

For Office Use Only
 Executive Office of Environmental Affairs
 EOE No.: 13057
 MEPA Analyst: Bill GAGE
 Phone: 617-626-1025

ENF Environmental Notification Form

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: <u>BEAVER BROOK ESTATES</u>		
Street: <u>EVERGREEN ROAD</u>		
Municipality: <u>NORTHAMPTON</u>	Watershed: <u>MILL RIVER</u>	
Universal Transverse Mercator Coordinates:	Latitude: <u>042° 21' 28.3" N</u>	Longitude: <u>072° 41' 49.7" W</u>
Estimated commencement date: <u>8/1/03</u>	Estimated completion date: <u>12/1/03</u>	
Approximate cost: <u>300,000</u>	Status of project design: <u>70</u> %complete	
Proponent: <u>John S. Hanley Trustee Beaver Brook Nominee Trust</u>		
Street: <u>1725 YORK AVE #27C</u>		
Municipality: <u>New York</u>	State: <u>N.Y.</u>	Zip Code: <u>10128</u>
Name of Contact Person From Whom Copies of this ENF May Be Obtained: <u>PATRICK J. MELNIK Esq.</u>		
Firm/Agency:	Street: <u>110 KING ST</u>	
Municipality: <u>NORTHAMPTON</u>	State: <u>MA</u>	Zip Code: <u>01060</u>
Phone: <u>413-584-6750</u>	Fax: <u>413-584-6789</u>	E-mail:

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?

Yes No

Has this project been filed with MEPA before?

Yes (EOEA No. _____) No

Has any project on this site been filed with MEPA before?

Yes (EOEA No. _____) No

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:

a Single EIR? (see 301 CMR 11.06(8)) Yes No

a Special Review Procedure? (see 301 CMR 11.09) Yes No

a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No

a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): NONE

Are you requesting coordinated review with any other federal, state, regional, or local agency?

Yes (Specify _____) No

List Local or Federal Permits and Approvals: _____

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03): NONE

- Land
- Water
- Energy
- ACEC

- Rare Species
- Wastewater
- Air
- Regulations

- Wetlands, Waterways, & Tidelands
- Transportation
- Solid & Hazardous Waste
- Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:
Total site acreage	59.9154			
New acres of land altered		23.194		
Acres of impervious area	0	1.03	1.03	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	3000	43,500	46,500.00	
Number of housing units	4	27	31	
Maximum height (in feet)	15'	35'	35'	
TRANSPORTATION				
Vehicle trips per day	40	270	310	
Parking spaces	8	56	62	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	200	1550	1750	
GPD water withdrawal	200	1550	1750	
GPD wastewater generation/treatment	200	1550	1750	
Length of water/sewer mains (in miles)	0.0	0.16	0.16	

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify _____) No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify ESTIMATED HABITAT AND) No

3 VERNAL POOLS

HISTORICAL / ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?
 Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?
 Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?
 Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

Project Description

a. Project site:

The project as proposed is to convert a 60 acre site of raw land into a subdivision of 19 new house sites off of a new roadway to be constructed. In addition to the 19 new house sites 6 additional building lots are planned to be constructed on 12.007 acres of the site in an area surrounding the cluster of homes off the new roadway. These 6 homes would be accessed by two common driveways. An additional 6 unit housing site is planned to be constructed adjacent to Route 9. An existing 4 unit building would be removed to make way for the new road. The land to be developed is an area proposed to be developed as part of the Northampton "2020 Vision" planning process that was used by the city planning department to identify areas of the city that should be planned for new homes and areas to be planned for open space. Municipal Water and sewer are available at the site. Jefferson salamanders have been located to be breeding in one of the vernal pools on the site and a vernal pool off site. There are 3 vernal pools certified on the site and one off site. The project, as planned, would protect 100% of all wetland, buffer zones, riverfront and vernal pools on the site. 36.73 acres of the site would be protected by a permanent conservation restriction.

b. Project alternatives and c. mitigation measures:

The site could be developed with more or less housing units, or could remain undeveloped open land. City zoning rules would allow more than 60 units of housing to be developed on the site. The city planning board previously approved a 54 lot development plan that included a through street from Route 9 to Grove Avenue. This plan was denied by the Conservation Commission due to Natural Heritage determination that the wetland area that needed to be crossed would affect habitat of Jefferson Salamanders that have been located on the site. (Natural Heritage has also contended that the area may be the site of wood turtle habitat due to the sighting on a wood turtle approximately one mile from the site 9 years ago. There have never been any sighting of wood turtles on the site.) The applicant has revised his plans many times to mitigate the impact of development on rare species habitat and also to mitigate traffic impact on the neighborhood. As proposed the project would permanently protect all the identified habitat of Jefferson salamander, wetlands, vernal pools, riverfront areas and buffer zones to wetlands by a permanent conservation restriction to be placed under the

conservation restriction act. A permanent wildlife corridor is proposed to protect the ability of the Jefferson Salamander to migrate from vernal pool to vernal pool for breeding. Only upland areas are proposed to be developed. Only 50% of the allowed housing under zoning is proposed to decrease the density of allowed housing and also to minimize traffic impact from the proposed development. An increase in the number of units may require widening of existing roads and may impact sensitive natural areas. A decrease in the number of units or scope of the project would make the project financially unviable. There has already been a 28 unit reduction from previously approved plans that have been proposed to accommodate the rare species habitat. In order to avoid the previously proposed wetland crossing, an upland area has been proposed to be purchased from an abutter and this has doubled the cost of the development. If the upland development with access via the upland abutter is denied there will be no available access to the site. Natural Heritage has determined that access cannot be reached from Route 9. If the project is not approved with the access as proposed, there may be an effective regulatory taking of the site with no access alternatives available.

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