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May 26, 2006

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

PROJECT NAME : Northbridge Estates
PROJECT MUNICIPALITY : Northbridge
PROJECT WATERSHED : Blackstone
EOEA NUMBER : 13785
PROJECT PROPONENT : Toll Brothers, Inc.
DATE NOTICED IN MONITOR : April 26, 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).

The proposed project involves construction of an 87-unit single family residential development on a 77-acre project site. The project will result in approximately 55 acres of land alteration and 16 acres of impervious area. The project will result in alteration of 6,604 square feet (sf) of bordering vegetated wetlands (BVW), which includes 4,218 sf of fill and 2,386 sf of shading due to roadway construction. Traffic impacts are estimated at 915 vehicle trips per day and 261 parking spaces are proposed.

The project requires a Mandatory EIR pursuant to Section 11.03 (1)(a)(1) of the MEPA regulations because it involves alteration of 50 or more acres of land, and Section 11.03(1)(a)(2) because it will result in creation of 10 acres or more of impervious area. The project is also undergoing MEPA review pursuant to Section 11.03(3)(b)(1)(d) because it involves alteration of 5,000 or more sf of BVW, and Section 11.03(5)(b)(3)(c) because it involves construction of ½ mile or more of new sewer mains.

The project requires a 401 Water Quality Certification, Sewer Extension Permit, and Water Supply Permit from the Department of Environmental Protection (DEP). The project requires an Order of Conditions from the Town of Northbridge Conservation Commission (and, on appeal only, a Superseding Order from DEP). The project will also require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the US Environmental Protection Agency (EPA).

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 land alteration, stormwater and drainage, wetlands and water quality, water supply and wastewater.

SCOPE

General

The proponent should prepare a Draft EIR (DEIR) in accordance with the general guidance for outline and content found in Section 11.07 of the MEPA regulations as modified by this Scope. The DEIR should include a copy of this Certificate, a copy of each comment letter received and a response to all comments received. A Project Summary in clear non-technical language should be included in the DEIR. This section of the document should summarize the project, alternatives analyzed, the type and extent of potential impacts, and mitigation measures that the proponent is committed to. It should also include a list of permits required and a timetable and cost estimate for the project. The DEIR should be updated to reflect any changes since the filing of the ENF.

The DEIR should include a description of all aspects of the project and a schedule for construction and other development activities. The DEIR should also include maps and plans at a reasonable scale that clearly locate and delineate project elements (including water, wastewater, and stormwater infrastructure) as well as surface water and wetlands resource areas and buffer zones, areas proposed for conservation restriction, adjacent land uses, and aquifer protection districts on or adjacent to the project site.

Alternatives

The project as proposed in the ENF is designed as a conventional subdivision. I encourage the proponent to consider a more clustered development and use of Low Impact Development (LID) techniques to minimize wetlands impacts and habitat fragmentation, and reduce land alteration and impervious area.

The DEIR should present an alternatives analysis that includes:

1. the no-build alternative, which should clearly describe baseline conditions;
2. a full-build alternative that reflects build-out allowed under current zoning;
3. a "cluster" development alternative that demonstrates a significant reduction in land alteration and impervious area (compared with the plan proposed in the ENF) and incorporates LID to the maximum extent feasible;
4. at least one other alternative that presents modifications to the plan as proposed in the ENF, and that incorporate measures to further avoid, minimize and mitigate adverse environmental impacts.

In considering options for 3 and 4 above, the proponent should not limit the alternatives analysis based on current zoning requirements. The alternatives analysis should demonstrate that the proponent has explored alternatives that avoid and minimize wetlands impacts as required for the 401 Water Quality Certification. The alternative analysis should include a clear comparison of the impacts of each alternative and its project components (including but not limited to acres of land use and alteration, volume of earthwork, impervious area, wetlands resource areas and buffer zones, undisturbed open space/habitat, water use and wastewater generation).

Water Supply

The proposed development involves construction of approximately 1.74 miles of on-site water mains and a 2,000-linear foot extension of an existing water main. The DEIR should provide additional detail on the proposed water supply system, including any storage tanks or booster pump stations proposed. I remind the proponent that a Distribution System Modification Permit is required, as further detailed in the DEP comment letter, and I encourage the proponent to consult with DEP during the DEIR process regarding permit requirements. The proponent should work closely with the Whitinsville Water Company to ensure that plans conform to local requirements as recommended by DEP in its comment letter.

The project site includes hilly areas and steep slopes and may require some blasting. The DEIR should discuss any proposed blasting and measures the proponent will take to avoid and minimize potential impacts to water supply resources associated with the chemical perchlorate in blasting agents. I refer the proponent to DEP recommendations at <http://www.mass.gov/dep/cleanup/laws/blasting.htm>

Wastewater

The project as proposed in the ENF will generate 38,280 gallons per day (gpd) of wastewater, which will be conveyed to the Northbridge Wastewater Treatment Facility (WWTF) for treatment and disposal. The DEIR should provide an update on the DEP sewer extension permit application process. As noted in the DEP comment letter, the

proponent is required, under the Administrative Consent Order (ACO-CE-01-1010), to remove 153,120 gpd of Inflow/Infiltration (I/I) from the Northbridge sewer collection system. The DEIR should describe the proponent's proposed I/I removal program.

Wetlands and Water Quality

The DEIR should clearly identify and quantify impacts to all wetlands resources, including any floodplain, Riverfront Area, and impacts to the wetlands buffer zone. Impacts associated with grading and drainage and other project elements should be identified and quantified. The DEIR should include clearly labeled plans/graphics that show the proposed development and alternatives superimposed on existing conditions so that wetlands impacts can be clearly identified. The DEIR should identify proposed wetlands replication areas and include replication plans. As indicated in the alternatives section above, the DEIR should evaluate alternatives to avoid and minimize wetlands impacts.

Stormwater and Drainage

The DEIR should include a detailed drainage analysis and stormwater management plan. The DEIR should describe existing conditions and analyze impacts associated with changes in site topography and drainage patterns. The DEIR should compare pre-development and post-development conditions and discuss any changes anticipated in the context of wetlands ecological functions and potential off-site impacts. The DEIR should describe how the project is being designed to avoid and minimize adverse impacts associated with changes in stormwater and drainage.

The DEIR should include a detailed description of the proposed stormwater management system, including the size and location of its components. The DEIR should describe how the project will meet the performance standards of DEP's Stormwater Management Policy and include an operations and maintenance (O&M) plan for the stormwater management system. The DEIR should describe alternative designs (overall site planning and the stormwater system) considered by the proponent in order to incorporate Low Impact Development (LID) techniques. The DEIR should provide clear commitments to mitigation measures relating to stormwater and drainage impacts.

Construction and Demolition

The DEIR should include a construction management plan (CMP) describing project activities and their schedule and sequencing, site access and truck routing, and best management practices (BMPs) that will be used to avoid and minimize adverse environmental impacts. The CMP should address potential impacts and mitigation relating to land disturbance, blasting, noise, dust, odor, vehicle emissions, construction and demolition debris, and construction-related traffic. The CMP should also address plans for recycling/reuse of construction and demolition debris. I strongly encourage the

proponent to commit to diesel retro-fit and use of low sulfur fuel to reduce air quality impacts associated with construction equipment.

Sustainable Design

In developing alternatives, 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/>.

I encourage the proponent to consider high-performance/green building and other sustainable design measures to avoid and minimize environmental impacts. Sustainable design measures, which can reduce project development and long-term operational costs, may include:

- EnergyStar Certification and Leadership in Energy and Environmental Design (LEED) Certification for Homes;
- 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;
- 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.

Mitigation

The DEIR should describe all measures to avoid, minimize and mitigate adverse effects on the environment and include a summary of mitigation measures to which the proponent is committed with a schedule for implementation. The DEIR should include proposed Section 61 Findings for all state permits. The proposed Section 61 Findings

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 measures.

Comments

The DEIR should respond to the comments received on the ENF to the extent that they are within MEPA jurisdiction. The proponent should use either an indexed response to comment format, or direct narrative response. The DEIR should present any additional narrative or quantitative analysis necessary to respond to the comments received.

Circulation

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

May 26, 2006

DATE



Stephen R. Pritchard, Secretary

Comments received

5/09/06 Department of Environmental Protection, Central Regional Office
5/16/06 Town of Northbridge, Community Planning & Development

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