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January 13, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Southview Estates
PROJECT MUNICIPALITY : Fuller Street - Ludlow
PROJECT WATERSHED : Chicopee River
EOEA NUMBER : 13355
PROJECT PROPONENT : Atwater Investors
DATE NOTICED IN MONITOR : December 7, 2005

The Secretary of Environmental Affairs hereby determines that the Draft Environmental Impact Report (DEIR) submitted on the above project 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). I find that no major issues remain that warrant the preparation of a separate Final Environmental Impact Report (FEIR). Therefore, in the next edition of the Environmental Monitor, I will publish notice that the DEIR is being reviewed as a FEIR, in accordance with 301 CMR 1.08(8)(b)(2)(b).

According to the DEIR, the proposed project consists of the construction of one of two Preferred Alternatives. On January 26, 2004, the Housing Appeals Committee (HAC) under Chapter 40B directed the Ludlow Zoning Board of Appeals to issue an amended Comprehensive Permit for the construction of 241 units of housing. Because of zoning changes approved by the Town of Ludlow on May 15, 2005, the proponent is actively pursuing the option of developing 168 market rate condominium units, in accordance with this approved zone change. However, the proponent is also continuing to pursue the 241-unit development under the Comprehensive Permit. Therefore, both the 241-unit development and the 168-unit development are presented as Preferred Alternatives in the DEIR.

Preferred Alternative A is comprised of the construction of a 241-unit, 406,000 square foot (sf) condominium complex with 482 parking spaces. The proponent is proposing to construct the project in four phases. Phase I contains 51 units, Phase II contains 79 units, Phase III contains 67 units, and Phase IV contains 44 units. This development is proposed under the auspices of the Chapter 40B Comprehensive Permit. Twenty-five percent or 60 units will be made available as affordable housing under Chapter 40B. The project alters 54.8 acres and creates 18.3 acres of impervious area. Water consumption is estimated at 58,000 gpd, and wastewater generation is estimated at 53,000 gpd. The project will alter approximately 14,400 sf of BVW. It generates approximately 1,356 vehicle trips per day.

Preferred Alternative B consists of the construction of a 168 units of market-rate condominiums, 218,000 sf, with 336 parking spaces. The proponent is proposing to construct the project in three phases. Phase I contains 38 units, Phase II contains 80 units, and Phase III contains 50 units. The project alters 42.7 acres and creates 14 acres of impervious area. Water consumption is estimated at 36,960 gpd, and wastewater generation is estimated at approximately 33,600 gpd. The project will alter approximately 14,300 sf of BVW. It generates approximately 998 vehicle trips per day. The project would create an 8-acre open space area.

The site contains a single family home that would be demolished. Access to the site will be provided via two roadways onto Fuller Street for Preferred Alternative A and one roadway for Preferred Alternative B. The site contains a total of approximately 86.2 acres. The project will be connected to the existing municipal water and wastewater service.

This project is subject to a mandatory EIR. The project may require a Section 401 Water Quality Certificate, a Superseding Order of Conditions, a Water Pump Station Permit (BRP WS 32), and a Sewer Connection/Extension Permit from the Department of Environmental Protection (DEP). On January 26, 2004, the Housing Appeals Committee (HAC) issued a decision approving the 241-unit project. The HAC decision is conditional until the proponent has complied with MEPA, and the HAC retains authority to modify its decision based on the findings or reports prepared in connection with MEPA review. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over five acres. It will need a Section 10/404 Permit from the U.S. Army Corps of Engineers. An Order of Conditions will be required from the Ludlow

Conservation Commission for impacts to wetland resource areas and buffer zones as a "limited" project. Because the proponent is seeking approval from the Commonwealth (HAC), MEPA jurisdiction extends to all aspects of the project that may have significant environmental impacts.

Review of the DEIR:

The DEIR included a detailed description of the project, and it described each project phase. It identified the state permits required for this project. The DEIR discussed the aesthetics of the project, and included a conceptual-level landscaping plan and building elevations from all sides. It identified the areas on the site with prime agricultural soils.

The DEIR analyzed the following alternatives;

- No-Build Alternative;
- Original Zoning Alternative (61 single-family lots);
- Zone Change Alternative (Single-Family Clusters);
- Preferred Alternative A (241 units);
- Reduced Build Alternative (195 units); and
- Preferred Alternative B (168 units).

The Ludlow Zoning Board of Appeals and other Ludlow officials have refused to permit any roadway alternatives which reduce the width of the proposed roadway (from 17-feet per lane with a 5-foot median strip) within wetland resource areas. The DEIR identified the site access options. It compared the differences between the environmental impacts associated with each of the alternatives. The alternative site plans showed the location of condominiums, driveways, roadways, and infrastructure (water and sewer).

The DEIR discussed how this project is compatible with Executive Order 385 - Planning for Growth and the Pioneer Valley Planning Commission's Valley Vision.

The DEIR was prepared in conformance with the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment. It summarized the results of its level-of-service (LOS) analysis at the scoped intersections. After a discussion of traffic impacts with the proponent, the Pioneer Valley Planning Commission (PVPC) determined that no LOS analysis was necessary at the intersection of Holyoke Street/West Street. The DEIR determined that the LOS for the Fuller Street/Chapin Street intersection is at LOS C in the 2010 conditions during

the pm peak hour. The LOS analysis in the Traffic Study included both the am and pm peak weekday hours, volume to capacity ratios, a traffic distribution map, and background growth from other proposed developments in the area (1.5 percent per year).

The Traffic Study evaluated alternatives to the project driveways onto local streets. It examined present and future build and no-build traffic volumes for all impacted roadways and intersections. The proponent identified the LUC used and how its trip generation estimates were generated.

The DEIR did not report traffic accident history for the study area because it had not received current data from the Town of Ludlow. In future traffic studies, the proponent should contact both MHD and the Town of Ludlow to obtain this information.

The DEIR showed where sidewalks currently exist in a map of the area and where the proponent proposes sidewalks. The proponent stated that it would construct 4-foot wide sidewalks along one side of project roadways and along the site frontage on Fuller Street as part of the project. The proponent did not propose any bicycle path connections.

The proponent has attempted to avoid and reduce the extent of wetland alterations due to the proposed roadway crossing of wetlands. However, the Zoning Board of Appeals has determined that the proponent should not reduce the subdivision roadway crossings from 17-wide travel lanes with a 5-foot median for safety concerns. The proponent has examined options, such as reducing the width of the roadway and eliminating the median area to reduce proposed wetland impacts. It has also examined different access options to the project site that avoid impacts to wetland resource areas. In the DEIR, the proponent has identified impacts to 14,431 sf of Bordering Vegetated Wetlands (BVW) and 515 linear feet of Bank for roadway impacts as a "limited" project (the worst case scenario: Preferred Alternative A). The DEIR also indicated that approximately 4,456 sf of BVW will also be temporarily impacted by the proposed sewer line construction, which has been approved by the Ludlow Conservation Commission.

The DEIR presented the resource area boundaries and the Ludlow Conservation Commission has accepted the resource area boundaries. It described the 19,324 sf of BVW replication plans and the 600 linear feet of a relocated and created drainage channel.

The DEIR included a wetlands wildlife habitat evaluation. It determined that no major wildlife corridors exist through the project site.

The DEIR presented drainage calculations and detailed plans for the management of stormwater from the proposed project. It included a detailed description of the proposed drainage system design. The rates of stormwater runoff were analyzed for the 10, 25 and 100-year storm events. The proposed drainage system would control storm flows at existing levels. Proposed activities, including construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into wetland areas, were evaluated. The locations of detention basins and the expected water quality emanating from said basins were designed to meet DEP stormwater guidelines.

The DEIR discussed the need for a National Pollutant Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. It summarized the requirements of the NPDES General Permit for stormwater discharges from construction sites. In addition, a maintenance program for the drainage system was provided by the proponent in Appendix E of the DEIR.

The DEIR outlined the proponent's efforts to reduce water consumption. According to the proponent, the municipal wastewater system has sufficient capacity to handle the project's additional wastewater flows.

The DEIR summarized the results of hazardous waste studies and remediation efforts undertaken at the site by the proponent.

The DEIR presented a discussion on potential construction period impacts and analyzed feasible measures that avoided or eliminated these impacts.

Mitigation:

The DEIR included a separate chapter summarizing mitigation measures. This chapter on mitigation included two Proposed Section 61 Findings for DEP. The proponent will revise these two Proposed Section 61 Findings and incorporate them into one Proposed Section 61 Finding for DEP. A schedule for the implementation of mitigation was provided to the MEPA Office.

I ask DEP and the HAC to reduce the width of the proposed project's roadway within wetland resource areas to 12-foot wide or less per lane and without any boulevard median.

In the DEIR, the proponent has committed to implement the following mitigation measures:

- Provide a 19,324 sf BVW replication area, 656 linear feet of Bank, and a 10,000 sf isolated wetland replication area. Restore wetland areas temporarily impacted by the construction of the sewer line. The proponent will spend about \$287,000 on wetlands.
- Construct stormwater Best Management Practices including: up to 8 detention basins, street sweeping, deep sump hooded catch basins, forebays and water quality swales, approximately \$281,000.
- Reduce the width of the proposed roadway and eliminate the median area in areas where wetland crossings occur if permitted.
- Provide 4-foot wide sidewalks along one side of subdivision roadways and along the Fuller Street frontage, approximately \$43,000).

The DEIR and the supplemental material (January 10, 2006), which have been submitted on the above project, have addressed the substantive issues. The proponent must file responses to comments on the DEIR, a draft Stormwater Pollution Prevention Plan, and the Proposed Section 61 Findings for DEP and the HAC prior to the publication of the next issue of the Environmental Monitor (dated January 25, 2006). In the Environmental Monitor, the DEIR will be noticed as a FEIR.

January 13, 2006

DATE


Stephen R. Pritchard

Comments received:

DEP/WERO, 1/6/06

Baystate Environmental Consultants, 1/10/06

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SRP/WTG