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February 8, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
 ON THE
 THE NOTICE OF PROJECT CHANGE

PROJECT NAME : Marble Farm Condominiums/Assabet River Consortium
 PROJECT MUNICIPALITY : Maynard/ and five other municipalities
 PROJECT WATERSHED : Assabet River
 EOEA NUMBER : 12348
 PROJECT PROPONENT : Maynard North Development, LLC/ The Assabet River Consortium
 DATE NOTICED IN MONITOR : January 9, 2007

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 determine that this project **does not require** the preparation of an Environmental Impact Report (EIR). The proponent has requested a Phase I Waiver to allow the first phase of the project to proceed, pending the preparation of a Comprehensive Wastewater Management Plan (CWMP)/Environmental Impact Report (EIR) for the Assabet River Consortium project. The Phase I Waiver Request was presented within the Notice of Project Change submittal (NPC). In a Draft Record of Decision (DROD), also issued today, I have proposed to **grant** a Phase I Waiver with conditions allowing the proposed Marble Farm Condominium project to proceed while the DEIR is being prepared.

Assabet River Consortium – NPC/Phase I Waiver Request

The Town of Maynard, together with the Towns of Hudson, Northborough, Shrewsbury, and Westborough and the City of Marlborough have joined to form the Assabet River Consortium to prepare a Comprehensive Wastewater Management Plan/Environmental Impact Report (CWMP/EIR, EOEA# 12348) to address short term- and long-term regional issues relating to the wastewater treatment and disposal and nutrient loading in the Assabet River on a basin-wide basis.

The goals of the CWMP/EIR are to identify environmentally sustainable treatment alternatives that respond to the communities' needs, meet water quality and public health standards, reduce phosphorous loading, and increase water levels in the Assabet River and its tributaries. The Certificate on the ENF for the Consortium required that prior to completion of MEPA review for the Consortium CWMP, projects located within the Consortium communities that seek sewer extension permits from the Department of Environmental Protection (MassDEP) will also require a Phase I waiver from the EIR requirement for the Consortium. The project proponent has requested such a waiver in a Notice of Project Change (NPC) published in the Environmental Monitor on January 9, 2007, and has provided additional information in support of that request. I note that all development projects located within the Consortium communities requesting municipal sewer service must satisfactorily demonstrate: 1) that the proposed project is located in an area proposed for municipal sewer; 2) an on-site solution is not feasible; and 3) the proponent has committed to contribute to ongoing infiltration and inflow removal (I/I) projects within the Town of Shrewsbury and will provide mitigation (2 - 4:1) for every gallon of wastewater generated by the proposed project and exported out of the basin, before being allowed to connect to the sewer system.

Marble Farm Condominiums Project

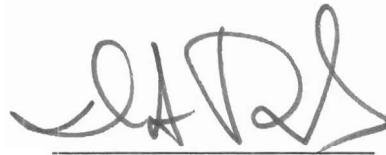
The proposed project consists of the development of a 24-unit age restricted (over 55 years) residential condominium complex (12 separate buildings) including the construction of 903 lf of internal roadway with concrete sidewalks, 51 surface parking spaces, a 400 sf community building, approximately 920 linear feet (lf) of water and sewer main extension, on a 6.33-acre parcel of property located off Acton Street in Maynard. As described in the NPC submittal, the project will be served by municipal water and municipal sewer from the Town of Maynard at the rate of 3,600 gallons per day (gpd), respectively. The proposed project will also involve the construction of related utilities and stormwater management infrastructure including separate roof drains, and deep sump catch basins equipped with Stormceptor units to collect, treat and provide total recharge of stormwater generated from the proposed project, to two new Stormtech infiltration systems located in the northeast and southeast sections of the project site.

The proponent estimates that approximately four acres of land area including approximately 30,650 sf of wetland buffer will be directly altered by the proposed residential condominium project. The proposed project does not exceed any MEPA review thresholds. The project may require a Sewer Connection/Extension Permit from MassDEP, and an Order of Conditions from the Maynard Conservation Commission (and hence a Superseding Order from DEP if the local Order were appealed). The project must comply with the National Pollution Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre.

According to the comments received from MassDEP, the project site is located within the Zone II area for a public water supply for the Town of Maynard. The proponent will be required to employ water-tight construction of the proposed gravity sewer extension. I anticipate that MassDEP's review process will include a review of the proponent's I/I mitigation commitments.

I have reviewed the waiver request and supporting information and I find that the request has merit, that the impacts of Phase I are insignificant, that ample and unconstrained infrastructure exists to support Phase I, and that implementation of Phase I does not require implementation of future phases or limit potential mitigation for future phases. Based on these facts, I hereby propose to grant the request for a Phase I waiver for the 24-unit age-restricted residential condominium development project located off Acton Street in Maynard.

February 8, 2007
DATE



Ian A. Bowles, Secretary

Comments received: None

NPC #12348 – Marble Farm Condominiums, Maynard
IAB/NCZ/ncz