



# The Commonwealth of Massachusetts

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April 14, 2006

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## CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

PROJECT NAME	: Hunters Hill
PROJECT MUNICIPALITY	: Anderson Drive – Dighton
PROJECT WATERSHED	: Taunton River
EOEA NUMBER	: 12950
PROJECT PROPONENT	: Even Par Enterprises, Inc.
DATE NOTICED IN MONITOR	: March 8, 2006

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

As described in the DEIR, the proposed project consists of the construction of a 140-lot single-family residential “conservation subdivision” and a nine-hole golf course. A “conservation subdivision”, which is allowed in Dighton under the Special Permit process, is a residential community, in which some of Dighton’s development standards are relaxed in order to preserve open space, protect the natural environment and preserve the natural scenery. The residential subdivision will be deed restricted to individuals 55(+) years old. The golf course will include a clubhouse and a driving range. The proponent has proposed two phases for the project. Phase I includes the construction of 34 residential units. Phase II includes the construction of the remaining 106 residential units and the golf course. The enlarged 315-acre site contains a golf driving range and the rest of the site is undeveloped. The proponent proposes to maintain about 170 acres for passive use and as conservation land and 80 acres for the golf course.

The proponent is requesting a waiver for the construction of Phase I, prior to the completion of the FEIR. The proponent has submitted a DEIR that appears to satisfy the regulatory requirements for such a waiver consideration. The waiver request will be considered

in a Draft Record of Decision (DROD) dated April 14, 2006.

Since the submission of the ENF, the proponent has purchased an additional 31 acres and has realigned the project's layout to significantly reduce wetland resource area impacts and to improve the soils for the location of the wastewater treatment facility.

This project is subject to a mandatory EIR. The project may require a Groundwater Discharge Permit, a Water Main Extension Permit (filed by the Dighton Water District), and a Water Management Act Permit from the Department of Environmental Protection (DEP). It must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The project may need a Programmatic General Permit from the U.S. Army Corps of Engineers. On October 14, 2004, the proponent received an Order of Conditions from the Dighton Conservation Commission for work within wetland resource areas and buffer zones. The proponent now estimates that less than 1,000 square feet (sf) of wetlands will be impacted from the project. MEPA jurisdiction extends to land alteration, water quality, and wastewater issues that may have significant environmental impacts.

The proponent will construct two roadways onto Anderson Drive/Miller Lane. Using the Institute of Traffic Engineers (ITE) Handbook Land-Use Codes 210, 251 and 430, the proponent estimates that the project will generate approximately 1,472 new average weekday vehicle trips. The site includes 450 parking spaces.

The proposed project will be connected to the municipal water service for potable water. It will consume approximately 30,000 gallons per day (gpd) of water and generate 27,650 gpd of wastewater, which will be treated by an on-site wastewater treatment facility that is operated by the proponent. The proponent is proposing to install a groundwater well to supply the golf course with more than 95,000 gpd of irrigation water. For the turf grow-in period, the golf course will require supplemental irrigation of 10.8 million gallons (mg) annually for about two years, and then 7.2 mg annually thereafter.

#### **Review of the DEIR:**

The DEIR provided a detailed project description with a summary/history of the project. It included existing and proposed site plans.

The DEIR discussed the Preferred Alternative, the No-Build Alternative, and alternative building configurations that might result in fewer impacts. It summarized the alternatives already developed for the project site by the proponent. The DEIR presented an alternative that could be built under the existing zoning for the site. It provided a comparative analysis in Table 4.1 that clearly shows the differences between the environmental impacts associated with each of the alternatives.

The DEIR described that the project will provide 450 parking spaces on the project site.

The proponent has committed to provide sidewalks along one side of all subdivision roadways. The project has very little frontage for sidewalks along Anderson Drive/Miller Lane. The proponent will provide a bicycle rack for 15 bicycles at the clubhouse. The DEIR identifies that there are no public transportation bus routes within this area. It identified the existing demand-responsive transportation services to the project site.

The DEIR illustrated that wetland impacts have been minimized from 64,500 sf to less than 1,000 sf, 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). The proponent has committed to provide a replication area at a ratio of 1.5 to 1.0.

The DEIR evaluated potential drainage impacts on water resources. It presented drainage calculations and plans for the management of stormwater from the proposed project. The DEIR described the proposed drainage system design. It identified the quantity and quality of flows. The rates of stormwater runoff were analyzed for the 2, 10 and 100-year storm events. The proponent will recharge roof runoff and other treated stormwater runoff from parking areas and driveways in order to retain as much as possible of the existing groundwater flows and drainage patterns. There is a country drainage system (sheet flow) for Anderson Drive/Miller Lane. The DEIR addressed the performance standards of DEP's Stormwater Management Policy. It demonstrated that the design of the drainage system is consistent with this policy. The DEIR contained a turf management plan for the golf course.

The DEIR estimated nitrogen loading rates applied to turf areas, and evaluated the potential for nitrogen transport off-site. It developed a site-specific Turf Management (TM) Plan that avoids or minimizes the application of fertilizers and pesticides on the golf course. The DEIR disclosed the potential fertilizers and pesticides proposed for use on the course.

The DEIR estimated the irrigation water required for both the golf course. The DEIR identified that approximately 20.45 acres of the golf course would be irrigated. Irrigation requirements for both grow-in period and after the turf is established were estimated by the proponent. The DEIR identified drought tolerant grasses to be planted on the golf course. It discussed the irrigation system design. The proponent proposed to incorporate state-of-the-art water conservation measures for this project.

The DEIR provided DEP with the information required for the Groundwater Discharge Permit and for locating the wastewater treatment facility.

The DEIR summarized the results of its hazardous waste study. It discussed potential construction period impacts.

The FEIR should resolve all the remaining issues outlined below, as required by this Certificate. It should include a copy of this Certificate.

**Project Description:**

The FEIR should provide a detailed project description with a summary/history of the project. It should include existing and proposed site plans. The FEIR should identify and describe the project phasing, so that plans are consistent with the text.

**Parking:**

The FEIR must identify the number of parking spaces required by local zoning. If parking supply is greater than the amount required under local zoning, the FEIR should explain why, and discuss the impacts of excess parking, and the feasibility of an alternative with fewer spaces.

**Wetlands:**

For the 1,500 sf of required wetlands replication, a detailed wetlands replication plan should be provided in the FEIR that, at a minimum, includes: replication location(s) delineated on plans, elevations, typical cross sections, test pits or soil boring logs, groundwater elevations, the hydrology of areas to be altered and replicated, list of wetlands plant species of areas to be altered and the proposed wetland replication species, planned construction sequence, and a discussion of the required performance standards and monitoring.

**Drainage:**

The FEIR should include and describe the maintenance program for the drainage system. This maintenance program should outline the actual maintenance operations, responsible parties, and back-up systems by the developer and the homeowners association. The turf management plan for the golf course should be extended to the residential lawn areas. The FEIR should describe how the proponent will extend the turf management plan to the residential area. It should discuss how the project design will encourage appropriate turf management in the residential portion. The FEIR should describe under what circumstances and in what quantities the proponent anticipates the use of fertilizers and pesticides. It should also describe any trade-offs (such as heavier initial applications of fertilizers and pesticides to establish healthy turf grass and minimize long-term applications). The FEIR should include a risk assessment for water quality associated with the use of fertilizers and pesticides and specifically identify any impacts within an Aquifer Protection District. It should explain any monitoring proposed as part of the TM program, including development of any action thresholds and responses.

The FEIR should discuss consistency of the project with the provisions of the National Pollutant Discharge Elimination System (NPDES) general permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. It should include discussion of best management practices employed to meet the NPDES requirements, and should include a draft Pollution Prevention Plan.

**Water Quality/Turf Management:**

The FEIR should provide details on any proposed water quality monitoring program as part of the TM Plan. The FEIR should discuss specific management responses (including any necessary adjustments to the Turf Management Plan) if the monitoring program reveals any potential problems.

**Water:**

The FEIR should demonstrate that the municipal water system has sufficient capacity to supply the proposed project with potable water. It should detail the requirements of the Water Management Act. It should include the results of pump tests conducted to DEP specifications. The FEIR should state whether any portion of the site would be located within the Zone II of a public water supply well. It should provide a table for water demand under drought conditions during grow-in of the golf course. The Somerset Reservoir, a drinking water supply, is located just south of the proposed project site.

**Mitigation:**

The FEIR should include a separate chapter on mitigation measures. This chapter on mitigation should include a Draft Section 61 Finding for DEP. The Draft Section 61 Finding should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

In the DEIR, the proponent committed to implement the following mitigation measures:

- Construct three elevated bridges for golf course access over wetland areas, approximately \$907,500.
- Institute a TM Plan for the golf course, approximately \$48,000.
- Install a double yellow centerline stripe and a single white edge stripe on both sides for the full length of Anderson Dr., install three way stop signs and stop lines at Miller Lane/Anderson Dr./site drive intersection, install "Intersection Ahead" signs and "Stop Ahead" signs at the approaches to Miller Lane/Anderson Dr. intersection, upgrade "Slow Children" signs, install "T" on a yellow diamond sign at Sharps Lot Rd./Anderson Dr., install "Sop Sign Ahead" on Anderson Dr. for Sharps Lot Rd., approximately \$5,400.
- Provide directional signage to golf course, approximately \$1,000.
- Install deep sump catch basins and construct pocket wetlands, approximately \$260,000.
- Provide 10,000 linear feet of silt fence/haybales around wetlands, approximately \$15,000.
- Plant drought tolerant grasses as part of the construction of the golf course and construct a state-of-the-art irrigation system, approximately \$600,000.

**Response to Comments:**

The FEIR should include copies of all comment letters. It should provide a response to all comments within the scope of this project.

**Circulation:**

The FEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Dighton officials. A copy of the FEIR should be made available for public review at the Dighton Public Library.

April 14, 2006  
DATE

  
Stephen R. Pritchard

Cc: Sharon Stone, DEP/SERO

Comments received:

DEP/SERO, 4/7/06  
Prime Engineering, 4/13/06

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SRP/WTG/wtg