



# *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>

May 17, 2006

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

PROJECT NAME: The Fields at Chestnut  
PROJECT MUNICIPALITY: East Longmeadow  
PROJECT WATERSHED: Connecticut  
EOEA NUMBER: 13768  
PROJECT PROPONENT: Dan Roulrier & Associates, Inc.  
DATE NOTICED IN MONITOR: April 10, 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 **requires** the preparation of an Environmental Impact Report (EIR). By a separate Certificate issued today, I have proposed to grant a Waiver allowing Phase I of the project to proceed prior to the completion of the EIR for the entire project.

### Project Description

As described in the Expanded Environmental Notification Form (EENF), the project proposes the construction of 125 +/- age-restricted units within a condominium complex on an approximately 54 acre site on Chestnut Street in East Longmeadow, MA. The project as a whole will result in the direct alteration of 42.8 +/- acres of land and the creation of 11.6 +/- acres of impervious area. Portions of the proposed project are located in areas mapped as both priority and estimated habitat by the MA Division of Fisheries and Wildlife (DFW) Natural Heritage and Endangered Species Program (NHESP), as containing spotted turtle (*Clemmys guttata*). Units will be accessed by 6,200 linear feet of private roadways off of Chestnut Street. Water and sewer connections will be made to the municipal system.

The project is proposed to be constructed in two phases: Phase I will consist of 31 units near Chestnut Street; Phase II will contain the remaining 94 units. Phase I of the project will be accessed via 1,700 of linear feet of site drives connecting to Chestnut Street. Utility service lines for Phase I will tie directly to Chestnut Street with a water demand and sewer discharge of approximately 7,000 gallons per day (gpd). Phase I will result in the alteration of approximately 10 acres of land the creation of approximately 3 acres of new impervious surface.

#### MEPA Jurisdiction

The project is subject to a mandatory Environmental Impact Report (EIR) pursuant to Section 11.03(1)(a)(2) of the MEPA regulations because the project requires state permits and will result in the creation of more than 10 acres of new impervious surface. The project is also subject to the following ENF review thresholds: Section 11.03(1)(b)(1) because the project will result in the direct alteration of more than 25 acres of land; and Section 11.03(2)(b)(2) because the project may result in the taking of an endangered, threatened or rare species protected under the Massachusetts Endangered Species Act (MESA).

The project requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA); a Sewer Extension/Connection Permit from the Department of Environmental Protection (DEP); Site Plan Review from the East Longmeadow Planning Board; and an Order of Conditions from the East Longmeadow Conservation Commission. The project also requires review from NHESP.

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 permits with the potential to cause Damage to the Environment. In this case, MEPA jurisdiction extends to land alteration, stormwater, wastewater and rare species.

#### Request for a Phase I Waiver and Single EIR

The proponent submitted an Expanded Environmental Notification Form (EENF) for the project with a request for a waiver to allow Phase I of the project to proceed prior to completion of the EIR. The waiver request was discussed at the consultation/scoping session for the project which was held on April 26, 2006. In a separate Certificate issued today, I have proposed to grant the proponent's request for the Phase I waiver.

Following the public consultation session held for the project, the proponent submitted a letter to the MEPA office with a request that I allow the proponent to fulfill its EIR obligations under MEPA with a Single EIR, rather than the usual process of a Draft and Final EIR. Based on a review of the EENF and after consultation with permitting agencies, I hereby find that the document meets the regulatory requirements at 301 CMR 11.06(8) and I am allowing the proponent to file a Single EIR in fulfillment of Section 11.03 of the MEPA regulations.

## SCOPE

### General

The Single EIR (SEIR) should follow the general guidance for outline and content contained in Section 11.07 of the MEPA regulations, as modified by this Certificate. The SEIR should include a thorough description of the project and all project elements and construction phases. The SEIR should include an existing conditions plan illustrating resources and abutting land uses for the entire project area and a proposed conditions plan (or plans) illustrating proposed elevations, structures, access roads, stormwater management systems and utility connections.

The SEIR should contain a copy of this Certificate and a copy of each comment received. The SEIR should respond to the comments received, to the extent that the comments are within MEPA jurisdiction. The SEIR should present additional narrative and/or technical analysis as necessary to respond to the concerns raised.

The SEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should be sent to any state agencies from which the proponent will seek permits or approvals, to the list of "comments received" below and to East Longmeadow officials. A copy of the EIR should be made available for public review at the East Longmeadow Public Library.

### Project Permitting and Consistency

The SEIR should briefly describe each state permit required for the project, and should demonstrate that the project meets any applicable performance standards. In accordance with Section 11.01(3)(a) of the MEPA regulations, the SEIR should also discuss the consistency of the project with any applicable local or regional land use plans, and address the requirements of Executive Order 385 (Planning for Growth). The project should provide an update on local permitting for both phases of the project and discuss any changes to project design since the filing of the EENF.

### Alternatives

The SEIR requires a comprehensive alternatives analysis in order to ascertain which site layout minimizes overall impacts to land, wetlands and rare species habitat. The alternatives analysis should clearly demonstrate consistency with the objectives of MEPA review, one of which is to document the means by which the proponent plans to avoid, minimize or mitigate Damage to the Environment to the maximum extent feasible. The SEIR should fully explain any trade-offs inherent in the alternatives analysis, such as increased impacts on some resources to avoid impacts to other resources.

In addition to the Preferred Alternative and No Build Alternative, the SEIR should include a reduced build alternative that could result in the creation of less impervious surface and

minimize impacts to spotted turtle habitat. For each alternative, the SEIR should quantify the amount of land altered, the amount of earthwork involved in meeting final grades, and the amount of impervious surfaces created. The SEIR should investigate all feasible methods of avoiding, reducing, or minimizing environmental impacts.

### Land Alteration/Drainage

According to the ENF, the two phases of the proposed project will result in the alteration of 42.8 +/- acres of land and the creation of 11.6 +/- acres of impervious surface. Two isolated wetlands are present on the site as well as a stream corridor along the extreme eastern property line. All units and infrastructure will be located in excess of 100 feet from any wetland with the exception of a stormwater management basin and overflow outfall associated with Phase II of the project. Stormwater infiltration will be maximized onsite with the utilization of highly permeable sandy soils. Stormwater will be directed to a detention basin, with overflow during extreme events being directed to the closed stormwater system in Chestnut Street.

The SEIR should address the performance standards of DEP's Stormwater Management Policy and the consistency of the project with the provisions of the NPDES General Permit from the EPA for stormwater discharges from construction sites. The SEIR should include discussion of best management practices employed to meet the DEP and NPDES requirements, and should include a draft of the Pollution Prevention Plan. The SEIR should identify the quantity and quality of flows for the 10, 25 and 100-year storm events. In addition, a maintenance program for the drainage system will be needed to ensure its effectiveness. This maintenance program should outline the actual maintenance operations, sweeping schedule, responsible parties, and back-up systems.

I encourage the proponent to consider Low Impact Development (LID) techniques in site design and storm water 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/>. The SEIR should include a discussion of any LID measures that the proponent could incorporate into project design.

### Rare Species

A portion of the project site is located within Priority Habitat (PH 1216) and Estimated Habitat (WH 6063) of Rare Species as indicated in the 11<sup>th</sup> Edition of the Massachusetts Natural Heritage Atlas. The area has been mapped as habitat for the spotted turtle pursuant to the provisions of the Massachusetts Endangered Species Act (MESA, MGL c131A0. The proponent has been in consultation with staff from NHESP on the design of the project to address NHESP

concerns about impacts to spotted turtle habitat. The proponent is currently undertaking a NHESP-approved presence/absence study to determine if the spotted turtle is actually using the site. The design for both phases of the project assumes that spotted turtles are present.

Phase I of the project is located outside of mapped spotted turtle habitat. Based on consultation with NHESP, the proponent plans to erect an exclusionary silt-fence barrier around the entire Phase I work area to prevent turtles from entering the construction site. In its comments on the EENF, NHESP states that Phase I of the project will not result in a prohibited "take" of the spotted turtle, given the proponent undertakes adequate construction conditioning and timing. NHESP has stated that Phase II of the project will be evaluated pending the outcome of the presence/absence study.

The proponent should continue to coordinate with NHESP with regard to the on-going habitat assessment. The SEIR should describe all impacts to habitat of state-listed rare species and should outline proposed measures that will be implemented to mitigate for any adverse impacts to habitat. The results of all habitat assessments and field surveys, in addition to plans for the long-term management of the habitat on site and any relevant communication with NHESP should be included in the SEIR.

#### Wastewater

The EENF indicates that the project will generate a total of 27,280 +/- gpd of wastewater. For Phase I of the project, utility service lines will tie directly to Chestnut Street with a water demand and sewer discharge of approximately 7,000 gallons per day (gpd). Phase II of the project will require the construction of 1.1 miles of new sewer main and a Sewer Extension/Connection Permit from the DEP. The proponent should provide documentation in the SEIR from the Town of East Longmeadow indicating that there is adequate capacity in the wastewater system to accommodate the increase in flow from the proposed project.

#### Sustainable Design

The proponent should evaluate sustainable design alternatives that can serve to avoid or minimize potential environmental impacts. Such alternatives may also reduce project development and long-term operational costs. The SEIR should discuss sustainable design alternatives evaluated by the proponent and describe measures proposed to avoid and minimize environmental impacts. I encourage the proponent to consider high-performance/green building and other sustainable design measures to avoid and minimize environmental impacts. Such measures may include:

- Leadership in Energy and Environmental Design (LEED) certification;
- water conservation and reuse of wastewater and stormwater;
- use of renewable energy;
- ecological landscaping;
- optimization of natural day lighting, passive solar gain, and natural cooling;
- an annual audit program for energy and water use, and waste generation;

- energy-efficient Heating, Ventilation and Air Conditioning (HVAC), lighting systems, and appliances, and use of solar preheating of makeup air;
- use of building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- incorporation of an easily accessible and user-friendly recycling system infrastructure into building design; and
- implementation of a solid waste minimization and recycling plan.

### Hazardous Waste

DEP states in their comments that it has received notification of a chlorinated solvent release (Release Tracking #1-0061) at Package Machinery located at 330 Chestnut Street in East Longmeadow and an associated Downgradient Property Status (DPS) site (RTN: 1-14631), American Saw & Manufacturing Company (American Saw) located at 79 Industrial Drive in East Longmeadow. A groundwater solvent plume extends from Package Machinery, south-southwest, to American Saw. Package Machinery submitted a Waiver Completion Statement to DEP on November 23, 1993. American Saw submitted a DPS transmittal form to DEP on November 7, 2003.

The proponent conducting the work should have a Licensed Site Professional (LSP) review DEP-WERO's list of contaminated sites and associated files prior to start-up of the project, to identify any contaminated areas that could pose a problem with excavation activities. If soil and/or groundwater contamination is encountered during excavation activities, the Massachusetts Contingency Plan (MCP) - 310 CMR 40.0460 - Utility-Related Abatement Measures (URAM) details procedures to follow for the parties installing, replacing, repairing, or decommissioning utility lines in suspected contamination.


### Construction Period Impacts

The SEIR should include a discussion of construction phasing, evaluate potential impacts associated with construction activities and propose feasible measures to avoid or eliminate these impacts. I encourage the proponent to consider participating in DEP's Clean Construction Equipment Initiative consisting of an engine retrofit program and/or use of low sulfur fuel to reduce exposure to diesel exhaust fumes and particulate emissions during construction. The proponent should note comments from DEP regarding Air Pollution Control Regulations and Solid Waste Management Regulations that must be adhered to during project construction.

### Mitigation

The SEIR should contain a separate chapter on mitigation measures. It should include a Draft Section 61 Finding for all state permits that includes 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. The SEIR should provide a schedule for the implementation of the mitigation, based on the construction phases of the project.

May 17, 2006  
Date

  
Stephen R. Pritchard

Comments Received:

4/28/2006 Pioneer Valley Planning Commission  
5/1/2006 Baystate Environmental Consultants, Inc. for the Proponent  
5/10/2006 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species  
Program  
5/10/2006 Department of Environmental Protection, Western Regional Office

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