



Environmental Notification Form

<i>For Office Use Only</i>	
<i>Executive Office of Environmental Affairs</i>	
EOEA No.:	_____.
MEPA Analyst:	_____.
Phone: 617-626-	_____.

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: Proposed Route 79 Relocation / Station Street Crossing (Commercial Development)		
Street: Rhode Island Road (Route 79) and Main Street (Route 105)		
Municipality: Lakeville	Watershed: Taunton	
Universal Transverse Mercator Coordinates: 19T 340351M E 463807MN	Latitude: 70°55'27" W Longitude: 41°52'43" N	
Estimated commencement date: 2009	Estimated completion date: 2010	
Approximate cost: ≈5 million	Status of project design: 25 %complete	
Proponents: Town of Lakeville & MBC Development, Inc.		
Street: 346 Bedford Street P.O. Box 1319, Middleboro, MA 02346		
Municipality: Lakeville	State: MA	Zip Code: 02347
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Ann Marton, LEC Environmental Consultants, Inc.		
Firm/Agency: LEC	Street: 107 Audubon Road, Building 2, Suite 110	
Municipality: Wakefield	State: MA	Zip Code: 01880
Phone: 781-245-2500	Fax: 781-245-6677	E-mail: amarton@lecenvironmental.com

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): _____

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

Yes (Specify _____) No

List Local or Federal Permits and Approvals: NPDES Permit Stormwater during construction, MESA Conservation & Management Permit (321 CMR 10.23), Lakeville Conservation Commission Orders of Conditions, Lakeville Planning Board Site Plan Review, Lakeville Zoning Board of Appeals Special Permit, and Building Permits (Filed or to be Filed).

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Land | <input checked="" type="checkbox"/> Rare Species | <input type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input type="checkbox"/> Regulations | <input checked="" type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input checked="" 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 checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify: <u>Conservation & Management Permit (321 CMR 10.23)</u> <hr/> <hr/> <hr/> <hr/>
Total site acreage	15.82			
New acres of land altered		11.5		
Acres of impervious area	1.65	7.065	8.715	
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	0	1.175	1.175	
Number of housing units	0	0	0	
Maximum height (in feet)	0	35	35	
TRANSPORTATION				
Vehicle trips per day	0	1583	1583	
Parking spaces	0	282	282	
WASTEWATER				
Gallons/day (GPD) of water use	0	3510	3510	
GPD water withdrawal	0	3510	3510	
GPD wastewater generation/ treatment	0	3510	3510	
Length of water/sewer mains (in miles)	0	0	0	

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 (EH 857) and Priority Habitat (PH 1219) mapped for Eastern Box Turtle (Terrapene carolina), a Species of Special Concern. One Certified Vernal Pools exists on-site.***) No

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: ***Robert Cushman Property 7 Main Street (LAK.55 – Field Stone Walls to Existing Barn)***)

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.)

a.) **Project Site Description**

The proposed project involves the realignment of Route 79 (Rhode Island Road) and associated construction of three commercial/retail parcels in Lakeville, Massachusetts. The Route 79 Relocation Project in the Town of Lakeville is being initiated in accordance with the MHD Chapter 30 Section 61 Finding issued under the Certificate of the Secretary of Environmental Affairs on the Supplemental Final Environmental Impact Report for the Riverside Park (hereinafter referred to as the Lakeville Corporate Park) project dated 12/14/90, (EOEA #7423). The proposed project site occurs on three separate parcels of land. Specifically, the proposed Route 79 realignment will occur within: 1) early successional field and forested upland habitat owned by Lakeville Hospital Realty LLC, affording frontage off Route 79 (former Lakeville State Hospital property); 2) forested upland currently owned by Stillman K. Leonard; and 3) forested upland and developed conditions present on an existing single-family residence lot (Quelle Parcel) affording frontage along Route 105. The Route 79 realignment will result in the construction of approximately 1,500 linear feet of new roadway and associated stormwater management systems commencing at a point 1,600 feet west of the existing Route 79 / 105 intersection to the Commercial Drive / Route 105 intersection. A four-way signal is planned at the new intersection with Route 105. A strip widening of approximately 1,600 linear feet along Route 105 will be required to provide an acceptable level of service for the projected 20-year traffic volumes through this area. Furthermore, the remaining portions of the Leonard Parcel (9.4± acres) are under agreement with MBC Development, Inc., and are proposed for commercial development (Station Street Crossing); 6.5± acres north of the proposed realignment and 2.9± acres to the south.

Multiple single-family dwellings occur to the north of the project site off Route 79 and a commercial/retail building is located at the existing Route 79/Route 105 intersection. A large wetland system and abutting early successional field areas occur to the west, while buildings associated with the (former) Lakeville State Hospital grounds exist south/southwest of the aforementioned wetland system. According to the Massachusetts Geographic Information System (MassGIS) data layer, the large, off-site forested wetland located west of the site has also been certified as a Vernal Pool. A Certified Vernal Pool also exists on-site. According to a Natural Heritage and Endangered Species Program (NHESP) letter issued on October 20, 2006, the project site is located within Priority Habitat 1219 (PH 1219) and Estimated Habitat 857 (EH 857), mapped for Eastern Box Turtle (*Terrapene carolina*) observed within the vicinity of the site.

b.) Alternatives

A 2003 study conducted by the Southeastern Regional Planning and Economic Development District (SRPEDD), an update of a 1983 study, recommended the relocation of the Route 79 to a direct connection with one of the adjacent intersections off Route 105 at Bridge Street, Riverside Drive, or Commercial Drive. Through lengthy conversations with the Town of Lakeville and MassHighway, the Commercial Drive intersection was ultimately chosen to improve traffic flow and enhance safety. The Riverside Drive and Bridge Street alternatives were not deemed feasible due to excessive adverse environmental / community impacts. Although the Commercial Drive intersection was ultimately selected prior to the area being re-mapped within the 12th edition of the *Massachusetts Natural Heritage Atlas*, the alternate Riverside Drive and Bridge Street intersections would create greater habitat loss and fragmentation for *T. carolina*. As proposed, the Commercial Drive intersection minimizes habitat impacts to the greatest extent practicable.

Furthermore, following a meeting with NHESP on January 16, 2007, MassHighway was asked to re-evaluate alternative alignments to the Commercial Drive intersection, primarily focusing on minimizing impacts within the early successional field conditions on the Lakeville Hospital Realty LLC Parcel. On March 14, 2007, MassHighway submitted a letter to NHESP detailing two alternative alignments. While Alternative #2 resulted in less successional field alteration, the "S" curve design of the roadway provided *insufficient transition length to properly bank (superelevate) the curves preventing vehicles from sliding or otherwise negotiating the curve under wet and other unfavorable conditions*. Additional alternatives brought the roadway closer to the on-site CVP or through the single-family dwelling/barn structure on the Quelle Parcel. Ultimately, the current design was selected to avoid, minimize, and mitigate impacts.

As proposed, a portion of the relocation project will be in close proximity to an existing barn on the Quelle Parcel, listed in the inventory of Historic and Archaeological Assets of the Commonwealth. The barn structure consists of a driveway approach from Route 105 and a 10-foot wide approach to the ground level of the barn bounded by two fieldstone retaining walls on the southerly side. In recognition of the Lakeville Historical Commission correspondence to the Board of Selectmen dated May 16, 1994, the proponent has implemented design initiatives in the Route 79 relocation project to minimize the impact to this historic structure. The proposed roadway location lines have been shifted as far away as practical from the barn while maintaining the intersection alignment with Commercial Drive. With the exception of the fieldstone retaining walls at the southerly approach, the barn structure will remain intact. A new fieldstone wall will be provided along the proposed Route 79 right-of-way lines to connect to the existing walls.

c.) Mitigation

For the past several months, NHESP, the co-Applicants, and the co-Applicants' representatives have reviewed the project to fully analyze all alternatives, determine that an insignificant portion of the local *T. carolina* population would be impacted, and finalize the parameters of a conservation and management plan to provide a long-term Net Benefit to the conservation of *T. carolina*, a Species of Special Concern afforded protection under the *Massachusetts Endangered Species Act* (MESA, M.G.L. c. 131A) and its implementing *Regulations* (321 CMR 10.00). Accordingly, mitigation in the form of off-site land/habitat protection (long-term "Net-Benefit") will include 23± acres to be protected in perpetuity under a Conservation Restriction to be executed with the Executive Office of Environmental Affairs (EOEA), thus enabling the permanent protection of significant *T. carolina* Overwintering, Feeding, Breeding, and Migratory Habitat. Furthermore, the co-Applicants have committed to pre-construction turtle sweeps, construction-related oversight, installation of temporary and permanent physical barriers (as necessary), and creation/maintenance of *T. carolina* Nesting Habitat.

Concurrent to filing the ENF, the Project Proponent is filing a Conservation and Management Permit Application with NHESP to ensure the proposed project and discussed mitigation/net benefit measures meet the performance standards of 321 CMR 10.23.