

ENF

Environmental Notification Form

For Office Use Only
Executive Office of Environmental Affairs

EOEA No.: 12741
MEPA Analyst: Bill GAGE
Phone: 617-626-1025

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: Glover Estates Assisted Living Facility		
Street: 485 Lafayette Street		
Municipality: Marblehead	Watershed: North Coastal	
Universal Transverse Mercator Coordinates: 19T 345000 mE, 4706669 mN	Latitude: 42 31 03 N	Longitude: 70 59 41 W
Estimated commencement date: 2004	Estimated completion date: 2005	
Approximate cost: \$10,000,000.00	Status of project design:	90 %complete
Proponent: Glover Estates, LLC		
Street: 121 Loring Avenue		
Municipality: Salem	State: MA	Zip Code: 01970
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Patricia Wenskevich		
Firm/Agency: Woodard & Curran Inc.	Street: 980 Washington Street, Suite 325 N	
Municipality: Dedham	State: MA	Zip Code: 02026
Phone: (781) 251-0200	Fax: (781) 251-0847	E-mail: pwenskevich@woodardcurran.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): *Brownfield Redevelopment Fund Loan from the Massachusetts Development Finance Agency (MassDevelopment).*

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify: *DEP Chptr. 91 License and S.401 WQ Certif; and US ACOE*) No

List Local or Federal Permits and Approvals: *See Attachment A.*

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

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input 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 type="checkbox"/> 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 checked="" type="checkbox"/> Chapter 91 License <input checked="" 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 <i>(including Legislative Approvals) – Specify:</i> <input checked="" type="checkbox"/> CZM Consistency <input checked="" type="checkbox"/> MHC S. 106 Review *See Wetlands Section II.B (pg.8) **See Land Section II.A (pg. 5) *** Public water and sewer systems
Total site acreage	5.73			
New acres of land altered		4.38		
Acres of impervious area	0.14	1.34	1.48	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		48,800*		
Acres of new non-water dependent use of tidelands or waterways		68,800**		
STRUCTURES				
Gross square footage	0	28,000	28,000	
Number of housing units	0	55	55	
Maximum height (in feet)	0	35	35	
TRANSPORTATION				
Vehicle trips per day	0	104	104	
Parking spaces	0	41	41	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	0	8,250***	8,250	
GPD water withdrawal	0	0	0	
GPD wastewater generation/treatment	0	8,250***	8,250	
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 _____) No See Attachment B

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: See Attachment C) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? *Intensive site survey to be performed.*

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 Site Locus map is included in Attachment D. Results from field investigation activities conducted over the past two years at the former Chadwick Lead Mills Site (the Site) have documented high concentrations of lead-impacted soils across the majority of the site and adjacent properties. Currently, the Site is in the process of completing a Massachusetts Contingency Plan (MCP) Phase II Comprehensive Site Assessment (CSA) and Risk Assessment to evaluate potential risk of harm as a result of contaminants at the Site. At the same time, the proponent is seeking to develop a portion of the site as a 55-unit Assisted Living Facility with state funding from the Massachusetts Development Finance Agency (MassDevelopment).

Preliminary results of the CSA indicate that high concentrations of lead in soil, groundwater and sediment pose unacceptable risks to health, safety, public welfare, and the environment. The high concentrations of lead present at the Site are the result of historic releases dating from 1830 to 1910 from lead manufacturing operations at the site. Concentrations of lead have been detected at levels significantly above the Upper Concentration Limit (UCL) of 6,000 mg/kg established in the MCP (concentrations exceeding 80,000 mg/kg or parts per million have been detected), which indicate unacceptable risk to public welfare and the environment, if left unremediated. Based on these findings, Glover Estates LLC, has undertaken response actions at this Site to be completed consistent with the requirements of the MCP (310 CMR 40.0000). The project entails incorporating the remediation of lead-contaminated soils and sediment into the construction of a 55-unit assisted living facility. Figure 1 shows the planned site layout and design. In addition, as part of the assisted living facility development, public open space, beach front and historic tidelands will be preserved and/or restored for the use and enjoyment of the community at large. The development efforts will also include cooperation with the City of Salem and the Town of Marblehead to facilitate soil and sediment remediation on municipal-owned properties abutting the Glover Estates LLC property. The total project area encompasses land owned by Glover Estates, LLC and the towns of Marblehead and Salem. The parcel owned by Glover Estates, LLC totals 4.38 acres and encompasses the main upland parcel plus a section of beach front. The Town of Marblehead owns an area of 0.96 acres comprised of a walking/bike trail that parallels the beach front. The City of Salem owns a parcel of 0.39 acres that is comprised of a section of land across the Forest River from the Glover Estates parcel. The total area of the project, encompassing the remediation and redevelopment activities totals 5.73 acres.

Use and enjoyment of a large portion of the site and its adjoining areas are currently restricted due to the high concentrations of lead contamination. The entire site and contaminated beach area are fenced. After cleanup by the proponent, these areas will again be accessible to the public. The proponent is also exploring a cooperative effort with the International Tide Mills Museum, an organization dedicated to preservation of historic tide mills, to develop a

museum/visitor center on the site. This cooperative effort may result in a waterfront/riverfront park for public enjoyment, and will, at a minimum, include allocating a portion of the interior of the assisted living facility to a public museum that recognizes the tide mills area and the preservation efforts surrounding the Forest River.

The Brownfield's development project, encompassing the 55-unit assisted living facility, will generate sufficient financial resources to implement the proposed lead remediation plan and improvements to the public open space and access on the site. It is only through development of the assisted living facility that the proponent, acting as an "innocent" third-party landowner, can financially justify the major expenditure of funds to accomplish the remediation activities necessary to eliminate the exposure risk on the site. At the same time, the assisted living facility is a needed resource for the communities of Salem and Marblehead. Without the assisted living facility being built and operated, the remediation/brownfield's project will not go forward. We believe the assisted living facility location on the site and its operations will have minimal impacts and otherwise does not trigger any MEPA thresholds. The predominant MEPA triggers are associated with the areas of the site along the shoreline and beachfront where remediation activities will be conducted in areas subject to multiple jurisdictions. Due to the nature and extent of the lead contamination and the public lands involved at this site, there are no appreciable alternatives to either the remediation approach or the re-development plan. The "No Action" alternative is not viable due to the significant risk to human health and environment from the contamination if left unremediated. The Town of Marblehead twice rejected acquiring the site for open space due to the cost of remediation. Mitigation measures, as described below, have been identified and will be implemented as part of the final design and construction for both the remediation and the development plans of the project.

The positive public benefits that will result from the remediation and redevelopment of the Site are widespread, from the development of needed assisted living facilities for the elderly to the remediation and economic revitalization of a site adjacent to Salem Harbor that has been contaminated for more than 150 years and has remained dormant for more than forty years. Specific public benefits and uses of the Site are enumerated below:

1. **Remediation of the site:** The site remediation plan is, first, to chemically treat approximately 60,000 cubic yards of contaminated soil "in-situ". The chemical treatment will bind the lead and make it no longer bio-available thus preventing it from leaching into groundwater. The stabilized contaminated soils will be covered with a layer of a defining geotextile fabric, clean fill and the foundation of the assisted living facility and its associated paved areas. The top 2 feet of contaminated beachfront sand will also be removed, treated and then capped beneath the new assisted living facility, and new clean sand will be brought in to replace it.
2. **Restoration of access to the waterfront and shoreline:** At this time, site access to the waterfront and Forest River is completely restricted due to the high levels of lead contamination detected in the soil. The remediation effort by the proponent, Glover Estates, LLC, would reopen public access to currently prohibited areas, as well as expand public uses at the site.
3. **Development of a critically needed assisted living facility:** There is a critical need for assisted living services in the communities served by this location. The over-75 population is growing at nearly three times the rate of the population as a whole, and in Marblehead there are currently no other assisted living facilities to serve this group.
4. **The creation of both temporary and permanent jobs:** This project will provide both temporary and permanent new jobs in the area. The temporary jobs will be necessary for the remediation and construction of the facility, which should take approximately twelve to fifteen months. During its operations Glover Estates will employ between 30 and 50 full- and part-time employees, including licensed nurses, nursing assistants, environmental services, dietary services, and administrative personnel. In addition, there will be staff that has special expertise in senior care, social services and senior outreach.
5. **The creation of affordable housing:** While a portion of the development funding for the project may come from private investors, Glover Estates, LLC intends to utilize as many state funding programs as possible. To this end, Glover Estates has received an initial site assessment loan from MassDevelopment and is currently seeking additional funding for pre-development assistance. In conjunction with assistance from these state programs, and even if private funding is eventually obtained, Glover Estates intends to provide a percentage of the units as affordable housing.
6. **Historical Preservation:** Glover Estates is exploring a cooperative effort with the International Tide Mills Museum, an organization dedicated to the preservation of historic tide mills areas, of which this property is one. This cooperative effort is anticipated to result in a public display currently planned for the foyer reception area of the assisted living facility that will include historical photographs and information recognizing the tide mills area and mission of the preservation efforts surrounding the Forest River area.
7. **Traffic Improvements:** The proponent performed a traffic study of the roadways adjoining the project site, including Route 114/Lafayette St., a major thoroughfare. The traffic study determined that the proposed assisted living facility would have no adverse impact on the existing and projected traffic volumes and Level of Service (LOS) of the adjacent

roadways. Nonetheless, the proponent intends to make roadway and intersection improvements in the vicinity of the site and its access road to further improve traffic flow and safety after the project is built. Planned roadway improvements include new lineage and crosswalks, new stop signs, and expanding the shoulder at the new project access driveway to facilitate vehicle movements and improve sight lines and safety.

This **Expanded ENF** seeks to demonstrate that the assisted living portion of the project will have minimal impacts and does not require an EIR. We submit it is solely the remediation aspects of the project, triggered by the excavation and treatment of highly contaminated soil within Chapter 91 areas, which require an EIR. **The Chapter 91 review is requested combined with the EIR review in accordance with 310 CMR 9.11.** Nonetheless, even the remaining environmental and technical issues that will be finalized in the EIR are limited in the number of applicable alternatives or methods that can be used due to the requirements of the MCP process and the nature and extent of lead contamination in soil across the site. There are only a limited number of proven and appropriate remediation techniques that can be applied at this site. Likewise, the siting of the assisted living facility is constrained by the remediation plan. For this reason, we submit that a **Single EIR** is most appropriate to address these questions in a timely manner that will allow the critically important remediation to proceed.

LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

- A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1))
 ___ Yes X No; if yes, specify each threshold:

II. Impacts and Permits

- A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	0	0.64	0.64
Roadways, parking, and other paved areas	0.14	0.70	0.84
Other altered areas (describe)	0.96*	0.24**	1.20
Undeveloped areas	4.63	-1.58	3.05

*Includes existing bike path; ** Grass paved fire access road and public walkways.

- B. Has any part of the project site been in active agricultural use in the last three years?
 ___ Yes X No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?
- C. Is any part of the project site currently or proposed to be in active forestry use?
 ___ Yes X No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:
- D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97?
 ___ Yes X No; if yes, describe:
- E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction?
 ___ Yes X No; if yes, does the project involve the release or modification of such restriction?
 ___ Yes ___ No; if yes, describe: