



# *The Commonwealth of Massachusetts*

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October 26, 2006

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

PROJECT NAME: Bullard Estates  
PROJECT MUNICIPALITY: Holden  
PROJECT WATERSHED: Nashua  
EOEA NUMBER: 13884  
PROJECT PROPONENT: Casa Builder & Developers Corp.  
DATE NOTICED IN MONITOR: September 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 **does not require** the preparation of an Environmental Impact Report (EIR).

### Project Description

As outlined in the Environmental Notification Form (ENF), the project consists of the development of a 12-lot residential subdivision at 382 Bullard Street in Holden, MA. The subdivision will include roadway, lot development and a stormwater management system. The proponent will construct an approximately 1,365-foot long paved roadway that will join Bullard Estates with a roadway within the abutting Wagner Meadows subdivision, which is presently under construction. The Wagner Meadows 26-lot residential subdivision is being developed by the same company (Casa Builders), but is owned by a different entity. The site is bounded to the west by Bullard Street, to the north and south by residentially zoned property, and to the east by Department of Conservation and Recreation (DCR) land.

Two Bordering Vegetated Wetland (BVW) areas exist on the site associated with two intermittent streams. No work will be performed closer than 25 feet from the BVWs as mandated by the Holden Conservation Commission. The subdivision's drainage system has been designed to fully comply with the requirements of the Department of Environmental Protection's Stormwater Management System. The residential lots will each connect to the municipal water and sewer system. The project will share a sewer line with the Wagner Meadows project.

### Jurisdiction

The project is undergoing review pursuant to Section 11.03(5)(b)(3)(c) of the MEPA regulations because it will result in construction of greater than ½ a mile of new sewer main not located in the existing right of way. The project will require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA); a Sewer Connection Permit from the Department of Environmental Protection (MassDEP); a Determination of Applicability pursuant to the Watershed Protection Act from the Department of Conservation and Recreation (DCR); Subdivision Approval from the Holden Planning Board; and an Order of Conditions from the Holden Conservation Commission.

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 or potentially required state permits with the potential to cause damage to the environment. The proponent has already secured an Applicability Decision from DCR and a final Order of Conditions from the Holden Conservation Commission. Therefore, MEPA jurisdiction on this project is limited to wastewater.

I acknowledge comments from MassDEP regarding the need for further analysis of the combined impacts of the Bullard Estates and the Wagner Meadows developments. After careful consideration of the projects and consultation with the proponent and MassDEP, I find that the proponent has adequately characterized the impacts of the project that are subject to MEPA jurisdiction; the remaining issues can be addressed during the MassDEP permitting process. The proponent should consult with MassDEP regarding their concerns during permitting of the Bullard Estates project.

### Wastewater

The project is anticipated to generate approximately 6,600 gallons per day (gpd) of wastewater. Bullard Estates will connect approximately 1,380 linear feet of gravity sewer to the 1,495 feet of gravity sewer and 550 feet of sewer force main within the abutting Wagner Meadows subdivision. The total length of sewer for both Bullard Estates and Wagner Meadows is approximately 3,425 linear feet.

The proposed gravity sewer for Bullard Estates will connect to a privately owned and maintained wastewater pump station within the abutting Wagner Meadows subdivision. This pump station is permitted under a MassDEP Sewer Extension Permit (Transmittal #W056296). According to the Town of Holden regulations, the wastewater pump station will be owned and

maintained by a Homeowners Trust. Each house that contributes flow to the pump station will become a member of the Trust.

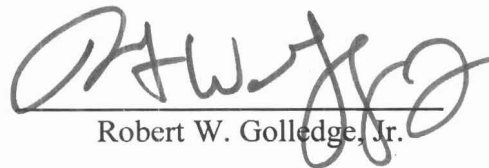
MassDEP states in its comments on the ENF that the private ownership of this pump station creates a number of operation and liability issues that must be resolved with the Town of Holden. The proponent must work with MassDEP to demonstrate that the same single entity owns and uses the pump station, and that a sound financial security mechanism is in place to assure proper operation and maintenance of the station. The proponent should also note comments from the Department with regard to seeking public ownership of the station.

DCR has voiced concern that in the event of a malfunction in the wastewater treatment system, that overflow could contaminate areas that are tributary to the Wachusett Reservoir. Accordingly, the operations and maintenance program for the pump station should include notification to DCR when a high water alarm is triggered, which may signal a potential discharge.

### Conclusion

I have determined that the ENF has sufficiently defined the nature and general elements of the project and proposed measures to avoid and mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state and local permitting and review process. The proponent should work with MassDEP and DCR to resolve those agencies' concerns about the project's wastewater system. The proposed project, as described in the ENF, requires no further review under MEPA.

October 26, 2006  
Date



Robert W. Gollidge, Jr.

### Comments Received:

10/4/2006 Department of Conservation and Recreation  
10/16/2006 Department of Environmental Protection, Central Regional Office

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