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February 15, 2007

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

PROJECT NAME : Adams Farm Project
MUNICIPALITY : Shrewsbury
PROJECT WATERSHED : Assabet River
EOEA NUMBER : 13429
PROJECT PROPONENT : Brendon Properties Three Realty Trust
DATE NOTICED IN MONITOR : November 8, 2006

As Secretary of Environmental Affairs, I determine that the Single Environmental Impact Report (Single EIR) submitted on the above project **adequately and properly complies** with the Massachusetts Environmental Policy Act (MGL, c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

Project History

In January 2005, the proponent submitted an Environmental Notification Form (ENF) (EOEA #13429) for the construction of the Adams Farm Project consisting of 90 age-restricted (restricted to occupants who are 55 years of age and older) residential condominium units, internal roadways, surface parking, utilities and stormwater management infrastructure. The Adams Farm project is located on a 40.6-acre site located on the east side of Route 140, north of its intersection with Gold Street. Access is provided via Gold Street. The Adams Farm project underwent concurrent review as a Notice of Project Change (NPC) for the Assabet River Consortium's Comprehensive Wastewater Management Plan (EOEA #12348). A Secretary's Certificate was issued on February 7, 2005 and found that the impacts of the Adams Farm project as proposed did not warrant the preparation of an EIR. A separate Secretary's Certificate was also issued on February 7, 2005 and found that the NPC did not warrant the preparation of an EIR and granted the proponent a Phase I waiver from the EIR requirement for the Consortium. According to the proponent, approximately 70% of the Adams Farm project has been constructed.

2nd Notice of Project Change – Adams Farm II

In a second NPC submitted to the MEPA Office for review on November 8, 2006, the proponent proposed to construct the Adams Farm II residential condominium project. Similar to the Adams Farm project, which is also owned by the proponent, the Adams Farm II project consists of 34 age-restricted (restricted to occupants who are 55 years of age and older) condominium units in 17 separate buildings, and associated internal roadways, parking, utilities and stormwater management infrastructure on a 12.7-acre development parcel abutting Cherry Street in Shrewsbury.

The Adams Farm II project also required a Phase I waiver from the EIR requirement for the Assabet River Consortium's Comprehensive Wastewater Management Plan (EOEA #12348). The project proponent requested such a waiver in the NPC submittal and provided additional information in support of that request. The Adams Farm II project required a Sewer Connection Permit from the Department of Environmental Protection (MassDEP), a National Pollutant Discharge Elimination System (NPDES) Permit from MassDEP and EPA, and an Order of Conditions from the Shrewsbury Conservation Commission. I note that according to the proponent, an Order of Conditions from the Shrewsbury Conservation Commission was issued for the Adams Farm and Adams Farm II projects on November 2, 2004, and June 20, 2006, respectively.

Cumulative Impacts

The proposed Adams Farm II project and the previously reviewed Adams Farm project are owned and controlled by common ownership interests (Brendon Properties). The anti-segmentation provisions of the MEPA Regulations (Section 11.01(2)(c) required the review of the proponent's proposed Adams Farm II project together with the proponent's previously reviewed Adams Farm project (January 2005) as a "common plan or undertaking". The Secretary's Certificate on the 2nd NPC required the proponent to complete the preparation of a Single EIR to discuss the impacts from the Adams Farm II project and the cumulative infrastructure impacts pertaining to wastewater, water supply and stormwater, and site planning issues arising out of the proponent's Adams Farm and Adams Farm II projects.

According to the information provided in the Single EIR submittal and summarized in the Table below, the cumulative impacts associated with the proposed Adams Farm II project, and the previously reviewed Adams Farm project (the "full-build" project) exceed the MEPA review threshold for the creation of impervious surface area requiring the mandatory preparation of an Environmental Impact Report (EIR).

Adams Farm and Adams Farm II Project

Project Description	ADAMS FARM	ADAMS FARM II	Totals
Project Area (Acres)	40	13	53
Condominium Dwelling Units	90	34	124
Surface Parking Spaces	217	80	297
Total Disturbed Area (Acres±)	24	9	33
Total Impervious Area (Acres±)	10	4	14
Total Conservation Restriction (CR) (Acres)	0	2.86	2.86
Total Wetland Buffer Disturbed (Acres)	1	2	3
Total Wetland Alteration (SF)	0	4,983	4,983
Riverfront Area Disturbed-Total (SF)	17,792	0	17,792
Endangered Species	None	None	None
Total Municipal Water Use (GPD)	14,850	5,610	20,460
Total Municipal Wastewater (GPD)	13,500	5,100	18,600
Total Length of Proposed Sewer Mains (Feet)	8,200	1,950	10,150
Total Length of Proposed Water Mains (Feet)	5,180	1,650	6,830
Vehicle Trips Per Day (VTD)	474	179	653
New Roadways (Linear Feet)	5,180	1,856	7,036

Wetlands

As described by the proponent, the Adams Farm II project proposes one crossing of bordering vegetated wetlands (BVW) for the project's access road (Franklin Circle) and will result in the permanent alteration of approximately 4,980 sf of BVW resources. The proponent has committed to provide approximately 7,490 sf of on-site wetlands replication (1.5:1) for the Adams Farm II project's impacts to wetlands. As depicted in the Adams Farm II site plan, significant portions of 5 duplex buildings (building #s 1, 2, 9, 10 and 11), and proposed internal roadway and stormwater management infrastructure are located within the 100-foot wetlands resource buffer area. The proponent has committed to placing portions of the Adams Farm II project site (2.86 acres) under a Conservation Restriction (CR) to ensure for their permanent protection. I strongly encourage the proponent to consider placing deed restrictions on any residential properties that will be located within the 100-foot wetlands buffer zone as a method for avoiding future impacts from homeowner activities.

Stormwater Resources

According to the information provided by the proponent, the full-build project will create a total of approximately 14 acres of new impervious surface area. As described in the Single EIR document, the stormwater management plans for the proposed Adams Farm and Adams Farm II projects have been designed as closed drainage systems to meet MassDEP's Stormwater Management Policy guidelines, and includes the use of deep sump catch batch basins, Vortechinics infiltration units, stormwater detention basins with sediment forebays, and periodic road sweeping to service the project's stormwater flows for eventual discharge to BVW abutting the project site.

According to the information provided by the proponent, the proponent recently completed the construction of off-site drainage system upgrades/improvements within the Route 140 right-of-way, along the western boundary of the Adams Farm project, as part of the proposed mitigation for that project. The proponent has also committed to direct a portion of the eastbound Route 9 stormwater runoff currently entering the northern portion of the Adams Farm II project site, to one of two new detention basins located within the Adams Farm II property, and replacing an existing culvert located within the Cherry Street right-of-way as part of the proponent's proposed mitigation for the Adams Farm II project. The proponent should continue to work closely with the Town of Shrewsbury and MassDEP to identify any/all additional feasible methods of reducing impervious surfaces within the Adams Farm and Adams Farm II project sites.

I encourage the proponent to evaluate sustainable design alternatives such as 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. Other tools include water conservation and use of pervious surfaces. Clustering of buildings is an example of how LID can preserve open space and minimize land disturbance. 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/>. Other LID resources include 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/>.

Water Supply

The Single EIR includes estimates of individual potable water supply demands for the Adams Farm and Adams Farm II projects (14,850 gallons per day (gpd) and 5,610 gpd respectively). As currently proposed, the total potable water supply for the Adams Farm I and II projects (20,460 gpd total) will be served by the Town of Shrewsbury.

The proponent will need to demonstrate to MassDEP that the final project design meets the Commonwealth's water conservation standards. I strongly encourage the proponent to incorporate water conservation and water use efficiency in the project design to comply with the March 1989 state plumbing code. Specifically, the proponent should commit to employing efficient residential water conservation technologies for the project including water saving devices, low flow toilets, and low flow appliances (dishwashers, washing machines). According to the proponent, the Town of Shrewsbury prohibits the use of municipal water supplies for use in private irrigation systems. As a result, the proponent proposes to locate individual private on-site wells to supply the irrigation systems for the Adams Farm and Adams Farm II projects.

I strongly encourage the proponent should also consider implementing an Irrigation Management Plan (IMP) to further reduce the project's irrigation water demand. An IMP could involve the use of amended soils and compost, the planting of native and drought-tolerant species of trees, shrubs, and turf grasses, an automated water efficient irrigation system, and a water management protocol for drought conditions. I ask that the proponent consult with MassDEP, and refer to the Massachusetts Water Resources Commission's *Lawn and Landscape Water Conservation, An Addendum to the Water Conservation Standards for the Commonwealth of Massachusetts, October 2002*, during the final design of the proponent's IMP. I strongly encourage the proponent to continue to work closely with the Town of Shrewsbury and MassDEP to implement mitigation measures for the full-build project that will help to offset the need for additional potable water supply.

Wastewater

The estimated combined wastewater flow from the Adams Farm and Adams Farm II projects (approximately 18,600 gallons per day (gpd)) will be conveyed from the two project sites by the Town of Shrewsbury's wastewater collection system to the Westborough wastewater treatment facility (Westborough WWTF) for treatment and disposal. According to the proponent, the Town of Shrewsbury's municipal sewer collection system and the Westborough WWTF have sufficient capacity to accommodate the full-build project's additional 18,600 gpd of wastewater flows.

Assabet River Consortium Comprehensive Wastewater Management Plan

The Town of Shrewsbury, together with the Towns of Marlborough, Hudson, Maynard, Northborough, and Westborough have joined to form the Assabet River Consortium to prepare a Comprehensive Wastewater Management Plan/Environmental Impact Report (CWMP/EIR, EOEAE# 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 MassDEP will also require a Phase I waiver from the EIR requirement for the Consortium.

The project proponent has requested such a waiver in this Notice of Project Change (NPC) submittal. I note that all development projects located within the Consortium communities requesting municipal sewer connections for wastewater flows greater than 15,000 gpd 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 before being allowed to connect to the sewer system.

The proponent has committed to contribute (2 - 4:1) to the Town of Shrewsbury's I/I removal program to mitigate the combined wastewater impacts (approximately 18,600 gpd) of the Adams Farm and Adams Farm II projects.

Transportation

The full-build project will generate approximately 654 new vehicle trips per day on local project area roadways. The proponent has included in the Single EIR a study the potential traffic impacts from the two residential condominium development projects as part of the local review process in Shrewsbury. The Adams Farm and Adams Farm II projects may generate a significant demand for Worcester Regional Transit Authority's (WRTA's) paratransit system. I encourage the proponent to work closely with WRTA and the Town of Shrewsbury to identify opportunities for assisting the WRTA in their efforts to successfully serve the Adams Farm and Adams Farm II projects.

Construction Period

Proposed activities, including construction mitigation, erosion and sedimentation control, sediment dewatering, phased construction, and drainage discharges or overland flow into wetland areas, will be evaluated by MassDEP during the permitting process. The proponent will need to satisfactorily demonstrate to MassDEP that the construction period impacts have been minimized, and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00). According to the information provided in the Single EIR, the project is expected to result in temporary impacts to wetland and rare species resources located within and adjacent to the project site. The proponent should analyze construction-period impacts for the full-build project, including temporary impacts to wetlands, and the extent of any blasting and/or re-grading during construction. If blasting will be required during project construction, the proponent will need to prepare a blast design plan pursuant to the Board of Fire Protection Regulations (577 CMR 13.09) for the proposed construction of roads, houses and utilities within the project site. Blasting mixtures that include perchlorate have been identified as the source of contamination in many Massachusetts public water supplies and thus should be prohibited from use in the project watershed.

Mitigation

The proponent has committed to upgrade the existing Cherry Street sewer pump station, to construct a new culvert under Route 140 (Memorial Drive) and a new catch basin within the Gold Street right-of-way as mitigation for the Adams Farm project. The Secretary's Certificate for the Adams Farm ENF required that the proponent include plans depicting the pump station improvements, as well as the easement for the cross-country sewer line in its application for the sewer extension permit.

The proponent's proposed mitigation plan for the Adams Farm II project includes; 1) directing a portion of the eastbound Route 9 stormwater runoff currently entering the northern portion of the Adams Farm II project site to a new detention basins located within the Adams Farm II property; 2) replacing an existing culvert located within the Cherry Street right-of-way; and 3) removal of an existing log-covered path thorough a wetlands resource area, and 4) providing a total of \$200,000.to the Town of Shrewsbury for the following purposes:

- the redesign of the South Street/Route 9 intersection (\$75,000)
- improvements to the Lake Street recreation area (\$25,000.),
- the Shrewsbury Fire Department (\$50,000.),
- sewer line replacement (\$50,000).

As noted elsewhere in this Certificate, the proponent has also committed to make a financial contribution to the Town of Shrewsbury's I/I removal program to mitigate (2 - 4:1) the total wastewater impacts (approximately 18,600 gpd) from the full-build project. I ask that the proponent also commit to participate in any ongoing or proposed discussions and studies with the Central Massachusetts Regional Planning Commission, WRTA, the Town of Shrewesbury or MHD, which evaluate the feasibility of traffic, transit, pedestrian, and bicycle improvements within this project area.

The previous ENF submittal by the proponent for the Adams Farm project, and the NPC submittal for the Adams Farm II project, included an adequate alternatives analysis. In their comments, MassDEP has indicated support for the analysis and conclusions included in this Single EIR submittal. Based on a review of the Single EIR, consultation with public agencies, and a review of the comment letters provided on the project, I hereby find that the Single EIR adequately and properly complies with MEPA and its implementing regulations. The project may proceed to the state permitting agencies. I anticipate that the permit review processes to be undertaken by MassDEP will address any outstanding issues related to the mitigation of the project's wastewater impacts, and impacts to wetlands resource areas.

February 15, 2007

Date

Ian A. Bowles, Secretary

Comments received:

01/23/07 Department of Environmental Protection (MassDEP) - CERO

IAB/NCZ/ncz
Single EIR #13429