



The Commonwealth of Massachusetts

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March 3, 2006

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CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Southview Estates
PROJECT MUNICIPALITY : Fuller Street – Ludlow
PROJECT WATERSHED : Chicopee River
EOEA NUMBER : 13355
PROJECT PROPONENT : Atwater Investors
DATE NOTICED IN MONITOR : January 25, 2006

The Secretary of Environmental Affairs hereby determines that the Final Environmental Impact Report (FEIR) submitted on the above project **adequately and properly** complies with the Massachusetts Environmental Policy Act (G. L., c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

According to the FEIR, the proposed project consists of the construction of one of two Preferred Alternatives. On January 26, 2004, the Housing Appeals Committee (HAC) under Chapter 40B directed the Ludlow Zoning Board of Appeals to issue an amended Comprehensive Permit for the construction of 241 units of housing. Because of zoning changes approved by the Town of Ludlow on May 15, 2005, the proponent is actively pursuing the option of developing 168 market rate condominium units, in accordance with this approved zone change. However, the proponent is continuing to pursue the 241-unit development under the Comprehensive Permit in the event that the permit approvals are not rendered from the Town of Ludlow for the 168-unit project. Therefore, both the 241-unit development and the 168-unit development are presented as Preferred Alternatives in the FEIR.

Preferred Alternative A is comprised of the construction of a 241-unit, 406,000 square foot (sf) condominium complex with 482 parking spaces. The proponent is proposing to construct the project in four phases. Phase I contains 51 units, Phase II contains 79 units, Phase III contains 67 units, and Phase IV contains 44 units. This development is proposed under the auspices of the Chapter 40B Comprehensive Permit. Twenty-five percent or 60

units will be made available as affordable housing under Chapter 40B. The project alters 54.8 acres and creates 18.3 acres of impervious area. Water consumption was estimated at 58,000 gpd, and wastewater generation was estimated at 53,000 gpd. The project would alter approximately 14,400 sf of BVW. It generates approximately 1,356 vehicle trips per day.

Preferred Alternative B consists of the construction of a 168 units of market-rate condominiums, 218,000 sf, with 336 parking spaces. The proponent is proposing to construct the project in three phases. Phase I contains 38 units, Phase II contains 80 units, and Phase III contains 50 units. The project alters 42.7 acres and creates 14 acres of impervious area. Water consumption was estimated at 36,960 gpd, and wastewater generation was estimated at approximately 33,600 gpd. The project would alter approximately 14,300 sf of BVW. It generates approximately 998 vehicle trips per day. The project would create an 8-acre open space area.

The site contains a single family home that would be demolished. Access to the site will be provided via two roadways onto Fuller Street for Preferred Alternative A and one roadway for Preferred Alternative B. The site contains a total of approximately 86.2 acres. The project will be connected to the existing municipal water and wastewater service.

This project is subject to a mandatory EIR. The project may require a Section 401 Water Quality Certificate, a Superseding Order of Conditions, a Water Pump Station Permit (BRP WS 32), and a Sewer Connection/Extension Permit from the Department of Environmental Protection (DEP). On January 26, 2004, the Housing Appeals Committee (HAC) issued a decision approving the 241-unit project. The HAC decision is conditional until the proponent has complied with MEPA, and the HAC retains authority to modify its decision based on the findings or reports prepared in connection with MEPA review. The project must comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. It will need a Section 10/404 Permit from the U.S. Army Corps of Engineers. An Order of Conditions will be required from the Ludlow Conservation Commission for impacts to wetland resource areas and buffer zones as a "limited" project.

Summary of Mitigation:

In the FEIR, the proponent committed to implement the following mitigation measures:

- Provide a 19,324 sf BVW replication area, 656 linear feet of Bank, and a 10,000 sf isolated wetland replication area. Restore wetland areas temporarily impacted by the construction of the sewer line. The proponent will spend about \$287,000 on wetlands replication.
- Construct the following stormwater improvements: up to 8 detention basins; street sweeping; deep sump hooded catch basins; forebays; and water quality swales. These

measures are estimated to cost approximately \$281,000.

- Reduce the width of the proposed roadway and eliminate the median area in areas where wetland crossings occur if permitted.
- Provide 4-foot wide sidewalks along one side of subdivision roadways and along the Fuller Street frontage, approximately \$43,000).

My earlier Certificate on the DEIR (dated January 13, 2006) stated that no major issues remained that warranted the preparation of a separate FEIR. The DEIR and the supplemental material (January 23, 2006), which have been submitted on the above project, have addressed the substantive issues. The supplemental material included responses to comments on the DEIR, a draft Stormwater Pollution Prevention Plan, and the Proposed Section 61 Findings for DEP and the HAC. A revised schedule for the implementation of mitigation was also provided to the MEPA Office.

I ask DEP and the HAC to consider reducing the width of the proposed project's roadway within wetland resource areas to 12-foot wide or less per lane and without any boulevard median in order to reduce overall impacts to wetland resource areas. The DEP's and the HAC's permitting authority are sufficient to ensure that this issue can be resolved.

I commend the proponent for its efforts to cooperate with the state agencies to resolve the issues raised during this review. With the mitigation package finalized, I find this FEIR adequate.

March 3, 2006
DATE


Stephen R. Pritchard

Comments received:

Baystate Environmental Consultants, 1/23/06
DEP/WERO, 2/23/06

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SRP/WTG