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March 8, 2007

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

PROJECT NAME : Arboretum Residential Subdivision
PROJECT MUNICIPALITY : Worcester
PROJECT WATERSHED : Blackstone River
EOEA NUMBER : 13955
PROJECT PROPONENT : Fox Hill Builders, Inc.
DATE NOTICED IN MONITOR : January 23, 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 the proposed project **does not require** the preparation of an Environmental Impact Report (EIR). However, any additional development on the project site will require the filing of a Notice of Project Change (NPC). Given that the project currently exceeds 9 acres of impervious area, it is likely that additional development on the site will exceed thresholds for a mandatory Environmental Impact Report (EIR).

The proposed project is a cluster subdivision consisting of 85 duplex units, ten single-family homes, and associated infrastructure on an approximately 70-acre site. The project includes the 98-unit (49 duplex) development and infrastructure described in the Environmental Notification Form (ENF), an additional roadway (Sophia Drive) that will be extended to serve the proposed development, and 82 units (36 duplexes and 10 single-family homes) on Sophia Drive and Upland Street. The ENF indicated that the project would result in 11.12 acres of land alteration and 4.76 acres of impervious area. However, the ENF did not include the impacts associated with existing and proposed development on Sarah Drive and Upland Street. This development will result in an additional 11.11 acres of land alteration and 4.26 acres of impervious area, and involves alteration of 542 square feet of wetlands resource area due to construction of Sophia Drive. According to supplemental information submitted by the

proponent (March 5, 2007 letter from EcoTec, Inc.), overall project impacts for existing and proposed development include 22.23 acres of land alteration, 9.02 acres of impervious area, and 1,722 vehicle trips per day. Water use and wastewater generation are estimated at 59,400 gallons per day, and the project includes 4,415 feet of new water and sewer main. The ENF indicates that development of the remaining 53.6 acres of the property is as yet undefined, but is likely to consist of additional residential development.

The project is undergoing MEPA review because it meets or exceeds ENF review thresholds and requires state permits. The project is undergoing review pursuant to Section 11.03(1)(b)(2) of the MEPA regulations because it will result in the creation of five or more acres of impervious area, and Section 11.03(5)(b)(3)(c) because it will result in the construction of ½ mile or more of sewer mains. The project is also undergoing review pursuant to Section 11.03(6)(b)(14) because it will result in generation of 1,000 or more new average daily trips (adt) and construction of 150 or more new parking spaces. The project requires a Sewer Extension Permit from the Massachusetts Department of Environmental Protection (MassDEP) and a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA). According to supplemental information submitted by the proponent (letter and attachments from EcoTec, Inc March 2, 2007), the project received a Superseding Order of Conditions from MassDEP for Sophia Drive (formerly known as Sarah Drive) in October 2005 and several Orders of Conditions from both the Worcester and Auburn Conservation Commissions between December 2005 and January 2007. The proponent has recently requested Certificates of Compliance from MassDEP and the Worcester 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 state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to wastewater, wetlands, land, stormwater and drainage.

Wetlands and Stormwater Management

The proponent has committed to measures to prevent adverse construction-related impacts, which will include erosion control barriers and temporary settling basins during construction, and permanent, post-construction stabilization. According to the ENF, the stormwater system will be designed to meet the MassDEP Stormwater Management Policy standards. The proponent should ensure that measures are implemented to ensure effective long-term operation and maintenance of the stormwater management system, and to avoid adverse impacts to wetland resource areas on and adjacent to the project site.

Sustainable Design

I strongly encourage the proponent to evaluate sustainable design alternatives such as Low Impact Development (LID) and High-Performance/Green buildings that can serve to avoid or minimize potential environmental impacts. Such alternatives may also reduce project development and long-term operational costs. I encourage the proponent to consider LID

techniques in site design and storm water management plans. LID incorporates stormwater best management practices (BMPs) and can reduce impacts to land and water resources by conserving natural systems and hydrologic functions. The primary tools of LID are landscaping features and naturally vegetated areas, which encourage detention, infiltration and filtration of stormwater on-site. Other tools include water conservation and use of pervious surfaces. Clustering of buildings is an example of how LID can preserve open space and minimize land disturbance. LID can also protect natural resources by incorporating wetlands, stream buffers, and mature forests as project design features.

Sustainable design can provide environmental and economic benefits for the proponent and future residents. The basic elements of a sustainable design program may include, but not be limited to, the following measures:

- Leadership in Energy and Environmental Design (LEED) certification for residential homes;
- water conservation and reuse of wastewater and stormwater;
- ecological landscaping;
- green roofs;
- use of Low Impact Development (LID) techniques (the proponent may find the following web sites useful www.mass.gov/envir/lid and www.lid-stormwater.net);
- optimization of natural day lighting, passive solar gain, and natural cooling;
- use of energy efficient Heating, Ventilation and Air Conditioning (HVAC) and lighting systems, appliances and other equipment, and use of solar preheating of makeup air;
- favoring building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- implementation of a solid waste minimization and management plan; and
- provision of easily accessible and user-friendly recycling system infrastructure.

Based on review of the ENF and supplemental information, comment letters received, and consultation with relevant agencies, I find that impacts associated with the project do not warrant further MEPA review at this time. The project may proceed to state permitting. However, as noted above, if additional development is proposed for the project site, the proponent will be required to file an NPC, and it is likely that an EIR will be required to address cumulative impacts of all project phases.

March 8, 2007

DATE



Ian A. Bowles, Secretary

Comments Received:

1/24/07 Department of Environmental Protection, Central Regional Office

IAB/AE/ae