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November 24, 2006

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

PROJECT NAME: Veridian Village at Hampshire College
PROJECT MUNICIPALITY: Amherst
PROJECT WATERSHED: Connecticut River
EOEA NUMBER: 13893
PROJECT PROPONENT: Hampshire College
DATE NOTICED IN MONITOR: October 25, 2006

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) and in subsequent information provided by the proponent, Veridian Village is a residential development consisting of approximately 57 two-story townhomes with attached garages arranged in duplex and triplex groups and 72 flats contained within three, multi-story buildings over first floor parking for a total of approximately 129 dwellings. The project also includes a community building, community gardens, walking trails, and open space. 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. A sewer connection will tie into the sewer main that has an associated sewer easement in the western portion of the project site. Water supply connections are available within West Street.

The development is a collaborative project between Hampshire College and Beacon Communities LLC and is being marketed as a "lifelong learning community". Homeowners at Veridian Village will have the opportunity to participate in a variety of Hampshire College

campus activities as well as activities at the other Five Colleges Consortium (Amherst College, Mount Holyoke College, Smith College, and UMASS Amherst). The project is projected to be built in several phases, estimated to be approximately 40 dwellings in each phase over a 3 to 4 year time period.

The project site encompasses approximately 50.6 acres of land owned by Hampshire College with frontage on West Street (Route 116) in South Amherst, MA. The project will be built on approximately 36.2 acres of the site. Hampshire College will ground lease this portion of the site to Beacon Communities to create Veridian Village. The remaining 14 acres portion of the site, located north of the ground lease, will remain undeveloped except for the construction of stormwater management basins. Hampshire College will grant easements over this land for the stormwater facilities. An Executive Office of Environmental Affairs (EOEA) Conservation Restriction encompassing 33.4 acres will be placed over portions of both the 36.2 acre and 14 acre parcels. Approximately 22 acres of the project site are occupied by active hayfields. Portions of the project site are located within the estimated priority habitat of the Wood Turtle (*G. insculpta*), a species protected pursuant to the Massachusetts Endangered Species Act (MESA).

According to the ENF, approximately 22 acres of the site are currently in active agricultural use and 17.5 acres of the active hayland consist of prime farmland soils. The proponent has not offered any mitigation for the loss of active agricultural land in the ENF. In their comments on the ENF, the Department of Agricultural Resources (DAR) suggests that the proponent reconsider the configuration of the proposed Conservation Restriction to include more agricultural land or that the proponent consider placing an Agricultural Preservation Restriction (APR) on other land owned by Hampshire College. I encourage the proponent to consult with DAR on the impacts of this project on agricultural land.

Consistent with Hampshire College's Sustainable Campus Plan, sustainable design and implementation of Low Impact Development (LID) standards will be incorporated into the design of the project. The proponent plans to achieve the sustainable design Silver rating based on the National Association of Home Builders (NAHB) Green Design Guidelines. The proponent plans to use certified lumber, Energy Star appliances, energy efficient windows, bamboo flooring and low VOC paints and carpets in their effort to design and construct a project eligible for the Silver certification.

Jurisdiction

The project is subject to environmental review pursuant to Section 11.03(1)(b)(2) and Section 11.03(2)(b)(2) of the MEPA regulations because the project will result in the creation of more than 5 acres of new impervious surface and because the project will result in a prohibited "take" of an endangered, threatened or Species of Special Concern in accordance with the MESA (M.G.L. c.131 a) and its implementing regulations (321 CMR 10.04). The project will require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA); a Conservation and Management Permit from the Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program

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, rare species and wastewater.

Drainage

The project will result in the alteration of 18.5 acres of land and the creation of approximately 8.3 acres of new impervious surface. I encourage the proponent to provide the Pioneer Valley Planning Commission (PVPC) with further information about site layout and the preferred alternative as requested in PVPC's comments on the ENF. The project's stormwater management system will comply with MassDEP's Stormwater Management Policy. Stormwater from all paved surfaces will flow through a variety of treatment chains including deep sump catch basins equipped with hoods and sumps, vegetated bioretention swales, rain gardens and sediment forebays into six proposed detention basins. Roof runoff from homes will infiltrate into the ground or flow through vegetated swales. Roof runoff from the community building will be captured in rain barrels and used for irrigation in the community gardens. The project's proposed stormwater management system will be reviewed by the Amherst Conservation Commission during the Notice of Intent process.

Wetlands

According to the ENF, wetland resource areas located on the site include Bordering Vegetated Wetlands (BVW), Bank to an intermittent stream, Riverfront Area to Sweet Alice Brook, and a certifiable Vernal Pool. A Request for Determination of Applicability (RDA) was filed with the Amherst Conservation Commission in November of 2004 for approval of the wetlands boundaries and the status of Muddy Brook as an intermittent stream. The Commission issued a Determination of Applicability (DOA) approving the boundaries on February 8, 2005. The DOA was submitted with the ENF. The proponent has submitted certification data on the vernal pool to NHESP.

Wetland impacts will occur at a single location in association with construction of the main roadway into the project. Under existing conditions, a cart path crosses the centrally located forested wetland and intermittent stream. The cart path spans the stream via a 36-inch corrugated metal pipe (CMP). The proposed entrance to the site will pass within the footprint of the cart path to minimize impacts to wetlands while at the same time complying with Town of Amherst minimum roadway layout requirements. Impacts at the crossing will also be minimized by narrowing the width of the sidewalk at the crossing and using interlocking block retaining wall construction. The proponent will replace the 36-inch CMP with an open bottom box culvert to maintain existing flow through the corridor. The crossing structure will be sized in accordance with Army Corps of Engineers (ACOE) River and Stream Crossing Standards for Massachusetts. Work associated with the crossing will result in permanent impacts to 1,450 sf of BVW and temporary impacts to 1,550 sf of BVW for construction access.

The proponent will create a wetland replacement area at a minimum 2:1 ratio for permanent alteration and the areas of temporary alteration will be restored in-kind. According to

the ENF, wetland replacement areas will be designed and constructed in full compliance with MassDEP's Inland Wetland Replication Guidelines at 310 CMR 10.55 and with the Town of Amherst Local Wetlands Bylaw.

In their comments on the ENF, MassDEP has questioned the jurisdictional status of Muddy Brook as an intermittent stream. The proponent should consult with staff from MassDEP's western regional office regarding the status of the stream and whether a new Request for Determination of Applicability is warranted. If, as a result of consultation with MassDEP and/or the Amherst Conservation Commission, the stream is determined to be perennial in the vicinity of the project, the proponent may be required to file a Notice of Project Change (NPC) pursuant to Section 11.10 of the MEPA regulations for additional impacts to wetlands resources (Riverfront Area).

The project's impacts to wetlands are less than the 5,000 sf and the development is not considered a subdivision, and therefore the project does not appear to require a 401 Water Quality Certificate. However, I encourage the proponent to contact the ACOE regarding the project's potential need for review under the Clean Water Act.

Rare Species

According to NHESP, portions of the proposed project are located within *Priority Habitat* and *Estimated Habitat* of Rare Species as indicated in the 12th Edition of the Massachusetts Natural Heritage Atlas. This area has been mapped as habitat for the Wood Turtle (*Glyptemmys insculpta*), a state-listed species of "Special Concern." The Wood Turtle and its habitats are regulated pursuant to the implementing regulations of MA Endangered Species Act (MESA) (321 CMR 10.00). Based on the plans included in the filing, the proposed project will result in a "take" of state-listed species. Projects resulting in the "take" of state-listed species may only be permitted if they meet the performance standards for a "Conservation and Management Permit" under MESA (321 CMR 10.23). The proponent has been working with NHESP since March of 2006 to develop an overall project design that would comply with the MESA. As a result of this consultation, the proponent has reduced the development footprint and shifted the footprint away from Sweet Alice Brook.

The project will develop ±14 acres of the site with habitat protection achieved through a combination of construction related measures to ensure machinery remains within the limit of work which limits the risk of directly killing or harming Wood Turtles; long-term protection of 33.1 acres through formal Conservation Restriction; and turtle exclusion barriers along the eastern boundary of the project. Habitat alteration will be mitigated through habitat protection, creation of nesting habitat, and forest management to enhance habitat for the Wood Turtle.

In their comments on the ENF, NHESP states that the proposed project will likely meet the performance standards for issuance of a MESA Conservation and Management permit. The proponent should continue to work with NHESP during the permitting process to ensure that the project ensure that the project meets performance standards pursuant to 321 CMR 10.23.

Water and Wastewater

The project is anticipated to generate 26,700 gallons per day (gpd) of wastewater and to require 29,370 gpd of drinking water. The development will be serviced by Town sewer and water supply. The project involves the construction of 0.6 miles of new sewer main that will be owned by the developer. The project requires a Sewer Extension Permit (BRP WP 13) from MassDEP. As requested at the site visit for the project, the proponent should submit written verification from the Town of Amherst to MassDEP demonstrating that:

1. The Town of Amherst's sewer system has sufficient design capacity to accommodate the proposed project's additional wastewater flows; and
2. The proponent has secured permission from the Town of Amherst to treat the project's wastewater flows and to provide the project's drinking water needs.

The proponent should note comments from MassDEP regarding the Town of Amherst's permitted water withdrawals under the Water Management Act.

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. Again, I remind the proponent that any changes to the project as proposed in the ENF may require a Notice of Project Change pursuant to Section 11.10 of the MEPA regulations. I encourage the proponent to note comments from PVPC regarding transit and to consult with the Town of Amherst and the Pioneer Valley Transit Authority (PVRTA) on providing public transit connections to the site.

November 24, 2006

Date



Robert W. Gollledge, Jr.

Comments Received:

11/9/2006	Ann Marton, LEC Environmental Consultants, Inc. for the Proponent
11/13/2006	Pioneer Valley Planning Commission
11/15/2006	Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
11/15/2006	Department of Agricultural Resources
11/15/2006	Department of Environmental Protection, Western Regional Office

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