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September 22, 2006

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

PROJECT NAME : Wildcat Hill Definitive Subdivision
PROJECT MUNICIPALITY : Norwell
PROJECT WATERSHED : South Shore Coastal
EOEA NUMBER : 13864
PROJECT PROPONENT : Casa Development, Inc. (c/o A.W. Perry, Inc.)
DATE NOTICED IN MONITOR : August 23, 2006

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), this project consists of a 44 lot single family residential development on approximately 72.51 acres of land located off Wildcat Lane in Norwell (43 single family home lots and one lot for a wastewater treatment facility). The project includes the construction of a 4,650 linear foot roadway with two wetland crossings, associated stormwater management basins, alteration of 7,860 square feet (sf) of Bordering Vegetated Wetlands (BVWs), and construction of an on-site wastewater treatment facility (WWTF). The project will also include the construction of water mains through the project site and along portions of Wildcat Lane, as well as realignment and regrading of Wildcat Lane to improve sight distances from the site driveways. The western portion of the site is located within a DEP Zone II to a public water supply with the remainder of the site located within a DEP Zone III. The entire site is located within the Town of Norwell Aquifer Protection Overlay District.

The project is undergoing MEPA review because: the project will alter more than 25 acres of land and creation five or more acres of impervious area (Sections 11.03(1)(b)(1) and 11.03(1)(b)(2)); the project requires the construction of a sewer main ½ or more miles in length (Section 11.03(5)(b)(3)(c)); and the project will permanently alter 5,000 or more sf of BVW (Section 11.03 (3)(b)(1)(d)). The project will require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (U.S. EPA). An Indirect State Highway Access Permit from the Massachusetts Highway Department (MassHighway) is required, as the project abuts a State Highway (Route 3). The project will require a Section 401 Water Quality Certificate (WQC) and a Groundwater Discharge Permit from the Massachusetts Department of Environmental Protection (MassDEP). Finally, the project will require an Order of Conditions from the Norwell Conservation Commission (and a Superseding Order of Conditions if the Order is appealed). The project has already obtained subdivision approval from the Norwell Planning Board.

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, stormwater, wastewater, traffic and land alteration.

The project will alter 39.82 acres of land and create 9.51 acres of impervious area. The proponent states in the ENF that the project has been designed to fully comply with MassDEP Stormwater Management Policy. The ENF describes stormwater management through a series of closed drainage systems with particle separators, sediment forebays, and infiltration/detention basins that will mitigate post development rates and volumes to ensure that on-site and downstream wetland resources are not negatively impacted. It was stated at the MEPA site consultation that stormwater management provisions were peer reviewed by an independent consultant on behalf of the Town of Norwell during the subdivision approval process. Additionally, construction phase and post-construction phase Best Management Practices (BMPs), along with an Operation and Maintenance Plan will be provided in accordance with MassDEP's Stormwater Management Policy. This information should be presented for review by the Norwell Conservation Commission during the project's review under the Wetlands Protection Act (WPA).

The project contains a privately owned and operated wastewater treatment facility (WWTF) capable of treating the 23,650 gallons per day of wastewater generated by the project. The WWTF will be located on a separate lot within the western portion of the subdivision, proximate to Centennial Way. The WWTF is located within a MassDEP Zone II wellhead protection area and the Norwell Aquifer Protection Overlay District. The ENF states that the on-site WWTF and associated sewer collection system will be constructed to provide enhanced wastewater treatment prior to discharge to the groundwater. It is anticipated that the WWTF will be designed to meet all performance standards associated with groundwater discharges within a Zone II wellhead protection area. At the site consultation meeting, the proponent indicated that a Home Owners Association (HOA) would be created to oversee operations and maintenance of the WWTF. The proponent has received conceptual approval of its groundwater discharge

permit from MassDEP. Further review of the WWTF will be required by DEP prior to issuance of a Groundwater Discharge Permit.

The project will contain two wetland crossings, resulting in the permanent alteration of 7,860 sf of BVWs and the temporary alteration of 950 sf of BVWs. The ENF states that wetland mitigation areas will be provided at a ratio of 2:1 on the project site. However, the ENF does not include conceptual wetland replication area design plans, nor does it indicate where on the project site mitigation areas will be constructed. Additionally, the ENF does not investigate the viability of reducing wetland impacts through the creation of one wetland crossing, in lieu of the two presented in the ENF. It is my understanding that the preferred alternative was presented as a "no waiver" plan under local subdivision regulations, and subsequently a single wetland crossing could not be accommodated due to maximum road length requirements. While this project does not exceed any mandatory EIR thresholds, I expect that a thorough alternatives analysis will be performed in accordance with the MassDEP WQC permitting requirements.

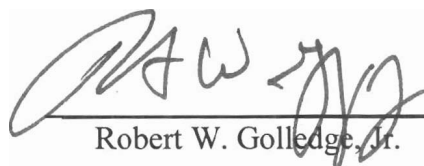
I recognize that this project has yet to receive approval under the Wetlands Protection Act from the Norwell Conservation Commission. However, I am concerned about the viability of BVWs impacted by the creation of the subdivision roadway. The proponent's preference to not obtain a waiver from maximum cul-de-sac length under the Norwell Subdivision Rules and Regulations should not obviate the proponent from considering the wetland impacts associated with their preferred alternative in comparison to alternatives with lesser direct impact. I encourage the proponent to investigate wetland crossing alternatives (despite the fact that the Norwell Planning Board has already endorsed the subdivision plan depicting the two crossings) with the Norwell Conservation Commission and MassDEP to determine how impacts can be further mitigated.

The Massachusetts Historical Commission (MHC) has requested that an intensive (locational) archaeological survey (950 CMR 70) be conducted due to the archaeological sensitivity of the project site. The purpose of this survey is to locate and identify any significant historic or archaeological resources that may be affected by the project. The results of this study will assist the proponent and MHC in avoiding, minimizing or mitigating any adverse effects to significant archaeological resources. It is my understanding that the proponent has engaged a consultant to assist in the conduction of a location specific analysis on-site. The proponent should work with MHC to ensure compliance with Massachusetts General Laws, Chapter 9, Section 26-27C (950 CMR 70-71) prior to the commencement of construction or site alteration.

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.

September 22, 2006

Date



Robert W. Golledge, Jr.

Comments received:

08/31/2006	Massachusetts Historical Commission
09/12/2006	Anne Horgan
09/12/2006	Division of Marine Fisheries
09/12/2006	Massachusetts Department of Environmental Protection – SERO
09/13/2006	Casa Development, Inc. (proponent)
09/14/2006	Norwell Conservation Commission

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