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September 7, 2007

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

PROJECT NAME : Barrows Brook Village
PROJECT MUNICIPALITY : off Grove Street - Kingston
PROJECT WATERSHED : South Coastal
EEA NUMBER : 14074
PROJECT PROPONENT : Delwin LLC
DATE NOTICED IN MONITOR : August 8, 2007

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 determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

According to the Environmental Notification Form (ENF), the proposed project consists of the construction of an age-restricted (55+) residential condominium community. The proponent is proposing 60 units in 30 duplex buildings (approximately 128,066 square feet (sf)) with associated access roadways on a 76-acre site. Fifteen of the units will be affordable. The project will have its access roadways onto Grove Street and Sunrise Drive. The site is wooded and contains one residence with some outbuildings, which will be demolished.

The project is subject to review pursuant to Sections 11.03(1)(b)(2) and 11.03(2)(b)(2) of the MEPA regulations because it creates 5 or more acres of impervious area and involves the taking of an endangered or threatened species of special concern, and the project site is two or more acres and includes an area mapped as a Priority Site of Rare Species Habitats and Exemplary Natural Communities. On February 17, 2007, a Comprehensive Permit under Chapter 40B was issued by the Town of Kingston. The project will require a Conservation and Management Permit under the Massachusetts Endangered Species Act (MESA) from the Natural Heritage & Endangered Species Program (NHESP). It will require a Water Quality Certificate, and it may require a Water System Modification Permit from the Department of Environmental Protection (MassDEP). The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. An Order of Conditions will be required from the Kingston Conservation Commission for

impacts to wetland resource areas as a limited project. MEPA jurisdiction is limited to those aspects of the project within the subject matter of state permits and that may have significant environmental impacts (land alteration, wetlands, stormwater, rare species, and water supply).

Based on the Institute of Traffic Engineers land Use Code 251, the proposed project is estimated to generate approximately 347 new vehicle trips per weekday. About 60 parking spaces will be constructed.

Each residential unit will be supplied with potable water by the Town of Kingston. The project will consume approximately 9,900 gallons per day (gpd) of water. The proponent will extend the existing water main in Grove Street to the project site. The project will generate approximately 9,000 gpd of wastewater. The project proponent has proposed to construct approximately fourteen Title 5 septic systems to accommodate the project.

The project will create approximately 6.8 acres of new impervious area. The quality of stormwater runoff generated by the project will be improved by the implementation of Best Management Practices. Existing site runoff is sheet flow. Runoff from the proposed roadways, driveways, and parking areas will flow to deep sump catch basins with hoods to detention/infiltration basins with sediment forebays. Roof runoff will be infiltrated into dry wells and grassed swales. The rate of water discharging from the site will be less than existing conditions. The proponent and the condominium association will provide for an annual inspection and maintenance program for the stormwater collection system and an annual spring sweeping program of the proposed roadways and parking areas. The proponent has included 4-foot wide sidewalks on one side of its proposed roadway.

According to the proponent, the project will impact approximately 698 sf of Bordering Vegetated Wetlands (BVW) and 4,000 sf of Riverfront Area. The proponent is proposing to provide an 878 sf replication area for the BVW impacts. The existing fill area on an existing cart path downstream and within the same drainage swale will be eliminated to compensate for the new crossing. An 18-inch by 40-foot long drainage pipe will be removed and the area restored with 878 sf of wetland vegetation. This restoration will improve the passage of wildlife and eliminate the obstruction of the pipe.

Because of the Priority Habitat located on the project site, the proponent has proposed to install an oversized box culvert with a natural soil base to allow for passage of wildlife at the proposed roadway crossing of the intermittent stream. The length of the culvert will be naturally lighted by the construction of grated openings from the street level. The boundaries of the restricted area will be surveyed and bounded with either iron pins or concrete monuments. Short sections (1-3 feet) of post and rail fence will demark angle points and the middle of longer straight sections of the boundary to limit residential activities. Signage denoting the restriction will be placed on fencing. Construction workers and residents will be informed and trained to be

aware of the restricted habitat protection criteria. Trained personnel will survey the site for turtle habitat prior to work commencing and wildlife barrier fencing established during construction. Permanent wildlife barriers, native plantings, and an annual monitoring program of Endangered Species are proposed by the proponent during the construction period. The proponent is also proposing to place approximately 57 acres of the undeveloped portions of the site under a Conservation Restriction. It has agreed to deed and construct a small parking area to provide access to the Jones River and the existing trails that run along the river. The parking area would have an information board with information on the Eastern Box Turtle.

I ask NHESP to ensure that the proponent provides a Conservation Restriction either locally or with my office that protects the 57 acres to its satisfaction. The NHESP and the proponent should consider establishing some type of fund to ensure that the annual monitoring program, which will be part of the proponent's Conservation and Management Plan, will have sufficient resources. The proponent should consider installing septic systems with advanced nitrogen removal within the 200-foot Riverfront Area or to relocate any of these septic systems outside of this area to address the concern regarding the further impairment of the Jones River.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with NHESP, I find that the potential impacts of this project do not warrant the preparation of an EIR.

September 7, 2007

Date



Ian A. Bowles

Comments received:

Goldman Environmental (GEC), 8/10/07
GEC, 8/14/07
GEC, 8/15/07
GEC, 8/16/07
GEC, 8/16/07
Kingston Conservation Agent, 8/22/07
Kingston Conservation Commission, 8/24/07
MassWildlife, 8/28/07
Jones River Watershed Association, 8/28/07
MassDEP/SERO, 8/28/07
Coler & Colantonio, 8/28/07
John & Antoinette Wojtasinski, 8/28/07
GEC, 8/31/07

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