

For Office Use Only  
Executive Office of Environmental Affairs  
MEPA Analyst: *Deirdre Buckley*  
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# NPC

## Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

|  |                   |  |                 |
|--|-------------------|--|-----------------|
| Project Name: 1021 Kingston's Place  |                   | EOEA #: 14126  |                 |
| Street: Marion Drive   |                   |  |                 |
| Municipality: Kingston   |                   | Watershed: South Coastal                                       |                 |
| Universal Transverse Mercator Coordinates:<br>Pond Properties Location:<br>1351778.2 E 4697759.2N (NAD 83) |                   | Latitude: 41° 58' 10" N<br>Longitude: 70° 43' 34" W            |                 |
| Status of project construction: 0 %complete  |                   |  |                 |
| Proponent: Thorndike Development Corporation   |                   |  |                 |
| Street: 7 Barker Lane  |                   |  |                 |
| Municipality: Norton   |                   | State: MA  | Zip Code: 02766 |
| Name of Contact Person From Whom Copies of this NPC May Be Obtained:<br>Doug Vigneau                       |                   |  |                 |
| Firm/Agency: Vanasse Hangen Brustlin, Inc.   |                   | Street: 2 Washington Square                                    |                 |
| Municipality: Worcester  |                   | State: MA  | Zip Code: 01604 |
| Phone: 508-752-1001  | Fax: 508-752-1276 | E-mail: <a href="mailto:dvigneau@vhb.com">dvigneau@vhb.com</a> |                 |

In 25 words or less, what is the project change? The project change involves . . .

The addition of 44 apartment units, by an affiliated entity, within five residential buildings on a 10± acre parcel located adjacent to the proposed 1021 Kingston's Place. The project is to be developed in compliance with the provisions of M.G.L. Chapter 40B.

See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: November 12, 2007

Was an EIR required?  Yes  No; if yes,  
 was a Draft EIR filed?  Yes (Date: )  No (expected filing 12/08)  
 was a Final EIR filed?  Yes (Date: )  No  
 was a Single EIR filed?  Yes (Date: )  No

Have other NPCs been filed?  Yes (Date(s): )  No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

**PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER**

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: No state permits have been issued for the overall Project thus far. With the potential exception of review under the Massachusetts Endangered Species Act (MESA), no new state permits will be required as a result of the proposed modification. The addition of this 40B project does not require financial assistance or a land transfer from the Commonwealth, other than the use of an approved subsidy program as required under MGL Ch. 40B.

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))  
 Yes    No; if yes, attach justification. The DEIR to be submitted at the conclusion of this NPC review process for the 1021 Kingston's Place project will include an analysis of the 40B Project in both a stand-alone and cumulative (i.e., with the 1021 Kingston's Place) nature. It is not foreseen that the inclusion of the 40B Project into the overall Project development will significantly increase project impacts or materially affect the "Scope" of the Secretary's Certificate issued on the Expanded Environmental Notification Form (ExENF), dated January 16, 2008. In fact, when taken in comparison to the overall Project, the inclusion of the 40B Project would not typically rise to the level of requiring an NPC. Nor, when taken alone, would the 40B Project likely trigger MEPA review. However, the Proponent is presenting the proposed 40B project to MEPA prior to the filing of the DEIR in the interest of full disclosure.

Are you requesting that a Scope in a previously issued Certificate be rescinded?  
 Yes    No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate?  Yes    No; if yes, attach Certificate and describe the change you are requesting:

| Summary of Project Size & Environmental Impacts | Previously reviewed                              | Net Change | Currently Proposed |
|---|--|------------|--------------------|
| <b>LAND</b>                                     |  |            |                    |
| Total site acreage                              | Phase 1 – 13.2<br>Phase 2 – 109<br>Total – 122.2 | 10.0       | 132.2              |
| Acres of land altered                           | Phase 1 – 2.1<br>Phase 2 – 15.7<br>Total – 17.8  | 5.2        | 23                 |
| Acres of impervious area                        | Phase 1 – 6.6<br>Phase 2 – 57.0<br>Total – 63.6  | 2.2        | 65.8               |

|  |  |                            |   |
|--|--|----------------------------|---|
| Square feet of bordering vegetated wetlands alteration     | Total - 0  | 0                          | 0   |
| Square feet of other wetland alteration -riverfront area   | Phase 1 - 21,177<br>Phase 2 - 21,490                           | 0                          | Phase 1 - 21,177<br>Phase 2 - 21,490                            |
| Acres of non-water dependent use of tidelands or waterways | Total - 0  | 0                          | 0   |
| <b>STRUCTURES</b>  |  |                            |   |
| Gross square footage                                       | Retail - 50K<br>Office - 250K<br>Resid. - 1.5M<br>Total - 1.8M | Resid. - 74.8K             | Retail - 50K<br>Office - 250K<br>Resid.- 1.58M<br>Total - 1.88M |
| Number of housing units                                    | 730  | 44                         | 774   |
| Maximum height (in feet)                                   | 30-50  | 0                          | 30-50   |
| <b>TRANSPORTATION</b>                                      |  |                            |   |
| Vehicle trips per day                                      | Phase 1 - 0<br>Phase 2 - 12,410<br>Total - 12,410              | 440                        | 12,850  |
| Parking spaces - surface spaces only                       | 1,500  | 49                         | 1,549   |
| <b>WATER/WASTEWATER</b>                                    |  |                            |   |
| Gallons/day (GPD) of water use                             | 235,000  | 9,680                      | 244,680   |
| GPD water withdrawal                                       | 28,700   | 3,950                      | 32,650  |
| GPD wastewater generation/ treatment                       | 235,000  | 9,680                      | 244,680   |
| Length of water/sewer mains (in miles)                     | Water - 5.0<br>Sewer - 4.4                                     | Water - 0.2<br>Sewer - 0.2 | Water - 5.2<br>Sewer - 4.6                                      |

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?  Yes  No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?  Yes  No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?  Yes  No

The Pond Properties site could potentially include Estimated Habitat of Rare Species and Priority Sites of Rare Species.

4. impact on 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  No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?  Yes  No

5. impact upon an Area of Critical Environmental Concern? Yes No  
If you answered 'Yes' to any of these 5 questions, explain below:

**PROJECT CHANGE DESCRIPTION** (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

As presented in the ExENF, the 1021 Kingston's Place project is a 40R smart growth transit-oriented development, comprised of 730 dwelling units, 250,000 square feet of commercial space, and 50,000 square feet of neighborhood retail space. The mixed-use project is to be phased over an approximately eight-year construction period. The Project is currently under MEPA review and no project construction has begun.

This Notice of Project Change is submitted to inform MEPA of the Proponent's proposed development of a second property adjacent to 1021 Kingston's Place. The site, noted as "Pond Properties", is a 10-acre 40B site located on the opposite side of Raboth Road from the 1021 Kingston's Place 40R project. Please refer to the Proposed Conditions figures included in Attachment C. This additional site is to be included in the overall development scheme for environmental disclosure purposes, but presented as a separate and distinct project from the 40R development. In this regard, all impacts will be disclosed as 40R impacts, 40B impacts, and finally as cumulative impacts.

The existing Pond Properties site is undeveloped woodland, with the exception of a small dilapidated cabin on site. It is located south of and adjacent to the proposed 1021 Kingston's Place, which is presently a mined sand and gravel pit. Smelt Pond is located to the south and west of the Pond Properties site, with Raboth Road and Smelt Brook are to the east. The site is currently accessed by Raboth Road. There is also a permanent access easement on the property leading to the dilapidated cabin and providing access to two properties previously carved out of the Pond Properties parcel, which easement will remain in effect. Public access to Smelt Pond, a Great Pond, will be enhanced through the 40B development. The Proponent is also investigating the possibility of providing public trail-head parking, new walking paths to the waterfront recreation area, and a public dock. There are no direct impacts to the surrounding land, other than clearing and grading for the development.

Pond Properties will be developed as a 40B residential project consisting of five buildings containing a total of 44 apartments. The development and construction of Pond Properties will proceed independently of 1021 Kingston's Place; however, it will connect to the new 1021 Kingston's Place access road, water main and sewer when available. In connection with the development of the Pond Properties project, the Proponent is committed to moving forward with the initial infrastructure of the 40R, which will facilitate the construction of the 40B. This 40R basic infrastructure work includes earthwork, installing the water main loop, and construction of the main access road sufficiently to provide adequate access to the Pond Properties parcel. The commencement of this work will also serve to begin to fulfill the Proponent's commitments to the Town of Kingston. Taking advantage of the 40R infrastructure will provide the residents of Pond Properties with a direct route to the MBTA commuter rail station and Marion Drive, and will minimize any collateral affects on Raboth Road. Raboth Road will be available for secondary and/or emergency access only, as well as connecting dry utilities to the site.

The Proponent is committed to building the 40B site in accordance with the high design standards established with the Town for the 40R. Attendant to the building development will be the construction of 49 surface parking spaces (with an additional 44 garage spaces underneath the buildings) and accompanying typical site features, including stormwater management facilities, an onsite wastewater septic system, lawn areas and landscaping. The buildings will initially be fitted with propane for heat. In the future, the Proponent will connect the 40B project to the new natural gas line at 1021 Kingston's Place.

The traffic generation and wastewater volume associated with the new buildings would increase the aggregate totals by 3.5% and 4.2%, respectively. The traffic impact and access figures included in this NPC consider the existing area traffic volumes and concludes that the existing transportation infrastructure within the study area is adequate to support the proposed development.

## **ATTACHMENTS & SIGNATURES**

**Attachment A** - Secretary's Certificate on the 1021 Kingston's Place Expanded ENF

**Attachment B** - Project Maps and Figures from ExENF

Figure 1.1 – USGS Site Location Map with Proposed Ramp Location

Figure 1.2 – Existing Conditions with Proposed Ramp

Figure 1.3 – Existing Conditions Aerial with Proposed Ramp


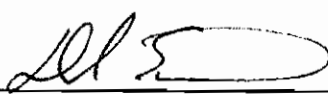
Figure 1.4 – Proposed Conditions Graphic

**Attachment C - Project Plans & Figures with Pond Properties 40B**

- Figure C.1 – Site Location Map (USGS) with Pond Properties
- Figure C.2 – Locus Plan (Aerial) with Pond Properties
- Figure C.3 – Existing Conditions – Pond Properties
- Figure C.4 – Layout Plan – Pond Properties
- Figure C.5 – Sewer Main Plan – Pond Properties
- Figure C.6 – Water Main Plan – Pond Properties

**Attachment D – NPC Distribution List**

Signatures:

|                                    |   |                 |  |
|------------------------------------|---|-----------------|--|
| <i>10-14-08</i>                    |  | <i>10-14-08</i> |  |
| Date                               | Signature of Responsible Officer<br>or Proponent                                  | Date            | Signature of person preparing<br>NPC (if different from above)                     |
| <i>For:</i>                        |   |                 |  |
| <u>Lloyd Geisinger, President</u>  | <u>Douglas E. Vigneau</u>   |                 |  |
| Name (print or type)               | Name (print or type)  |                 |  |
| <u>Thorndike Development Corp.</u> | <u>Vanasse Hangen Brustlin, Inc.</u>  |                 |  |
| Firm/Agency                        | Firm/Agency   |                 |  |
| <u>7 Barker Lane</u>               | <u>2 Washington Square - Suite 219</u>  |                 |  |
| Street                             | Street  |                 |  |
| <u>Norton, MA 02766</u>            | <u>Worcester, MA 01604</u>  |                 |  |
| Municipality/State/Zip             | Municipality/State/Zip  |                 |  |
| <u>508-285-9814</u>                | <u>508-752-1001</u>   |                 |  |
| Phone                              | Phone   |                 |  |