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September 21, 2007

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

PROJECT NAME : The Village at Whitney Park  
PROJECT MUNICIPALITY : Ashburnham  
PROJECT WATERSHED : Nashua  
EOEA NUMBER : 14082  
PROJECT PROPONENT : Whitney Park Development, LLC  
DATE NOTICED IN MONITOR : August 22, 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 hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

This project consists of the construction of two residential developments on an 88-acre site in Ashburnham. The project will include construction of 15 single-family homes along an extension of Whitney Drive, 98 condominium units within a condominium complex, 1 single family home on New Street and 1 lot on New Street for development of affordable housing by the Greater Gardner Community Development Corporation. The project includes associated infrastructure, including access drives, a stormwater management system and other utilities. Access will be provided from Williams Road via an extension of Whitney Drive. The project will be served by municipal water and sewer from the Town of Ashburnham.

The 88-acre site is zoned for residential use. It includes an extensive wetlands system, a certified vernal pool and an unpaved access road that extends along the site from north to south. It is adjacent to Williams Road to the east, Center Road to the north and west and School Street to the South. Abutting uses consist primarily of single-family homes.

The project was filed pursuant to Section 11.03 (1)(b)(2) and (5)(b)(3)(c) because the proponent indicated that it requires a state permit and it will create over 5 acres of new, impervious surfaces and it includes a sewer main 1/2 or more miles in length. The ENF indicates that it requires a Sewer Connection/Extension Permit from the Department of Environmental Protection (MassDEP). Also, it requires a Comprehensive Permit from the Ashburnham Zoning Board of Appeals consistent with Chapter 40B and it requires an Order of Conditions from the Ashburnham Conservation Commission (and hence a Superseding Order of Conditions in the event the local Order is appealed).

MEPA review clarified that a Sewer Connection/Extension Permit is not required because the project will generate less than 50,000 gallons per day (gpd) of wastewater and it does not include more than 1,000 linear feet of sewer main within a public right of way. Also, both the Comprehensive Permit and the Order of Conditions, which could become state agency actions if appealed, were issued on July 5, 2007 and August 14, 2007, respectively. Neither permit has been appealed. As a result, it appears that the project does not require any state agency action and therefore is considered a voluntary filing under MEPA.

Potential impacts associated with the project include creation of 9.4 acres of impervious surfaces, alteration of 1,316 sf of Bordering Vegetated Wetlands (BVW), generation of 786 average daily vehicle trips (adt), use of 26,840 gallons per day (gpd) of water and generation of 26,840 gpd of wastewater. Measures to avoid, minimize and mitigate these impacts include construction of a stormwater management system, 2,482 sf of wetlands replication,<sup>1</sup> use of retaining walls to minimize wetlands impacts, measures to minimize erosion and sedimentation during construction and support of a rail trail connection (including access to the Briggs Elementary School).

The review of the ENF and comments received in response, have served to adequately disclose the potential impacts associated with this project. Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required.

September 21, 2007

Date



Ian A. Bowles

Comments Received:

- 9/11/07 Department of Environmental Protection / Regional Office (MassDEP/NERO)
- 9/11/07 Montachusett Regional Planning Commission
- 9/10/07 Town of Ashburnham/Conservation Commission

IAB/CDB/cdb

<sup>1</sup> The information provided on page 2 of the ENF form was intended to indicate that the project will alter approximately 1,316 sf of BVW and provide 2,200 sf of wetlands replication. The Order of Conditions issued by the Town identifies the impact to BVW as 1,549 sf and requires 2,482 sf of wetlands replication.