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January 6, 2012

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

PROJECT NAME	: The Residences at Johnson Farm
PROJECT MUNICIPALITY	: Sudbury
PROJECT WATERSHED	: Sudbury/Assabet/Concord (SuAsCo)
EEA NUMBER	: 14818
PROJECT PROPONENT	: Madison Place Sudbury LLC
DATE NOTICED IN MONITOR	: November 9, 2011

Pursuant to the Massachusetts Environmental Policy Act (M.G. L. c. 30, ss. 61-62I) 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

The 35.44-acre project site is a former agriculture farm with altered topography subsequent to these historic farming activities located on Landham Road in Sudbury. The majority of the site (approximately 60%) is forested and farm field upland. Nearly 40% of the project site is comprised of wetlands resource areas including a potential vernal pool located in a central wetland area. Portions of the site lie within the 100-year floodplain. Previous disturbance of the site includes rough grading for an existing 250 linear foot (lf) unimproved farm road that provides two crossings of Bordering Vegetated Wetlands (BVW) to uplands. The site also includes several farm paths. Hop Brook, a tributary to the Sudbury River, runs in a north-to-south direction along the east side of the project site.

As described in the Environmental Notification Form (ENF), the Proponent proposes to construct a 120-unit residential apartment development pursuant to M.G.L. c.40B. The apartment development project will consist of ten three-story multi-family apartment buildings, a separate 750 square foot (sf) one-story management office building, 158 surface parking spaces, seven one-story wood-framed parking garages to accommodate 22 parking spaces, sidewalks, landscaping and stormwater and utility infrastructure. The multi-family apartment buildings will contain a total of sixty 1-bedroom units and sixty 2-bedroom units. The project is proposed as a mixed-income rental housing development created under MGL Chapter 40B with 75% of the units offered at market rate and 25% offered as affordable units to households earning not more than 80% of the applicable area median income. Vehicular access will be provided via Landham Road. The project will involve the demolition of an existing farmhouse and several small outbuildings located in the southeast corner of the project site. The stormwater management system will incorporate the use of porous bituminous pavement and pervious concrete pavers to infiltrate stormwater runoff from project roadways and parking areas and sidewalks, respectively. The Proponent's stormwater management plan also includes the use of eleven shallow vegetated bio-retention/infiltration basins located throughout the project site to collect and infiltrate runoff from building roofs and landscaped areas. Wastewater will be treated and disposed through an on-site treatment and disposal system. The project will be served by municipal water via Landham Road. The ENF and additional project information provide a detailed project description, describe alternative site layouts, identify potential environmental impacts and identifies measures to avoid, minimize and mitigate environmental impacts.

Environmental Impacts

Anticipated environmental impacts outlined in the ENF include alteration of 8.7 acres (24.5%) of the project site. The project will result in the creation of approximately 3.89 new acres of impervious surface area associated with planned building footprints. The project as currently designed proposes to concentrate the development program on a 12-acre upland portion of the project site and will leave six acres of upland located in the northwest corner of the project site as permanently protected open space. The Proponent estimates that the project will generate approximately 850 average daily vehicle trips (adt), 19,800 gallons per day (gpd) of water use and discharge 19,800 gpd of wastewater. The Sudbury Conservation Commission issued an Order of Resource Area Delineation (ORAD) on December 31, 2009 confirming the presence of State-regulated Bordering Vegetated Wetlands (BVW) located throughout the project site and locally-regulated isolated freshwater wetland areas in the northwestern portion of the project site. According to the ORAD, the wetland resource areas affected by the project include BVW, one or more potential Vernal Pools, Isolated Vegetated Wetlands (IVW), Bank, and Riverfront Area (RA).

The Proponent has proposed measures to avoid, minimize and mitigate project impacts which include the avoidance of excessive land alteration by minimizing the project footprint and the development of an innovative stormwater management system. As described elsewhere in this Certificate, the Proponent has proposed to provide on-site mitigation for project impacts to wetlands resource areas.

Jurisdiction and Permitting

The project is undergoing MEPA review because it requires a State Agency action and exceeds two of the review thresholds at Section 11.03 of the MEPA regulations. The project will result in the alteration of 5,000 sf or more of BVW 301 CMR 11.03 (1)(b)(1)(d) and ½ acre or more of other Riverfront Area (RA) wetlands 11.03 (3)(b)(1)(f). The project requires a Groundwater Discharge Permit from the Department of Environmental Protection (MassDEP). The project also requires an Order of Conditions from the Sudbury Conservation Commission and a Comprehensive Permit from the Sudbury Zoning Board of Appeals and, in the event the Permit is appealed, will require review by the Housing Appeals Committee (HAC). In addition, the project requires a Category 2 General Permit from the United States Army Corps of Engineers (ACOE) in accordance with Section 404 of the Federal Clean Water Act and a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the United States Environmental Protection Agency (USEPA) for stormwater discharges from a construction site of over one acre.

Because the Proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of required or potentially required state permits and which may cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction exists over wetlands, stormwater, and wastewater. However, this project may be reviewed by the HAC, which essentially confers broad scope MEPA jurisdiction to all issues that may cause Damage to the Environment, as defined in the MEPA regulations. These include land alteration, wetlands, stormwater, wastewater and traffic.

I would like to take this opportunity to emphasize that I do not have the authority to approve or deny this project. MEPA review is not a permitting or project approval process. Rather, the MEPA process requires public disclosure of a project's environmental impacts as well as the measures that the Proponent will undertake to avoid, minimize or mitigate those impacts. MEPA review occurs before State Agencies act to undertake projects or issue permits in order to ensure that they are fully cognizant of the environmental consequences of their actions. I find that the ENF, together with the additional information provided by the Proponent to the MEPA Office on December 22, 2011¹, have sufficiently defined the nature and general elements of the project for the purposes of MEPA review, and has proposed measures to avoid and minimize, or mitigate environmental impacts. I am satisfied that any outstanding issues can be addressed by MassDEP during permitting, and during the local Comprehensive Permitting process with the Town of Sudbury's Zoning Board of Appeals (Sudbury ZBA).

REVIEW OF THE ENVIRONMENTAL NOTIFICATION FORM

The ENF includes a detailed description of the proposed project, a brief description and analysis of applicable statutory and regulatory standards and requirements, and a list of required permits and approvals. The ENF provides supporting documentation that identifies the project's

¹ Additional project information pertaining to wetlands resource area impacts and mitigation, stormwater management and revised site development plans was provided to the MEPA Office on December 22, 2011.

potential environmental impacts and proposed mitigation. The ENF contains a set of design plans identifying wetland resource areas, existing and proposed conditions, as well as access, staging and storage areas. Several consultant-prepared reports were also included in the ENF that helped inform the project design. These include a Stormwater Management Plan, a Traffic and Parking Analysis, and a Construction Phasing/Sequencing Plan. The Proponent's Alternatives Analysis examined a number of development alternatives: the No Build Alternative, a two lot Approval-Not-Required (ANR) Alternative, two Residential Cul-de-sac Alternatives involving a 7-lot and 13-lot plan, a reduced Multi-unit Alternative involving 24 units in two separate buildings, and the proposed 120-unit apartment complex in ten separate multi-family buildings. The Proponent's Alternatives Analysis identified the proposed 120-unit residential Apartment plan as the preferred project design alternative.

Wetlands

Wetland impacts are estimated by the Proponent to include 13,954 square feet (sf) of Bordering Vegetated Wetlands (BVW) primarily associated with the construction of two crossings over a perennial stream and an intermittent stream to accommodate the project's internal site drive. The project will also impact 4,740 sf of isolated vegetated wetlands (IVW), 156 sf of Land Under Water (LUW), 130 lf (390 sf) of Bank, 6.3 acres of the 100-ft buffer to wetlands, 27,827 sf of Riverfront Area (RA), and 80 sf of Bordering Land Subject to Flooding (BLSF). Permanent impacts to Bank and BVW are primarily associated with the two proposed wetlands/stream crossings. Impacts to Riverfront Area are associated with construction of the internal site drive, several apartment buildings and management office building. Bank and Riverfront Area impacts are associated with proposed crossing of Hop Brook, a perennial stream located in the eastern portion of the project site. Hop Brook is classified as a Category 5 Impaired Waterway with a Total Maximum Daily Load (TMDL) set by the Massachusetts Estuaries Program (MEP). I note that the Vernal Pools have not been certified by the Natural Heritage and Endangered Species Program (NHESP) and the project site does not contain any mapped *Estimated* or *Priority Habitat* according to the most recent NHESP Atlas.

The ENF includes a brief discussion of wetlands crossing design alternatives for minimizing impacts to wetlands resulting from the construction of the project's internal roadway system. The Proponent's wetlands crossing alternatives analysis examined three design alternatives: 1) In-Kind Culvert Replacement and Extension Alternative involving the replacement of the existing 32-inch by 52-inch plate arch culvert with a similar diameter but longer plate arch culvert; 2) Upgrading Culvert Replacement Alternative involving the removal of the existing 24-inch corrugated metal pipe (CMP) arch culvert and the installation of a new oversized open-bottom concrete box culvert; and 3) two options under the Bridging of Wetlands Alternative involving the construction of a 40-ft wide by 250-foot long bridge crossing and a 40-foot wide by 100-foot long bridge crossing. The alternatives analysis identified the proposed Upgrading Culvert Replacement Alternative design as the preferred wetlands crossings alternative.

According to the comments received from MassDEP on the ENF, the Proponent must provide MassDEP with supplemental information during MassDEP's 401 Water Quality Certification review process to confirm that the proposed wetlands crossings design conforms to

the Stormwater Management regulations and standards and the Massachusetts Stream Crossing Standards in compliance with the 401 Water Quality Requirements. The Proponent must identify and compare the impacts for each wetland crossing alternative on land alteration, wetlands impacts and drainage. This analysis should include consideration of a wetland crossing alternative using an open bottom box culvert or arch culvert design to retain native stream bottom substrate. The Proponent must evaluate the potential downstream impacts associated with any proposal to increase the culvert size for each of the proposed stream crossings. The Proponent must provide additional information to MassDEP pertaining to intermittent stream openness ratios to demonstrate that the proposed culvert openings meet the Stream Crossing Standards. I note that in response to MassDEP's comments pertaining to the use of larger culvert openings and potential downstream impacts, the Proponent has proposed to install an internal weir within the new box culvert to mimic the restricted flow effects of the existing CMP and prevent an increase in downstream flows. According to the Proponent, no such flow-restriction device is needed for the proposed intermittent stream open-box culvert crossing design. The Proponent must demonstrate to MassDEP how its preferred stream crossing alternative can be constructed in a manner consistent with applicable Massachusetts Stream Crossing Standards and Federal Emergency Management Agency (FEMA) floodplain construction standards. The Proponent must clarify any grading or site configuration alterations that will be made on the project site to accommodate each wetlands crossing alternative.

The Proponent must further evaluate the estimated costs associated with the Bridging of Wetlands Alternative. As described in the ENF, the Bridging of Wetlands alternative analysis includes a bridge span width of 40 feet for both the 100-foot and 200-foot bridge options. Elsewhere in the ENF, the Proponent has proposed a narrower crossing width over the wetlands to 26 feet to reduce wetland impacts. The Proponent must clarify this discrepancy in wetlands crossing width during MassDEP's 401 Water Quality Certification review process. MassDEP has requested that the Proponent reevaluate the estimated costs of the Bridging of Wetlands Alternative by eliminating the costs of fill material as a separate cost associated only with this alternative. I note that the additional information provided by the Proponent includes a reevaluation of the estimated costs of the Bridging of Wetlands Alternative. According to the Proponent, eliminating the costs associated with additional fill material/approach work for the two options identified under the Bridging of Wetlands Alternative will not significantly affect the cost-prohibitive nature of this alternative.

I ask that the Proponent continue to work with the Sudbury Conservation Commission (and MassDEP as necessary) to ensure compliance with applicable standards for stream crossings and work within wetlands resource areas and buffer zones.

The Proponent revised its proposed wetlands mitigation plan subsequent to the filing of the ENF. As currently proposed, the Proponent has committed to construct a total of approximately 21,400 sf (a greater than 2:1 ratio) of wetlands mitigation to be sited in two separate locations (13,300 sf, 8,100 sf) abutting existing BVW resource areas in the eastern section of the project site to offset the project's wetlands impacts. The Proponent has also committed to construct a total of approximately 16,300 cubic feet (a greater than 4:1 ratio) of flood storage mitigation to be sited in two separate locations (8,208 sf, 8,088 sf) abutting the proposed wetlands replication areas described above. According to MassDEP, the Proponent must submit to MassDEP a

detailed wetlands replication plan consistent with MassDEP's *Inland Wetland Replication Guidelines, March, 2002*. The Proponent's wetlands replication plan must include a reasonably-scaled site plan with cross sections, a description of the estimated depth to seasonal high groundwater, depth of organics and a proposed wetland planting plan. The Proponent will also be required to provide mitigation for the project's impacts to and loss of Bank. As part of the permitting process, I anticipate that MassDEP may require the Proponent to design and implement a monitoring program to document wetlands resource restoration successes associated with this project.

Stormwater

As described in the ENF, the Proponent's proposed stormwater management plan incorporates the use of 2.05 acres of pervious bituminous pavement and pervious pavers as a stormwater best management practice (BMP) for all internal roadways and surface parking areas and sidewalks. The Proponent proposes to import approximately 41,700 cubic yards (cy) of new earthen material including 28,100 cy of fill material, 4,450 cy of building, 650 cy of sidewalk sub-base and 8,500 cy site drive and parking sub-base and porous pavement that will effectively raise the final site grade throughout the development area approximately five feet higher than the existing grade. This additional earthen material will enable the Proponent to construct a separation of 2.5 feet between seasonal high groundwater elevations and the porous pavement stormwater management system. According to the Proponent, the use of porous pavement is a Low Impact Development (LID) technique that can eliminate runoff from paved surface areas and enable rainfall to permeate through the pavement and infiltrate to groundwater. The ENF indicates that the Proponent intends to treat all site runoff to meet or exceed MassDEP's Stormwater Management standards. The on-site stormwater management design also integrates the use of landscaped elements including approximately 12 small vegetated swales or bio-retention basins located adjacent to proposed buildings, roadways and surface parking areas, designed to capture the stormwater flows from building roofs, yards and overflow discharges from porous pavement subdrains. According to the information provided in the ENF, these bio-retention basins will enhance the removal of stormwater pollutants and total suspended solids (TSS).

While the ENF included a preliminary drainage report, the MassDEP comment letter indicates that additional information must be provided during the ongoing Notice of Intent review process to confirm that the proposed pervious pavement drainage system conforms to the Stormwater Management Regulations and Standards. In particular, the Proponent must satisfactorily demonstrate to MassDEP that the proposed stormwater management system design meets water quality Standard No. 4 pertaining to the removal of greater than 80 percent of Total Suspended Solids (TSS). The Proponent must also demonstrate to MassDEP that the raised site grade will not result in overland flows to wetland resource areas that are not in compliance with the SMP or lead to on-going erosion and sedimentation issues. The Proponent's additional information includes a detailed description of the project's construction sequencing plan to demonstrate that the proposed pervious roadway design will be constructed without compacting the porous pavement sub-base material by construction equipment.

MassDEP's comments note that the project site is located in the Hop Brook watershed. Hop Brook is a perennial stream whose water quality is severely impaired by nutrients, pathogens, noxious aquatic plants and dissolved oxygen. Hop Brook is classified as a Category 5 Impaired Water (MA82A-06) for nutrients, pathogens, noxious aquatic plants and dissolved oxygen. A Total Maximum Daily Load, (TMDL) has been established for Hop Brook to identify the maximum amount of pollutants that it can receive and still safely meet water quality standards pursuant to section 303(d) of the Clean Water Act. Accordingly, the Proponent must demonstrate to MassDEP that source controls, pollution prevention measures, erosion and sedimentation controls during construction, and the post-development drainage system for the project are designed in compliance with the SMP and standards for water quality and quantity impacts to impaired water bodies. The Proponent's stormwater management plan should also be consistent with the Town of Sudbury's Stormwater Plan under its NPDES General Permit.

MassDEP's comments indicate that the Proponent is required to design and implement a source control and pollution prevention plan (SCPPP). The SCPPP must include a discussion of particular best management practices (BMPs) that will enable shutdown and containment of contaminants within the stormwater drainage system in cases of emergency contaminant spills. The SCPPP must also describe how snow removal will be managed in accordance with MassDEP's Snow Removal Guidelines. This discussion should identify the on-site and/or off-site locations where snow will be plowed or disposed. The Proponent's SCPPP must also include an Operations and Maintenance Plan (O&M) that describes the maintenance procedures designed to ensure the proper functioning of the Proponent's proposed stormwater BMPs. The O&M Plan should identify the responsible parties for the plan's implementation. The Proponent must also identify measures that may be implemented to limit the use of fertilizers and pesticides on the site and limit their potential entry into stormwater runoff and wetlands. The Proponent should use the MassDEP comment letter, as well as comments provided by the Town of Sudbury, to inform the preparation of any required additional information for the NOI review process on the proposed stormwater management plan (SMP). As part of the permitting process, I anticipate that a monitoring program will be established to document the success associated with the Proponent's stormwater management system for this project.

Water and Wastewater

The project's potable water supply (19,800 gpd) will be supplied by the Town of Sudbury's municipal water supply system via a direct connection in Landham Road. As presented in the ENF, the project will generate a total of approximately 19,800 gpd of wastewater on-site based upon Title 5 design flows for a total of 180 bedrooms (110 gpd/bedroom = 19,800 gpd) as proposed in the ENF. The project includes the construction of an on-site wastewater collection and treatment system that will discharge treated wastewater to an on-site subsurface leaching system located along the site's Landham Road frontage. MassDEP will evaluate whether the design is consistent with regulations and standards for the issuance of a Groundwater Discharge Permit. The Proponent is also proposing to construct two new on-site water supply wells to serve the estimated irrigation water supply need of approximately 4,350 gpd for new landscaped areas. I encourage the Proponent to consider implementing an Irrigation Management Plan (IMP) to further reduce the project's irrigation water demand. The IMP would involve the use of:

amended soils and compost; the planting of native and drought-tolerant species of trees, shrubs, and turf grasses; an automated water efficient irrigation system; and a water management protocol for drought conditions. The implementation of the IMP could significantly reduce the project's proposed irrigation area and average daily irrigation water supply demand.

As described in MassDEP's comments, the Proponent is currently conducting a hydrogeological assessment and groundwater mounding analysis needed to support the issuance of a Groundwater Discharge Permit application in accordance with 314 CMR 5.00. The hydrogeological assessment will include a description of site conditions including: soils and distance to groundwater; a description of the facility design; and an evaluation of the potential impacts of groundwater discharge to project-area surface and groundwater resources and nearby properties. I anticipate that the Proponent may be required to monitor groundwater quality from one or more down-gradient and one up-gradient wells as part of MassDEP's Groundwater Discharge Permit review.

Rare Species Habitat

Comments received from the Sudbury Valley Trustees (SVT) and others indicate that a significant portion of the project site is located within a BioMap2 core habitat area as designated by the Natural Heritage and Endangered Species Program (NHESP). BioMap2 core habitats are determined to be critical for the long-term persistence of rare species and other Species of Conservation Concern and a wide diversity of natural communities and intact ecosystems. According to the ENF, the project site is located outside of any mapped Priority Habitat and will not result in any impacts to rare species habitat or require a Conservation and Management Permit from the NHESP. I ask that the Proponent consult with NHESP and the Sudbury Conservation Commission to identify and implement construction and post-construction practices and activities designed to avoid, minimize and mitigate impacts to core habitats.

Historic Resources

According to the information provided in the ENF, the project site contains a wood-framed farmhouse with garage (the Albert Larkin House), a shed, stable and barn. The Albert Larkin House, 189 Landham Road, Sudbury, MA is on the inventory of Historic and Archeological Assets of the Commonwealth (MHC No. SUD.420). As described in the ENF, the Albert Larkin House and garage, together with the existing shed and stable are being proposed for demolition as part of the overall proposed development program. The existing barn building will be repaired and reused to house the components of the proposed on-site wastewater treatment system.

Transportation

The ENF included a Traffic Impact and Access Study that generally conforms to the EEA/MassDOT Guidelines for Traffic Impact Assessment. Using the Institute of Transportation Engineers (ITE) rates associated with market-rate Apartment Housing (ITE Land Use Code 220), the project is estimated to generate 850 new vehicle trips per day and result in the creation of 180

new parking spaces (approximately 1.5 spaces per unit). Of these 180 parking spaces, 455 will be provided at grade, while 440 will be provided below grade. Access to the apartment development will be provided via a site drive from Landham Road. The project design does not include a secondary means of vehicular access for the development. As described in the ENF, the Proponent has proposed to construct a two-lane boulevard entrance at the proposed site drive/Landham Road/Brookside Farm Lane intersection. This intersection will be aligned to improve sight distances from the site drive to the north and south on Landham Road. The project will also include sidewalks along the project's site drive and internal roadway which will serve to link the development's internal sidewalks to Landham Road. The project's internal circulation plan should conform to MassDOT Complete Streets standards and provide safe and convenient access for all roadway users. I encourage the Proponent to add signage and crosswalks to facilitate safe and user-friendly pedestrian movements within the project site. The Proponent should consult with the Metropolitan Area Planning Council (MAPC) to identify opportunities to incorporate additional pedestrian amenities into the project to further enhance walkability.

According to the Proponent, the Town of Sudbury in conjunction with MassDOT is considering traffic improvements, including new signalization and dedicated turning lanes, for the Route 20/Landham Road intersection. As mitigation for this project's impacts to traffic on local area roadways, the Proponent has committed to work with the Town and MassDOT to identify an appropriate financial contribution for the future traffic improvements for the Route 20/Landham Road intersection. The Proponent should also maintain current transit information for tenants in public and common areas throughout the development including apartment buildings and the management office building.

Greenhouse Gas (GHG) Emissions

Although the project is not subject to the MEPA GHG Emissions Policy and Protocol because I have found that it does not require the preparation of an EIR, I strongly encourage the Proponent to voluntarily implement measures to reduce GHG emissions associated with the project. New construction such as that proposed by this project presents an ideal opportunity for incorporation of sustainable design and green building elements. Adoption of energy efficiency measures in particular can, over the course of the project life, reduce greenhouse gas emissions and prevent Damage to the Environment as well as reduce operating costs to each of the households, an important consideration for an affordable housing project. The Proponent has committed to explore opportunities to integrate energy efficiencies into the project design, construction and management. The Proponent should explore opportunities to achieve reduction in energy use of 20-25 percent or more when compared to a similar development designed to meet current Building Code standards. Also, apartment buildings such as the ones proposed for this project are often suitable for the installation of roof-top solar photovoltaic (PV) systems, which can serve to offset the project's energy usage by generating clean renewable power on site. I strongly encourage the Proponent to adopt all feasible energy efficiency and sustainable design measures in designing and constructing this project. The Proponent should consider providing manuals to tenants on the importance of energy efficiency, including recommendations for reducing residents' energy use.

Agricultural Land

The project may have significant potential impacts on farmland previously held in active agricultural use. I note that conversion to non-agricultural uses, or loss of the existing agricultural lands, including state important and United States Department of Agriculture (USDA) prime soils that may be located within the proposed project area may be subject to the mitigation requirements of Executive Order 193 and the preservation of agricultural lands in Massachusetts. The Proponent should evaluate the consistency of the future development of the former Johnson Farm property with the requirements of Executive Order 193, and should quantify any impacts to agricultural resources from the proposed project. The Proponent should consult with the Department of Agriculture Resources (DAR) on this issue.

Construction Period

The project will require the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES CGP to outline BMPs to control erosion and sedimentation during the construction period. The Proponent must comply with MassDEP's Solid Waste and Air Pollution Control regulations during project construction. I strongly encourage the Proponent to consider the recommendations in MassDEP's comment letter for limiting the impacts of demolition and construction activities through waste management and recycling efforts. I encourage the Proponent to mitigate the construction period impacts of diesel emissions to the maximum extent feasible. This mitigation may be achieved through the installation of after-engine emission controls such as diesel oxidation catalysts (DOCs) or diesel particulate filters (DPFs). I recommend that the Proponent use ultra low-sulfur diesel (ULSD) fuel in construction equipment. MassDEP has advised the Proponent that if oil and/or hazardous material is identified during the implementation of this project, notification pursuant to the Massachusetts Contingency Plan (310 CMR 40.0000) must be made to MassDEP.

Mitigation

The ENF includes a brief discussion of the Proponent's mitigation commitments for the project. The Proponent has committed to construct approximately 21,400 sf of wetlands mitigation to offset projected environmental impacts. The Proponent will also be required to provide mitigation for the project's impacts to Bank and Bordering Land Subject to Flooding resource areas. The Proponent has committed to work with the Town and MassDOT to identify an appropriate financial contribution for the future traffic improvements for the Route 20/Landham Road intersection. The Proponent should also maintain current transit information for project tenants in public and common areas throughout the development site including apartment buildings and the management office building. The Proponent should commit to identifying additional opportunities to integrate energy efficiencies into the project design, construction and management to achieve marked reductions in energy when compared to current Building Code standards. I strongly encourage the Proponent to adopt all feasible energy efficiency and sustainable design measures in designing and constructing this project.

Conclusion

The ENF has sufficiently defined the nature and general elements of the project, and has proposed measures to avoid, minimize and mitigate environmental impacts. I am satisfied that any outstanding issues pertaining to wetlands impacts, wetlands mitigation and stormwater management can be addressed through the state and local permitting processes. If the project is further revised, the Proponent must contact the MEPA Office to determine if a Notice of Project Change (NPC) will be required to be submitted in accordance with the requirements in the MEPA regulations at 301 CMR 11.10(1). Based on review of the ENF and comments received, and in consultation with state agencies, I have determined that no further MEPA review is required at this time.

January 6, 2012

Date


Richard K. Sullivan Jr., Secretary

Comments received: (continued on next page)

11/09/2011	Town of Sudbury, Conservation Commission
11/21/2011	Jonathan L. Danielson
11/21/2011	Paul Hambelton
11/22/2011	James Sullivan
11/22/2011	Mario J. and Nadia A. Mummolo
11/22/2011	Stan and Diane Kaplan
11/22/2011	Jeryl Kennedy
11/22/2011	Jason Saghir
11/22/2011	Tom Gilbertson
11/22/2011	Amy Adolfson
11/23/2011	Dr. Steven Weinstein
11/27/2011	Bob Armour
11/28/2011	Sherif and Colleen Labib
11/28/2011	Colleen Labib

Comments received: (continued)

11/28/2011 Mario J. and Nadia A. Mummolo
11/28/2011 Frank Huntkowski
11/28/2011 Shelly and Andrew Strileckis
11/28/2011 Suneet Verma
11/28/2011 Veronique Schejtman
11/29/2011 Joy Weiler
11/29/2011 Stephen Garvin, PE
11/29/2011 Steve Connors
11/29/2011 John Sklenak
11/29/2011 James Philip Green
11/29/2011 Adele Coyne
11/29/2011 Huggins and Witten, LLC
11/29/2011 Massachusetts Department of Environmental Protection (MassDEP)/Northeast
Regional Office – NERO
11/29/2011 Organization for the Assabet, Sudbury & Concord Rivers (OARS)
11/30/2011 Town of Sudbury, Department of Planning and Community Development
11/30/2011 Town of Sudbury, Office Selectmen
11/30/2011 Sudbury Valley Trustees (SVT)
12/22/2011 Tetra Tech
01/03/2012 Jonathan Danielson

11/22-29/2011 Form letters (107) Expressing Concern for the Project's Environmental Impacts
and Requesting the Proponent be required to Submit an Environmental
Impact Report (EIR) for the Project.

RKS/NCZ/ncz
EEA #14818 ENF