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March 21, 2008

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

PROJECT NAME : Tirrell Woods
PROJECT MUNICIPALITY : Weymouth
PROJECT WATERSHED : **Boston Harbor**, Charles River
EEA NUMBER : 14193
PROJECT PROPONENT : **Ryder Development Corp.**
DATE NOTICED IN MONITOR : February 20, 2008

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 a 46-unit clustered multi-family residential development on a 66-acre site. The project as proposed in the Environmental Notification Form (ENF) includes construction of eight buildings, roadways and stormwater infrastructure, and approximately 0.25 miles of new water and sewer mains. The project has been designed to minimize land alteration and cluster the development in the southeast corner of the site (the Tirrell parcel). The remainder of the site (the Worthen parcels) includes an extensive wooded wetlands system, an existing single-family home that will remain, and a parcel which may be developed for a single-family home. Approximately 52 acres of the 66-acre project site will be permanently protected as open space under a conservation easement.

The project will result in alteration of approximately 5.3 acres of land (including creation of 2 acres of new impervious area) and alteration of 12,033 square feet (sf) of Bordering Vegetated Wetlands (BVW). The project will result in generation of approximately 332 new vehicle trips per day and involves construction of 112 parking spaces. Water use and wastewater generation is estimated in the ENF at 13,420 gallons per day (gpd). The proposed project will connect to the City of Weymouth municipal water and sewer system.

The project is undergoing MEPA review pursuant to Section 11.03 (3)(b)(1)(d) because it will result in alteration of 5,000 or more sf of BVW. The project requires a 401 Water Quality Certificate from the Massachusetts Department of Environmental Protection (MassDEP). The project requires an Order of Conditions from the Weymouth Conservation Commission (and, on appeal only, a Superseding Order from MassDEP). The project requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Permit for construction activities from the United States Environmental Protection Agency (U.S. EPA) and a Section 404 Permit from the U.S. Army Corps of Engineers.

The project will not receive financial assistance from the Commonwealth of Massachusetts and does not require a land transfer from an agency of the Commonwealth. Therefore, MEPA jurisdiction is limited to those aspects of the project within the subject matter of any required Permit that are likely to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to wetlands, water quality, and stormwater.

The ENF describes several alternative designs for the project that were evaluated by the proponent as part of the Town of Weymouth review process. The analysis of alternatives resulted in a smaller development footprint (reduced from approximately 15 acres to 6 acres), a reduction in the number of wetlands crossings and associated BVW filling, and conservation of a larger area of unfragmented habitat.

The ENF includes a drainage report and describes measures proposed to manage stormwater in compliance with the MassDEP Stormwater Management standards, including standards for critical areas because the project is located within the Weymouth Watershed Protection Overlay District. The ENF proposes deep sump catch basins with a network of pipes, two detention basins, and a sedimentation basin. The proponent should continue consultations with the Weymouth Conservation Commission regarding the sedimentation basin and any modifications of the stormwater system that may be required. The ENF includes a Stormwater Management System Operations and Maintenance Plan and commits to construction-phase erosion and sediment controls. I refer the proponent to the MassDEP comment letter for additional information on notification that may be required if any oil or hazardous material is encountered during construction.

The Town of Weymouth, as further detailed in its comment letter, is satisfied that project impacts will be thoroughly reviewed and appropriate mitigation provided. The Board of Zoning Appeals approved a Special Permit for the project after reviewing alternative access points, and the Conservation Commission has opened the Notice of Intent hearing and hired an independent consultant to review the wetlands crossing and stormwater management design.

The project as proposed in the ENF will alter 12,033 sf of BVW and replicate 12,047 sf of wetlands. I refer the proponent to the MassDEP comment letter for guidance on performance standards for wetlands replication and wildlife habitat protection. I note that the proponent has conducted a wildlife habitat evaluation and submitted a report to the Weymouth Conservation Commission and the MEPA Office. The proponent should submit an alternatives analysis to MassDEP as part of the 401 Water Quality Certificate application and documentation to show

that the project will not adversely affect wildlife habitat. An Order of Resource Area Delineation (ORAD) was issued for the Tirrell portion of the project site in 2003 (MassDEP file number SE 81-891). As noted in the MassDEP comment letter, if this ORAD has not been extended, the resource areas will be verified through permitting for the recently filed Notice of Intent (SE 81-1033).

The proponent has committed to measures to avoid, minimize, and mitigate environmental impacts, including:

- wetlands replication at a 1:1 ratio;
- no work performed within 800 feet of a potential vernal pool;
- stormwater recharge on-site with a stormwater management system designed in accordance with MassDEP stormwater management standards;
- permanent protection of approximately 80% of the 66-acre project site under a conservation easement, which will be recorded at the Norfolk County Registry of Deeds in the chain of title.

The ENF has adequately described the general nature of the proposed 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 review and permitting process. The proposed project, as described in the ENF, requires no further review under MEPA.

March 21, 2008

DATE



Ian A. Bowles, Secretary

Comments Received:

3/11/08	Department of Environmental Protection, Southeast Regional Office
3/11/08	Town of Weymouth

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