



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

February 24, 2006

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

PROJECT NAME : Gerardo's Bakery
PROJECT MUNICIPALITY : West Boylston
PROJECT WATERSHED : Wachusett
EOEA NUMBER : 13719
PROJECT PROPONENT : Gerardo Sarli
DATE NOTICED IN MONITOR : January 25, 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).

The proposed project consists of construction of a 9,625 square foot commercial building with a bakery on a 0.96-acre site located within the watershed of the Wachusett Reservoir. The project will result in creation of 0.34 acres of new impervious area and will include construction of a stormwater management system. The site currently contains a single-family home, mechanic shop and junk yard. The existing house will be retained and moved to the back of the site.

The project is undergoing review pursuant to Section 11.03(4)(b)(6) of the MEPA regulations because it involves alteration that requires a Variance, in accordance with the Watershed Protection Act, from the Department of Conservation and Recreation (DCR). The project requires a State Highway Access Permit from the MassHighway Department (MHD) for access to Route 12. The project requires an Order of Conditions from the Town of West Boylston (and, on appeal only, a Superseding Order from DEP).

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to water supply, wetlands, stormwater and transportation.

Prior to the filing of the Environmental Notification Form (ENF), the proponent modified the project design, based on consultations with DCR, to move some project elements outside of the 200-foot watershed protection zone. The project as proposed in the ENF involves construction of the stormwater management system within the 200-foot watershed protection zone. The project does not involve any alteration of Bordering Vegetated Wetlands (BVW). The proponent should continue consultations with DCR regarding the design of the stormwater system and additional information that may be required by DCR prior to the public hearing for the project. The proponent should ensure that measures are implemented to ensure effective long-term operation and maintenance of the stormwater management system.

The proposed project will be served by town water and sewer through connections to the existing municipal infrastructure in the vicinity of the project site. Traffic impacts associated with the project are estimated in the ENF at 393 vehicle trips per day and the project includes a total of 34 parking spaces. The proponent should consult with the MHD District 3 Office regarding Route 12 access permit requirements.

The project site includes an intermittent stream that feeds into Gates Brook. The Natural Heritage and Endangered Species Program (NHESP), in its comment letter has identified Gates Brook as a significant coldwater resource. The proponent should implement Best Management Practices (BMPs), as further detailed in the NHESP letter, for erosion and sedimentation control for all phases of construction. The project as proposed in the ENF does not include any in-stream work or culvert replacement. If any such work is proposed in the future, it would be subject to the Variance requirements of the Watershed Protection Act and the standards identified in the NHESP comment letter, and may require submission of a Notice of Project Change (NPC) in accordance with Section 11.10 of the MEPA regulations.

The ENF has defined the nature and general elements of the project and proposed measures to avoid and minimize or mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state and local permit and review processes. The proposed project requires no further review under MEPA.

February 24, 2006

DATE



Stephen R. Pritchard, Secretary

Comments Received

2/14/06	Department of Conservation and Recreation (DCR), Division of Water Supply Protection
2/14/06	Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program

SRP/AE/ae