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August 7, 2009

DESIGNATION OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
OF A
DENSELY DEVELOPED AREA (DDA)

DDA NAME : Downtown Attleboro
PROJECT MUNICIPALITY : City of Attleboro
PROJECT WATERSHED : Ten Mile River
DDA # : 007
DATE NOTICED IN MONITOR : July 8, 2009

Pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131 s.40, as amended by St. 1996 c. 258) and M.G.L. c.21A s. 2, and the regulations governing the designation of Densely Developed Areas (301 CMR 10.00), I hereby approve the designation of a Densely Developed Area (DDA) in the City of Attleboro, as described below.

Summary of Review Process

The City's petition for designation of the DDA was noticed in the July 8, 2009 edition of the *Environmental Monitor*, and was subject to a public review and comment period of 20 days in accordance with the DDA regulations at 301 CMR 10.00. A site visit was conducted on July 22, 2009, and was attended by staff from the City of Attleboro Conservation Commission, the Southeastern Regional Planning and Economic Development District, the Massachusetts Department of Fisheries and Wildlife, and the Executive Office of Energy and Environmental Affairs. Based on observations made during the site visit, it was noted that much of the area proposed for the DDA, such as the area adjacent to the MBTA commuter rail station and the adjoining land between the river and the railroad corridor, and the area upstream of the Wall

Street bridge (excluding Balfour Park), appears to clearly meet the Rivers Protection Act's statutory definition of lands already devoted to intensive development as of 1997. At the site visit, consensus was also reached that other areas within the proposed DDA (such as the riverine lands downstream from the Olive St. bridge) contain floodplain forests and other vegetated Riverfront Areas with significant ecological and aesthetic values, and that it is appropriate that such areas be left out of any designated DDA. Based on this consensus, the City of Attleboro resubmitted its petition, including a boundary map of the proposed DDA without these vegetated areas, as described below.

Description of DDA

The DDA is a highly developed and intensively utilized portion of Attleboro generally running along both the eastern and western banks (with some exceptions) of the Ten Mile River, which flows southerly through the center of the City. Within its boundaries, the land has historically been utilized for industrial and commercial purposes with several relatively small pockets of residential (primarily multi-family) usage. The DDA comprises an estimated 67.46 acres of land containing approximately 54 percent vacant former industrial properties, approximately 40 percent business properties, and approximately six percent residential properties. The DDA includes the area bounded generally on the north by Hayward Street and North Main Street; on the east by South Main Street, the Amtrak/MBTA railroad tracks; on the South by the eastern bank of the Ten Mile River; and on the west by, Sadler Street, East Fourth Street, Second Street, County Street, Riverbank Road, and Hodges Street.

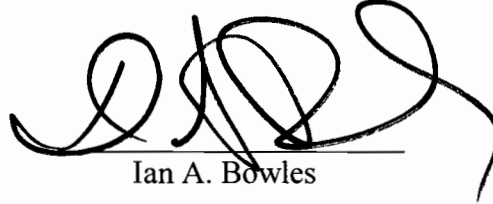
The DDA is more particularly described as follows: beginning at the easterly sideline of Hayward Street at its intersection with Hodges Street; thence running along the easterly sideline of Hayward Street to its intersection with North Main Street; thence along the southerly sideline of North Main Street and across its intersection with County Street to the intersection with South Main Street; thence along the westerly sideline of South Main Street directly across the intersection with Wall Street to its intersection with the New York New Haven and Hartford Railroad tracks (currently Amtrak and MBTA rail); thence along the westerly sideline of said railroad tracks directly to the eastern Mean Annual High-Water Line (MHW) line of the Ten Mile River; thence along the eastern side of the MHW of the Ten Mile River to the southern side of Olive Street; thence along the southerly sideline of Olive Street to the easterly sideline of Robert Street; thence along the easterly sideline of Robert Street directly across the intersection with Olive Street to its intersection with Sixth Street; thence running 60 feet along the southerly sideline of Sixth Street; thence northerly directly across Sixth Street and to the easterly sideline of Sadler Street; thence along the easterly sideline of Sadler Street to the intersection with East Fourth Street; thence along the southern sideline of East Fourth Street to the westerly MHW line of the Ten Mile River; thence along the westerly MHW of the Ten Mile River to Second Street; thence along the southerly sideline of Second Street until its intersection with County Street;; thence along the easterly sideline of County Street directly across the intersection with Wall Street to its intersection with Riverbank Road; thence directly across County Street and along the northerly sideline of Riverbank Road to its intersection with Hodges Street; thence along the northerly sideline of Hodges Street directly across the Ten Mile River to its intersection with Hayward Street and the point of beginning.

Conclusion

In accordance with Section 10.03 of the Densely Developed Areas regulations, the extent of the Riverfront Area within the DDA shall be 25 feet, rather than 200 feet, away from the mean annual high-water line of the streams. The designation described above takes effect immediately.

August 7, 2009

Date



Ian A. Bowles

Comments received:

7/28/09 Department of Fisheries and Wildlife