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August 29, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Quail Ridge Country Club
PROJECT MUNICIPALITY : Great Road - Acton
PROJECT WATERSHED : Concord River
EOEA NUMBER : 12503
PROJECT PROPONENT : Quail Ridge Country Club, LLC
DATE NOTICED IN MONITOR : July 23, 2008

As Secretary of Energy and Environmental Affairs, I hereby determine that the Supplemental Environmental Impact Report (EIR) submitted on the above project **adequately and properly** complies with the Massachusetts Environmental Policy Act (MGL, c.30, ss. 61-62I) and with its implementing regulations (301 CMR 11.00).

Project History

The project originally consisted of the construction of an 18-hole golf course with a driving range, a 28,000 square foot (sf) clubhouse, three tennis courts, a swimming pool with changing rooms, and a 5,000 sf turf management/cart storage building. The project would consume about 150,000 gallons per day (gpd) or 22 million gallons annually of irrigation water. It would be supplied by two onsite bedrock wells. The project site contains approximately 154.7 acres. The FEIR was found to be adequate on April 1, 2002. In 2003, the proponent submitted an NPC in which the proponent was proposing to withdraw less than 100,000 gpd from its bedrock wells. The proponent also proposed expanding and lining an existing on-site pond to create an approximately 9.4 million-gallon capacity storage pond of which 7.1 million gallons are useable as irrigation water on the project site (June through September). The proponent is proposing to fill the storage pond during non-peak periods (October to May) from its wells. The Acton Water

Supply District has also agreed to sell potable water to the proponent on a temporary and seasonal basis. The proponent was subject to a Water Management Act Permit. The Secretary determined that the NPC did not require further MEPA review on November 24, 2003. In December of 2007, the project proponent submitted an NPC to the MEPA Office. In a Certificate dated February 8, 2008, I required the preparation of a Supplemental EIR.

Project Description

The project consists of the construction of approximately 174 age-restricted units (approximately 378,850 sf) in a mix of single-family detached dwellings, town house style duplexes, and garden style residences to be known as the Residences at Quail Ridge (TRQR). The TRQR will replace 9 of the 18 holes on the golf course. Five percent (approximately nine) of the units will be affordable. A 7,500 sf (35-50 seat) restaurant that was part of the original golf course would also be built. The golf course driving range would be eliminated. The proposed project will create 20.8 acres of impervious area.

Using Land Use Codes (LUC) 230, 251, and 931 and the reduced number of golf trips, the proponent estimated that the TRQR will generate approximately 618 weekday vehicle trips and 478 Saturday vehicle trips. The proponent will provide 510 parking spaces for the TRQR.

The proponent has estimated that the TRQR will consume 57,835 gallons per day of potable water and will generate a similar amount of wastewater. Because of the reduction in golf course area, the proponent will reduce the amount of irrigation system water by an estimated 40 percent. As described in an Administrative Consent Order (ACO) in 2003 with MassDEP, the irrigation system for the golf course limited water withdrawals to 99,000 gpd.

Jurisdiction

The project requires a mandatory EIR. It will require an amended Access Permit from the Massachusetts Highway Department (MassHighway) for access onto Skyline Drive. The project will need to obtain a Groundwater Discharge Permit for its wastewater treatment plant and a Water Distribution System Modification Permit from the Department of Environmental Protection (MassDEP). The proponent has agreed with MassDEP to seek a Water Management Act Permit. It should comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site. The proponent will need to obtain a Programmatic General Permit from the U.S. Army Corps of Engineers for the alteration of federal wetlands. The project will require an Order of Conditions from the Acton Conservation Commission and/or a Superseding Order of Conditions from MassDEP if the Order of Conditions is appealed. MEPA jurisdiction therefore extends to all aspects of the project that require or potentially require state permits and that are likely to cause Damage to the Environment as defined in the MEPA regulations (in this case land alteration, traffic, wetlands, stormwater, water, and wastewater issues).

Review of the Supplemental EIR

The Supplemental EIR provided a detailed project description with a summary/history of the project. It included existing and proposed site plans. The Supplemental EIR identified two construction phases with Nagog Brook as the dividing line. It described each state agency action required for the project. The Supplemental EIR discussed how this project is compatible with Executive Orders 385 and 418, the Metropolitan Area Planning Council's (MAPC) MetroPlan and Acton's Master Plan and Zoning.

Because the proponent will impact 3,470 sf of Bordering Vegetated Wetlands (BVW), the Wetland Section of the Supplemental EIR contained an alternatives analysis to ensure that impacts to wetland resource areas and buffer zones are avoided, and where unavoidable impacts occur, impacts are minimized and mitigated. It quantified the amount of temporary and permanent impacts to the resource areas. The Supplemental EIR contained a plan showing the wetlands located on the project site. All resource area boundaries, riverfront areas, applicable buffer zones, and 100-year flood elevations were clearly delineated on this plan. The Supplemental EIR identified the disputed boundaries that were resolved with the Acton Conservation Commission. It provided an accurate measurement of the wetland resource areas and buffer zones that will be affected by the project. The Supplemental EIR illustrated that the impacts have been minimized and that the project will be accomplished in a manner that is consistent with the Performance Standards of the Wetlands Regulations (310 CMR 10.00). The proponent has proposed a 14,224 sf wetland replication area. The Supplemental EIR identified the location of nearby public water supplies and wells in Figure 4-3. The Supplemental EIR identified the proponent's efforts to obtain an Order of Conditions from the Acton Conservation Commission (ACC). On January 3, 2008, the proponent submitted a Notice of Intent with the ACC, and the ACC has allowed the public hearing to remain open until revisions to the final design plans have been completed.

In the Supplemental EIR, the proponent reduced the number of parking spaces from 593 to 510 spaces. The Supplemental EIR explained that this number of parking spaces was required by zoning.

The project will create approximately 20.8 acres of new impervious area. The Supplemental EIR contained a detailed description of the proposed drainage system design, including a discussion of the alternatives considered along with their impacts. It provided pre- and post-drainage calculations. The proponent will recharge roof runoff and treat stormwater runoff from parking areas and driveways. Proposed construction mitigation, erosion and sedimentation control, phased construction, and drainage discharges or overland flow into

wetland areas, was evaluated. The location of detention/infiltration basins and their distances from wetland resource areas, and the expected water quality of the effluent from said basins was identified. Sufficient mitigation measures were incorporated to ensure that no downstream impacts would occur. The Supplemental EIR addressed the performance standards of MassDEP's Stormwater Management Regulations. It addressed the groundwater recharge issues. The Supplemental EIR indicates that the design of the drainage system is consistent with the regulations.

The Supplemental EIR discussed the consistency of the project with the provisions of the National Pollutant Discharge Elimination System (NPDES) General Permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. It included a discussion of best management practices employed to meet the NPDES requirements, and included a draft Pollution Prevention Plan. The Supplemental EIR identified how this project has complied with the NPDES Phase II Stormwater General Permit, which Acton is required to implement. It described the maintenance program for the drainage system. This maintenance program outlined the actual maintenance operations, responsible parties, and back-up systems.

In the Supplemental EIR, the proponent committed to using a non-sodium based deicer on the project's paved surfaces and limiting the use of chemical fertilizers and pesticides on grass areas maintained by the condominium association. The proponent incorporated its low impact turf management program and integrated pest management plan for the golf course into its management/maintenance program for the residential units.

The Acton Water District will supply potable water pursuant to the terms and conditions of the Acton Planning Board Decision of February 2006. The Supplemental EIR outlined the proponent's efforts to reduce water consumption and thereby reduce wastewater generation. It described the design of the wastewater package treatment plant, leaching area, and groundwater discharge issues. A site plan identified the location of the wastewater treatment plant and leaching areas. The Supplemental EIR determined that the project would generate 57,835 gpd of wastewater. The Supplemental EIR addressed the concerns raised in the comment letters regarding the drip irrigation system. The Supplemental EIR described the background information for the 2003 ACO with MassDEP. The proponent has stated that it will reduce water withdrawals for the reduced golf course to 40 percent of its original estimated demand.

The Supplemental EIR presented a discussion on potential construction period impacts and it identified feasible measures that can avoid or eliminate these impacts. The proponent is expecting that there will no or little blasting required to develop the site for housing. The Supplemental EIR estimated the amount of fill to be removed and/or brought to the site. It identified that approximately 575 truck trips will be required to handle the filling operation. No truck routes were identified by the proponent for this filling operation. The Supplemental EIR showed where filling will be required on the site (Figure 8-1).

The Supplemental EIR summarized the proponents' efforts to ensure that this project includes sustainable design measures such as Leadership in Energy and Environmental Design (LEED) Certified buildings or the equivalent. The proponent has committed to incorporate the following measures into the project:

- Water conservation and the infiltration of stormwater;
- "Energy Star" energy efficient HVAC and lighting systems, appliances and other equipment;
- State-of-the-art building supplies and construction materials;
- "Material Efficient Framing" to reduce waste and Green Building Awareness Training for all laborers; and
- Third Party "Energy Star" Inspections.

The Supplemental EIR discussed that the proponent has completed an intensive archaeological survey of the site as requested by MHC. The majority of the archaeological sites are on the south side of site (the 9-hole area) which will not be disturbed. The proponent is willing to undertake an archaeological site inspection survey to document the area.

Summary of the Supplemental EIR Mitigation

The Supplemental EIR included a separate chapter on mitigation measures. This chapter on mitigation included draft Section 61 Findings for MassHighway and MassDEP. The draft Section 61 Findings contained clear commitment to mitigation. An estimate of the costs of the proposed mitigation, the identification of the parties responsible for implementing the mitigation, and a schedule for the implementation of mitigation were provided by the proponent on August 8, 2008.

The proponent has committed to the following mitigation measures. In the event that the mitigation for the proposed Brookside Shops project is not in place prior to completion of the TRQR project, the proponent has committed to increase the cycle length at the intersection of Great Road/Main Street and to provide optimal phasing. The stormwater management system is estimated to cost the proponent about \$650,000. Erosion and sedimentation control is anticipated to cost approximately \$120,000. The proponent will provide monitoring wells up/down gradient of the proposed wastewater system (about \$20,000). It will provide an environmental reporting matrix on potable water and irrigation water usage to MassDEP (about \$7,500). The proponent will replicate approximately 14,224 sf of BVW in an upland area (about \$30,000). It has committed to fund the addition of pavement markings including centerlines and edge lines and stop bars at the Great Road/Harris Street intersection (about \$2,500). The proponent will provide a formal left turn lane on the Skyline Drive approach to Great Road that can accommodate approximately four vehicles (about \$100,000). It will provide a trailhead and visitor parking spaces where the Town of Acton open space land abuts the TRQR. The proponent will install a sidewalk along Skyline Drive (about \$75,000). It will relocate historic signs and salvaged quarry

stones (archaeological resources) (about \$3,500). The proponent will prepare a conservation restriction for certain wetlands areas (about \$2,500). If additional blasting is required during the construction of the housing, the proponent has pledged not to utilize Perchlorate as a blasting agent.

The mitigation commitments listed in the April 1, 2002, Certificate for the FEIR must be implemented by the proponent along with the measures listed in this Certificate. The proponent must also forward an electronic copy of the draft Section 61 Findings to MassDEP and MassHighway.

The Supplemental EIR has served to disclose the impacts of the project and that these impacts will be avoided, minimized, or mitigated. It contained sufficient information to allow the permitting agencies to understand the environmental consequences related to the project. Therefore, no further MEPA review is required for this project.

August 29, 2008
DATE


Foran A. Bowles

Comments received:

- Durand & Anastas, 7/30/08
- Durand & Anastas, 8/4/08
- Durand & Anastas, 8/8/08
- MassDEP/CERO, 8/13/08
- Carol Holley, 8/18/08
- EOT, 8/20/08
- Water Supply District of Acton, 8/21/08
- Anderson & Krieger, 8/21/08
- Durand & Anastas, 8/26/08

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