



The Commonwealth of Massachusetts

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February 24, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE NOTICE OF PROJECT CHANGE

PROJECT NAME :Arbor Glen
PROJECT MUNICIPALITY :Stow
PROJECT WATERSHED :Concord
EOEA NUMBER :13542
PROJECT PROPONENT :Pulte Homes of New England, LLC
DATE NOTICED IN MONITOR :May 25, 2005

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c.30, ss.61-62H) and Section 11.17 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** the preparation of a Environmental Impact Report (EIR).

The residential development project, previously proposed in May 2005, involves the construction of 66 age-restricted (over 55) residential housing units in 28 separate buildings, approximately 277 surface parking spaces (264 residents spaces, 13 visitor spaces), approximately 2,810 linear feet (lf) of roadway with sidewalk, and 4 stormwater detention basin on a 64-acre parcel located off Hudson Road in Stow. The project's estimated water supply demand (9,900 gpd) and wastewater flows (9,900 gpd) will be served by a proposed private on-site water supply well field (2 wells), and a private on-site package wastewater treatment facility in accordance with Massachusetts Title 5 regulations, respectively. Approximately 9 percent of the apartment units (6 units total) will be affordable and available for purchase by persons who meet the HUD Affordability Requirement. The project's two site drives will be located approximately 475 feet apart on Hudson Road. The project is being proposed under the Town of Stow's newly created Active Adult Neighborhood (AAN) zoning bylaw.

As described in this Notice of Project Change (NPC), the proponent is proposing to modify the site design, and to relocate approximately 16 residential units in 6 separate buildings from the eastern half of the project site, across a wetlands resource area, to the western half of the project site. According to the proponent, the project change will eliminate the need to locate the residential development project within an existing drumlin located in the southern portion of the project site, and will reduce the total amount of amount impervious surface area within the project site. According to the proponent, approximately 40.5 acres (63%) of the project site will remain as permanently protected open space.

The project is undergoing review pursuant to Sections 11.03 (1)(b)(2) of the MEPA regulations, because the project will result in the creation of five or more acres of impervious surface area (approximately 5.5 acres total). The project may require a Groundwater Discharge Permit and a Water Quality Certificate from the Department of Environmental Protection (DEP). The project will also require Orders of Conditions from the Stow Conservation Commission (and hence Superseding Order(s) from DEP if any local Orders were appealed). The project may also require a 401 Water Quality Certification from DEP. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site of over one acre. The proponent is not seeking financial assistance from the Commonwealth for the project. MEPA jurisdiction therefore extends to those aspects of the project that are within the subject matter of required or potentially required state permits and that have the potential to produce significant Damage to the Environment. In this case, MEPA jurisdiction extends to issues of land alteration, water quality, water supply and wastewater.

Wetlands:

The proposed project change will require a culverted wetland crossing to enable roadway access to the re-located residential units, and will result in approximately 1,660 sf of permanent alteration to bordering vegetated wetlands (BVW). The proponent has committed to construct approximately 2,000 sf (1.2:1) of on-site wetland replication adjacent to the northeastern boundary of existing BVW resource area. The currently proposed project will also involve alteration to approximately 3.9 acres of wetland buffer for grading and roadway construction, residential buildings, and stormwater management infrastructure. According to the proponent, portions of approximately 27 residential units, in 12 separate buildings, are located within the 100-foot wetland buffer zone. I strongly encourage the proponent to consider developing a Conservation Restriction for the project site that would limit the total amount of land area to be disturbed within the project site, and avoid future impacts from homeowner and/or Resident Association lawn and yard maintenance activities.

Drainage/Water Quality:

As described in the NPC, the stormwater management plan will be designed to meet DEP's Stormwater Management Policy guidelines, and will include the use of deep sump stormwater catch basins connected via a subsurface collection system to convey stormwater to a detention basin with sediment forebay located in the western portion of the project site and adjacent to the project's proposed site access drive.

Water:

The project's water supply needs (approximately 9,900 gallons per day (gpd)) will be served by a proposed wellfield consisting of two individual private water supply wells to be located in the southwestern portion of the project site.

Wastewater:

The proponent has proposed to construct a subsurface Title 5 system for the project's wastewater flows (9,900 gpd), in accordance with Massachusetts Title 5 regulations. As currently designed, the primary septic leaching area and the reserve septic leaching area for the proponent's subsurface Title 5 system have been located in the western half of the project site that is currently being farmed. The proponent will need to notify the MEPA office if the proposed project will require a Groundwater Discharge Permit from DEP.

Agricultural Land:

The proponent has provided additional information to the MEPA Office describing the proponent's proposed agricultural mitigation plan including a commitment to donate to the Town of Stow approximately a total of 19.73 acres of the project site ('Easement Area B'). Easement Area B contains approximately 11.0 acres of existing Prime farmland, located in the western portion of the project site, that will be permanently protected for active agricultural farming activities under an Agricultural Preservation Restriction (APR) provided by the proponent. The proponent has also committed to stockpiling topsoil from the eastern half of the project site, classified by the Department of Agricultural Resources (DAR) as Merrimack fine sandy loam 0-3% slope, and to make these soils available for the enhancement and/or expansion of farming activities in the project area.

Based on the information provided by the proponent and consultation with relevant public agencies, I conclude that no further MEPA review is required. The review of the NPC has served adequately to disclose potential impacts and mitigation, and to demonstrate that proposed project change impacts do not require further MEPA review.

I anticipate that DEP's permitting process will require the proponent to demonstrate that the drawdown of the water table associated with the project's proposed water withdrawals will not adversely impact the site's surface and subsurface hydrology, wetlands resource areas, or any water supply wells located on abutting properties.

February 24, 2006

Date



Stephen R. Pritchard, Secretary

Comments received:

02/09/06 Town of Stow, Conservation Commission
02/15/06 Marchionda & Associates, L.P.
02/13/06 Department of Agricultural Resources (DAR)
02/22/06 Department of Agricultural Resources (DAR)

SRP/NCZ/ncz
EOEA #13542 NPC