



*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

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

December 26, 2007

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

PROJECT NAME: Hickory Hills Residential Subdivision  
PROJECT MUNICIPALITY: Belchertown  
PROJECT WATERSHED: Connecticut River  
EEA NUMBER: 14136  
PROJECT PROPONENT: The Levi-Nielsen Company, Inc.  
DATE NOTICED IN MONITOR: November 26, 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).

Project Description

As outlined in the Environmental Notification Form (ENF), Hickory Hills is a proposed residential subdivision to be located on a 66.02-acre site on the north of George Hannum Street in Belchertown, MA. The project will consist of 65 lots including 52 single-family house lots and 13 duplex house lots, for a total of 78 housing units. The site is currently undisturbed and mostly wooded with extensive wetlands. The proposed development complies with the requirements of the Town of Belchertown's Open Space Community Development bylaw, and will include approximately 32 acres of open space, which will include 15 acres of upland. The development will be supported by infrastructure including sewer, water, stormwater management and site grading. The proposed development will be serviced by Town sewer and water.

### Jurisdiction

The project is subject to environmental review pursuant to Sections 11.03(1)(b)(1), 11.03(1)(b)(2) and 11.03(5)(b)(3)(c) of the MEPA regulations because the project will result in the alteration of more than 25 acres of land, the creation of more than 5 acres of new impervious surface and because the project requires the construction of more than ½ 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); Sewer Extension Permit and possibly a 401 Water Quality Certificate from the Department of Environmental Protection (MassDEP); an Order of Conditions from the Belchertown Conservation Commission; and numerous other local permits from the Town of Belchertown.

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. In this case, MEPA jurisdiction extends to drainage, wetlands and wastewater.

### Drainage

The project will result in the alteration of 35.6 acres of land and the creation of approximately 9.0 acres of new impervious surface. According to the Proponent, 80 lots would be possible under a conventional subdivision layout; the plan under the open space subdivision will result in the creation of 65 lots. The project's stormwater management system will comply with MassDEP's Stormwater Management Policy. Increases in stormwater runoff will be controlled through deep-sump catch basins, stormwater treatment chambers, three detention basins with sediment forebays, grass swales and recharge swales. The designed Best Management Practices will have at least an 80% rate of removal for Total Suspended Solids (TSS). The project's proposed stormwater management system is currently under review by the Belchertown Conservation Commission and the Belchertown Engineering Department as part of the Notice of Intent process.

### Wetlands

An intermittent stream channel on the site parallels George Hannum Street with Bordering Vegetated Wetlands (BVW) on either side of the stream channel. The entire east side of the site is also comprised of BVW. The total wetland area on the site is 15.73 acres.

The Proponent has proposed two access roads to the site from George Hannum Street which will result in two wetland crossings. The Proponent also considered a single boulevard-style site drive; however this design would result in more wetland impacts than two smaller site drives. The Proponent will install two arch culverts across the intermittent stream channel. The crossings will result in impacts to 3,501 sf of BVW. Crossings should be designed in accordance with the *Massachusetts River and Stream Crossing Standards* (August 2004).

The Proponent has filed a Notice of Intent with the Belchertown Conservation Commission (DEP #104-0863) which is currently under review. The project may also require a 401 Water Quality Certificate as noted in MassDEP's comments on the ENF. The Proponent should submit a 401 WQC application to MassDEP or provide sufficient information to MassDEP demonstrating that the project is not subject to the regulations at 314 CMR 9.00 and propose a deed restriction that will limit wetland impacts to less than 5,000 sf.

The Town of Belchertown is requiring that the Proponent construct a sidewalk to the Stop and Shop Supermarket located at George Hannum Street and Route 9. The construction of the sidewalk will result in additional wetland impacts due to the presence of resource areas along George Hannum Street. The Proponent is currently resolving issues related to the design and maintenance of the sidewalk with the Town of Belchertown and cumulative wetland impacts for the project may increase as a result of this consultation. The Proponent should note that shading is considered an impact under the Town of Belchertown local wetlands bylaw.

The Proponent has proposed 7,002 sf of wetland replication area to mitigate impacts associated with the proposed crossing. This replication area will need to be increased in size if further BVW impacts occur as a result of the sidewalk construction. The Town of Belchertown local wetlands bylaw requires wetlands replication at a ratio of 2:1. The replication area should be designed and constructed in accordance with the *Massachusetts Inland Wetland Replication Guidelines* (MassDEP, March 2002).

#### Water and Wastewater

The project is anticipated to generate 31,460 gallons per day (gpd) of wastewater and to require 31,460 gpd of drinking water. The development will be serviced by Town sewer and water supply. The project involves the construction of 1.05 miles of new sewer main and requires a Sewer Extension Permit (BRP WP 13) from MassDEP. The ENF included a letter from the Town of Belchertown Department of Public Works indicating that there is sufficient capacity in the municipal system to accommodate the project's wastewater flows and that the Town is willing to accept the proposed connections to the Belchertown sewer system.

#### 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 proposed project, as described in the ENF, requires no further review under MEPA.

December 26, 2007

Date



Ian A. Bowles

Comments Received:

12/17/2007 Department of Environmental Protection, Western Regional Office  
12/17/2007 Town of Belchertown, Conservation Commission  
12/17/2007 Pioneer Valley Planning Commission

1AB/BA/ba