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

PROJECT NAME : Turtle Crossing
PROJECT MUNICIPALITY : Norton
PROJECT WATERSHED : Canoe River
EOEA NUMBER : 13936
PROJECT PROPONENT : Red Mill Realty Trust
DATE NOTICED IN MONITOR : December 23, 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).

This project consists of the development of 176 residential rental units on a 31-acre site in Norton. Units will be constructed in 2-story building clusters. Access to the site will be provided by a 24-foot private roadway from Newland Street along an existing haul road. Municipal water and sewer will service the project. Wastewater will be treated and discharged at the Mansfield Wastewater Treatment Plant. At least six feet of fill will be required to develop the site because of the previous clearing of the land.

The site is bordered by the Canoe River to the east, wetlands to the south, Newland Street and existing residences to the west and an active farm to the north. The site is located within the Canoe River Area of Critical Environmental Concern (ACEC), within Priority Habitat for rare species (spotted turtles and freshwater mussels) according to the Massachusetts Heritage Atlas and within Zone II of a public water supply. It includes several wetland resource areas and vernal pools. The site was cleared approximately 10 years ago to create a cranberry bog. The bog was never created although more than half of the site was cleared, left without vegetation and then abandoned. The area along the Canoe River was not disturbed and remains wooded.

The project is undergoing MEPA review pursuant to Section 11.03 (5)(b)(3)(c), (6)(b)(14) and (11)(b) because it requires a state permit and it includes a new sewer main ½ or more miles in length, generation of more than 1,000 average daily vehicle trips (adt) and construction of more than 150 parking spaces, and it is located within a designated ACEC. The project requires an Order of Conditions from the Norton Conservation Commission and a Sewer Connection Permit from DEP. Also, it requires a Comprehensive Permit from the Norton Zoning Board of Appeals (ZBA).

Because the project may include review by the Housing Appeals Committee (HAC), MEPA has broad scope jurisdiction related to any issues that may cause Damage to the Environment. These include land alteration, wetlands, drainage, water quality, rare species habitat, wastewater, water use and traffic.

Potential environmental impacts are associated with creation of 4 acres of new, impervious surfaces, generation of 1,183 average daily vehicle trips (adt), consumption of 38,720 gallons per day (gpd) of water and generation of 38,720 gpd of wastewater. Efforts to avoid, minimize and mitigate project impacts include maintenance of a significant buffer between proposed construction and the Canoe River, construction of a stormwater management system, incorporation of turtle crossing areas within the roadway design to maintain migration routes through the site and a commitment to develop a wetlands restoration project to address previous wetlands alteration violations.

The Norton Conservation Commission will be responsible for determining consistency with the Wetlands Protection Act and MassDEP Stormwater Management Policy. The Conservation Commission and the ACEC Program have provided comprehensive comments on the project design and identify a number of issues the proponent should consider as the project design is advanced. These include the importance of providing an adequate buffer to wetland resources areas, the development of an effective stormwater management system, preservation, and enhancement of wildlife habitat and protection of open space and provision of public access to the Canoe River.

Wetlands and Drainage

The Norton Conservation Commission indicates that an Order of Resource Area Delineation (ORAD) has been issued for the project and identifies wetland resource areas. The project will not result in any direct wetlands alterations although a significant amount of work will take place within the buffer zone to wetlands. As requested by the Conservation Commission, the proponent should consider the placement of permanent markers on the site to ensure residents are aware of the 25-foot no disturb zone established by the local wetland bylaw.

I encourage the proponent to continue exploring alternatives to the proposed layout that could minimize impervious surfaces and provide a larger buffer between wetland resource areas and wildlife habitat. In particular, I encourage the proponent to incorporate Low Impact Development (LID) techniques in site design and stormwater management plans. LID techniques incorporate stormwater best management practices (BMPs) and can reduce impacts to land and water resources by conserving natural systems and hydrologic functions. The primary

tools of LID are landscaping features and naturally vegetated areas, which encourage detention, infiltration and filtration of stormwater on-site. Infiltration and recharge on this site are particularly important to maintain the base flow of the Canoe River and mitigate the transfer of water to another sub-basin by the proposed sewer system. Other tools include water conservation and the use of pervious surfaces. Clustering of buildings, as is proposed on this site, is an example of how LID can preserve open space and minimize land disturbance. The proponent may consider increasing the height of some or all of the buildings to further minimize impacts to wetlands and work within buffer zones while maintaining project goals. LID can also protect natural resources by incorporating wetlands, stream buffers and mature forests as project design features. For more information on LID, visit <http://www.mass.gov/envir/lid/> and review the national LID manual (Low Impact Development Design Strategies: An Integrated Design Approach), which can be found on the EPA website at: <http://www.epa.gov/owow/nps/lid/>.

Wildlife Habitat

The Division of Fisheries and Wildlife's (DFW) Natural Heritage and Endangered Species Program (NHESP) will review the project to ensure adequate mitigation is provided for impacts to rare species and habitat. Although the spotted turtle is no longer listed by the NHESP, the proponent has maintained measures in the project design to avoid, minimize and mitigate impacts on this species. The proponent has indicated that it is willing to incorporate enhancement of turtle habitat into the project in addition to construction of the the turtle crossings.

Open Space and Public Access

The Conservation Commission has indicated that the proponent should review the project's consistency with the Norton Open Space and Recreation Plan. Both the ACEC Program and Conservation Commission comments invite the proponent's participation in the Canoe River Aquifer Advisory Committee's Greenbelt project to create a 500-foot greenbelt along the River. I strongly encourage the proponent to consider placing a conservation restriction on the open space adjacent to the Canoe River to support this goal and to provide public access to the River from the site for canoeing and kayaking.

The Conservation Commission also notes that the project abuts an active farm that includes composting. Residents should be made aware of these activities and the proponent should consider screening between the sites to minimize potential conflicts.

Wastewater


The project will discharge approximately 38,720 gpd of wastewater and will include installation of 2,900 linear feet of sewer main. As noted previously, it will require a Sewer Connection Permit from MassDEP. Comments from MassDEP note that the Town of Norton has developed a Comprehensive Wastewater Management Plan (CWMP) to identify wastewater needs. The CWMP does not identify this site as a high priority area. In addition, Norton and Mansfield have entered into an Intermunicipal Agreement (IMA) to treat and discharge a maximum of 500,000 gpd of wastewater from Norton at the Mansfield Wastewater Treatment

Plant. Any additional flow will be subject to this agreement. MassDEP will require the proponent to address these issues and to provide more details on sewage design during permitting.

The review of the ENF has served to adequately disclose the potential impacts associated with this project. Based on the information in the ENF and after consultation with relevant public agencies, I find that outstanding issues can be addressed adequately through state and local review. No further MEPA review is required.

January 22, 2007

Date



Ian A. Bowles

Comments Received:

- 1/12/07 Department of Environmental Protection /Central Regional Office (MassDEP/CERO)
- 1/12/07 Department of Conservation and Recreation (DCR)/Areas of Critical Environmental Concern Program (ACEC)
- 1/10/07 Norton Conservation Commission

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