2006 Sharon Historical Commission and Sharon Historical District Commission
- 7/26/2006 Water Resources Commission
- 7/28/2006 Board of Selectmen, Town of Sharon
- 7/28/2006 Massachusetts Water Resources Authority

7/31/2006 Executive Office of Transportation/Massachusetts Highway Department
7/31/2006 Department of Environmental Protection, Southeast Regional Office
7/31/2006 Laura Nelson
7/31/2006 **Water Supply** Citizens Advisory Committee
7/31/2006 Neponset River Watershed Association
7/31/2006 Paul C. Lauenstein
8/1/2006 AvalonBay Communities, Inc.

SRP/BA/ba