



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR
TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR
IAN A. BOWLES
SECRETARY

June 29, 2007

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

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
FINAL 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 : May 23, 2007

As Secretary of Energy and Environmental Affairs, I hereby determine that the Final Environmental Impact Report (FEIR) 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).

According to the FEIR, 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 250 acres as open space for active and passive use. The golf course will utilize about 80 of these acres. On May 10, 2006, the proponent was granted a Phase 1 Waiver for the construction of 34 single family homes and the necessary infrastructure. The infrastructure included the construction of a common septic system. These 34 homes would be connected to the wastewater treatment facility when it is constructed.

Since the submission of the DEIR, the project site has been identified as Priority Habitat by the Natural Heritage and Endangered Species Program (NHESP). The proponent has met with NHESP staff and conducted a wildlife evaluation of the entire project site. As a result of these consultations and the wildlife evaluation, the proponent has reconfigured Hole Number 8 of the golf course to remove it outside of the Estimated Habitat Area. In addition, each golf course hole has been examined by the proponent to determine the minimum amount of clearing that would be required. The fairways have been significantly narrowed to reduce habitat impact. The proponent has also agreed to a deed restriction on Lots 84, 85, 86 and 87 to prevent any disturbance in the rear of these lots to protect the Estimated Habitat Area. Wetland impacts from the project have been reduced to approximately 40 sf. This wetland impact is caused from the location of bridge piles.

This project is subject to a mandatory EIR. The project may require a Groundwater Discharge Permit and a Water System Modification Permit (filed by the Dighton Water District) from the Department of Environmental Protection (MassDEP). It requires review through a direct filing with the Natural Heritage and Endangered Species Program (NHESP). The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. 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 40 square feet (sf) of wetlands will be impacted from the project. MEPA jurisdiction extends to land alteration, wildlife habitat, 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 663 parking spaces, which included garage spaces and tandem spaces in front of each garage (560 spaces) and 103 parking spaces at the club house.

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 about 95,000 gpd of irrigation water. The golf course will require up to 8.35 million gallons (mg) of irrigation water for the months of June, July and August.

Review of the FEIR:

The FEIR provided a detailed project description with a summary/history of the project. It included existing and proposed site plans. The FEIR identified and described the project phasing. It explained the local zoning requirements for parking spaces.

For the 400 sf of wetlands replication, a detailed wetlands replication plan was provided in the FEIR.

The FEIR included and described the maintenance program for the drainage system. This maintenance program outlined the actual maintenance operations, responsible parties, and back-up systems by the developer and the homeowners association. In the FEIR, the proponent extended the Turf Management (TM) Plan for the golf course to the residential lawn areas. The FEIR described how the proponent anticipates the use of fertilizers and pesticides. It included a risk assessment for water quality associated with the use of fertilizers and pesticides. The FEIR explained the water quality monitoring proposed as part of the TM Plan (three groundwater wells and four surface water locations). It discussed specific management responses if the monitoring program reveals any potential problems.

The FEIR discussed the 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 included a discussion of best management practices employed to meet the NPDES requirements, and included a draft Pollution Prevention Plan under a separate cover.

The FEIR demonstrated that the municipal water system has sufficient capacity to supply the proposed project with potable water. No Water Management Act Permit is required from MassDEP because the proponent will not utilize 100,000 gpd or an annual yield of 9 million gallons over a three month season. Therefore, no pump tests have been conducted by the proponent. No portion of the site is located within the Zone II of a public water supply well. The FEIR provided a table of water demand under drought conditions during grow-in of the golf course.

Summary of FEIR Mitigation:

The FEIR included a separate chapter on mitigation measures. This chapter on mitigation included a Draft Section 61 Finding for MassDEP. The Draft Section 61 Finding contained 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 was also included.

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

- Construct three elevated bridges for golf course access over wetland areas, approximately \$735,000.
- Construct a wastewater treatment facility, approximately \$780,000.
- Institute a TM Plan for the golf course and residential area, 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 "Stop 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.

I encourage the proponent to work with NHESP to establish a Conservation Restriction on the unimproved portions of the project site, including the golf course.

June 29, 2007

DATE



Ian A. Bowles

Comments received:

MassWildlife, 6/21/07

DEP/SERO, 6/22/07

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IAB/WTG/wtg