



**WATER SUPPLY CITIZENS
ADVISORY COMMITTEE**
to the Mass. Water Resources Authority

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January 22, 2016

Secretary Matthew Beaton
Attn: Page Czepiga, MEPA Analyst
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

RE: SEIR for Brice-Lemon Estates, Rutland, Massachusetts – EEA #13019

Dear Secretary Beaton:

The Water Supply Citizens Advisory Committee (WSCAC) is submitting comments on the Supplemental Environmental Impact Report (SEIR) to the proposed Brice-Lemon development in Rutland. Our primary concern is the impact of this dense development on a problematic site within the DCR watershed and MWRA drinking water supply.

In reviewing the SEIR we note the following:

The proposed density of 109 houses in an area of steep slopes, erodible soils, extensive Bordering Vegetative Wetlands (BVW), tributaries and surface waters indicates a critical lack of attention to environmental constraints on the site. The amount of clearing, excavating, grading as well as work to be done on each house lot will increase the likelihood of erosion and potential sedimentation affecting the BVWs, tributaries and surface water on and adjacent to the site.

Water, wastewater and stormwater systems for the proposed development remain unresolved.

The Town of Rutland recently signed a Sewer Use Agreement with DCR in July 2015 that places limits on wastewater flow through the year 2020. The town must decide whether to allow the proposed development's added flow of 0.043 MGD to the municipal sewer.

Rutland has a water registration of 0.26 million gallons daily (mgd) and has a Water Management Act Permit for an additional 0.11 mgd, for a total water allocation of 0.37 mgd. Rutland's permit is up for renewal with MassDEP in February 2018. Town water use over the last three years is close to 0.36 mgd with Unaccounted Water (UAW) at 27-30%. In the 2009 SSFEIR, MassDEP noted that the Town had exceeded their WMA permit from 2005-2007.

If the Town requests additional water in 2018 above their current baseline, MassDEP's new criteria from the Sustainable Water Management Initiative (SWMI) will be triggered.

The SEIR states that the developer will work with the Town and MassDEP to examine potential leaks in the municipal water system, identify opportunities to lower project demand and install low flow toilets and water efficient devices. However, without the guarantee of an increase to the Town's Water Management Act permit (WMA), the development will require private wells on each 100'x150' lot.

A Class V injection well to address roof runoff will also be required for each of the 109 lots. These wells have a number of required setbacks, including 100 feet to private wells, wetlands adjacent to water supply tributaries, and areas with steep slopes. This does not appear to be feasible on many of the small lots in the proposed development.

In summary:

- The proposed density of the development is inconsistent with the environmental constraints of the site.
- Proposed municipal wastewater system is unresolved with the Town.
- Proposed water supply through private wells conflicts with stormwater requirements.

We recommend a substantial downsizing of the development to reflect the site limitations, water supply, wastewater and stormwater system constraints.

On a final note, the Commonwealth has passed legislation and policies that support increased energy efficiency for new construction. The SEIR for the Brice-Lemon development does not incorporate the use of energy saving technologies, options for outdoor water conservation, or integrate the use of green infrastructure to address the project's acres of new impervious cover.

We appreciate the opportunity to comment.

Sincerely,

Lexi Dewey
Executive Director

Cc: Jonathan Yeo, DWSP
Fred Laskey, MWRA
Joseph Favaloro, MWRA Advisory Board