

**MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION  
M.G.L. c.30, S 61 FINDINGS MADE PURSUANT TO 301 CMR 11.00.**

EOEA PROJECT NAME: AMES RUN CLUSTER SUBDIVISION/ THE LODGE AT AMES  
POND

PROJECT PROPONENT: THE HANOVER COMPANY

MUNICIPALITY: TEWKSBURY

EOEA NUMBER: 13493

**RECEIVED**

**JUN 3 2009**

**MEPA**

**INTRODUCTION**

The Department of Environmental Protection (DEP) makes these Section 61 findings for the project noted above, as required by 301CMR, 11.00.

**PROJECT DESCRIPTION:**

The proposed project (Phase II) consists of a 364 residential multi-family housing units and a clubhouse development located on a 198 acre site in Tewksbury Massachusetts. The units will be located in thirteen (13) multi-story apartment buildings, along with a clubhouse and accessory garage buildings. It will generate 65,194 gallons of wastewater per day and will be developed under the provisions of MGL Chapter 40B.

**MEPA REQUIREMENTS:**

A Notice of Project Change (NPC) was filed with the MEPA Office on October 15, 2006 describing a change in the proposed Phase II of the Ames Run Cluster Subdivision project to the Lodge at Ames Pond and the change in proponent to the Hanover Company. The NPC was prepared in the manner of an "Expanded" ENF to support a request for a Single Environmental Impact Report (SEIR) for the combined Ames Run Cluster Subdivision and the Lodge at Ames Pond projects. The NPC certificate was issued on December 8, 2006 and authorized the preparation of the SEIR for the combined project. On March 29, 2007 a certificate issued by the Secretary of Energy and Environmental Affairs on the Single Environmental Report (SEIR) stated that it adequately and properly complies with the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

**DEP SEWER PERMIT AND MITIGATION:**

The proponent evaluated the wastewater collection downstream of the project site. According to the information presented in the Single EIR, the existing sewers and pump stations downstream do not require upgrades to satisfy the new flow demands attributable to the project. The proponent is required by the Comprehensive Permit to contribute the sum of \$250,000 to the Town of Tewksbury to be placed in an escrow account for the purpose of upgrading the Town's

sewer pump station located at the intersection of Ames Pond Drive and Andover Street. Special Conditions of the sewer connection permit require watertight construction of all sewer piping and/or structures crossing within the buffer zone of any wetlands as well as any crossing under or within 100 feet of any surface waterbody or stormwater impoundment.

**SECTION 61 FINDINGS:**

The Department has reviewed the MEPA documents and the documents submitted in connection with the application for a permit. Based upon its review, the Department finds that implementation of the terms and conditions of this permit constitute all feasible measures to avoid damage to the environment and will minimize and mitigate such damage to the maximum extent practicable. Implementation of the mitigation measures will occur in accordance with the terms and conditions set forth in this permit.

Department of Environmental Protection  
Bureau of Resource Protection

June 1, 2009  
Date

Kevin Brander  
By: Kevin Brander, P.E.