



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

June 6, 2008

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

PROJECT NAME : 175 Maple Street
PROJECT MUNICIPALITY : Marlborough
PROJECT WATERSHED : SuAsCo
EEA NUMBER : 14242
PROJECT PROPONENT : 175 Maple Street Land Owner, LLC
DATE NOTICED IN MONITOR : May 7, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 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).

As described in the Environmental Notification Form (ENF), the project consists of the disposition of the Division of Water Supply Protection property located at 175 Maple Street in Marlborough in accordance with Chapter 172 of the Acts of 2007. The property contains a drainage channel that is tributary to the Sudbury Reservoir, the emergency source water supply for the Department of Conservation and Recreation (DCR) / Massachusetts Water Resources Authority (MWRA) drinking supply system. The parcel slated for disposition is approximately 0.49 acres in area and is part of a larger 3.1-acre developed parcel. This larger parcel has historically been used for manufacturing purposes and is presently being redeveloped for residential use. The land disposition includes a parcel in fee and the extinguishment of an easement, both of which contain drainage pipes, structures or an open channel for conveyance of stormwater.

Jurisdiction

The project is undergoing review pursuant to Section 11.03 (1)(b)(5) because the project includes the release of an interest in land held for conservation, preservation or agricultural or watershed preservation purposes. The disposition will occur in accordance with Chapter 172 of the Acts of 2007. The project has already obtained approval from the Massachusetts Department of Environmental Protection (MassDEP) for stormwater discharges to an Outstanding Resource Water (ORW). The project has also obtained an Order of Conditions from the Marlborough Conservation Commission for work within the 100-foot buffer zone to wetland resource areas. The project will require MWRA Board Authorization of Disposition prior to release of the land by the Department of Capital Asset Management (DCAM).

The proponent is seeking financial assistance from the Commonwealth for the project in the form of historic tax credits for building rehabilitation (a portion of which lies within the parcel of land identified for disposition). Therefore, MEPA jurisdiction for this project is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment.

Land

The parcel of land identified for disposition was originally purchased by the Metropolitan Water Board, predecessor to both the Metropolitan District Commission (MDC) and DCR. DCR has indicated that disposition of surrounding parcels have occurred throughout the past 100 years. DCR has expressed its support for the restrictions as stated in Chapter 172 of the Acts of 2007 on the redevelopment and use of the property, and confirmed that all proceeds from this transaction will be deposited in the Water Supply Protection Trust, in accordance with the Act.

The redevelopment project on-site will not change existing stormwater discharge points to the drainage channel or existing drainage pipes. Stormwater quality and quantities have been designed in accordance with the MassDEP Stormwater Management Policy in effect at the time of the Notice of Intent submittal under the Massachusetts Wetlands Protection Act. In accordance with the local Order of Conditions and MassDEP approval for discharges to an ORW, the proponent will remove invasive species within the open drainage channel and provide supplemental wetland and landscape plantings.

Historic Resources

The disposition parcel bisects the existing manufacturing building on-site. The property located at 175 Maple Street, formerly known as the Dennison Factory, is included in the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth. MHC has also indicated that in its opinion the property meets the criteria for listing in the National Register of Historic Places (36 CFR 60). MHC has reviewed the proposed rehabilitation work for property through the state and federal historic rehabilitation tax


credit programs. MHC has stated in its comment letter on the ENF that they do not object to the disposition of the land, as it does not directly affect the historic building at the site. Furthermore, the DCR's conservation restriction outlined in Chapter 172 or the Acts of 2007, will also protect the building's setting from potential adverse effects. MHC has concluded, that based on a review of the materials submitted, the proposed action will have "no adverse effect" (950 CMR 71.07(2)(b)(2)) on historic properties.

Construction Period Impacts

The proponent should take measures to reduce potential demolition and construction period impacts (including but not limited to noise, vibration, dust, and traffic flow disruptions). The proponent must comply with MassDEP's Solid Waste and Air Quality Control regulations during construction. I encourage the proponent to incorporate construction waste recycling activities as a sustainable measure for the project. The proponent should consult with MassDEP for appropriate standards and guidelines for managing construction waste.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time.

June 6, 2008
Date


Ian A. Bowles

Comments received:

- 05/23/2008 Department of Conservation and Recreation
- 05/28/2008 Massachusetts Historical Commission

IAB/HSJ/hsj