

ENF Environmental Notification Form

<i>For Office Use Only</i>	
<i>Executive Office of Environmental Affairs</i>	
EOEA No.:	<u>14002</u>
MEPA Analyst:	<u>Anne Canaday</u>
Phone:	<u>617-626-1035</u>

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: "True North Commerce Center" (Definitive Subdivision for Commercial Use);		
Street: Rabbit Road		
Municipality: Salisbury	Watershed: Merrimack River	
Universal Transverse Mercator Coordinates: Zone 19: 344807 E, 4745655 N	Latitude: N 42-50-52 Longitude: W 70-56-58	
Estimated commencement date: June 2007	Estimated completion date: June 2011	
Approximate cost: \$50,000,000.00	Status of project design: 75 %complete	
Proponent: True North, LLC.		
Street: 83 River Road		
Municipality: West Newbury	State: MA	Zip Code: 01985
Name of Contact Person From Whom Copies of this ENF May Be Obtained: James M. Dolansky		
Firm/Agency: Seekamp Environmental Consulting, Inc.	Street: 129 Route 125	
Municipality: Kingston	State: NH	Zip Code: 03848
Phone: 603-642-8300	Fax: 603-642-8500	E-mail: dolanskyj.sec@comcast.net

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): N/A _____

Are you requesting coordinated review with any other federal, state, regional, or local agency? Yes (Specify: __) No

List Local or Federal Permits and Approvals:

Local Approval: 1) Approval Required by the Town of Salisbury Planning Board (SPB) for Proposed Subdivision of Land, Roadway, Stormwater Management Design, and Utility Layout (Under Review); 2) Approval Required by the SPB for Individual Lot Development (Applications for each lot to be submitted prior to commencement of development); 3) Issuance of Order of Conditions (OOC) required by the Town of Salisbury Conservation Commission (SCC) for 100' Buffer Zone Impacts associated with Roadway Layout, associated Stormwater Management Design, (Under Review); 4) Issuance of Order of Conditions (OOC) required by the SCC for jurisdictional wetland impacts and associated 100' Buffer Zone Impacts (Applications for each lot to be submitted prior to commencement of development);

Federal Approvals: 1) Individual 404 Programmatic General Permit Authorization required by US Army Corps of Engineers; 2) General Permit for Stormwater Discharges associated with Industrial Activities required by EPA for individual Building lots (Applications to be submitted prior to commencement of lot development).

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

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input checked="" 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 type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change Conceptual Max-Build (Phase 1)	Total Conceptual Max-Build (Phase 1)	State Permits & Approvals
LAND SECTION				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input checked="" type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input checked="" type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify: The project may involve the issuance of a distribution modification permit for increased drinking water supply demands.
Total site acreage	51 ac. +/-	-	-	
New acres of land altered	-	29 ac. +/- (5 ac. +/-, Phase 1)	29 ac. +/- (5 ac. +/-, Phase 1)	
Acres of impervious area	0.0 ac.	22 ac. +/- (2 ac. +/-, Phase 1)	22 ac. +/- (2 ac. +/-, Phase 1)	
Square feet of new bordering vegetated wetlands alteration	-	1,730 +/- (0 sf +/-, Phase 1)	1,730 sf +/- (0 sf +/-, Phase 1)	
Square feet of new other wetland alteration (Isolated Vegetated Wetlands)	-	26,580 sf +/- (0 sf +/-, Phase 1)	26,580 sf +/- (0 sf +/-, Phase 1)	
Acres of new non-water dependent use of tidelands or waterways	-	0 ac.	-	
STRUCTURE SECTION				
Gross square footage	0 sf	600,000 sq. ft. (18,000 sq. ft., Phase 1)	600,000 sq. ft. (18,000 sq. ft., Phase 1)	
Number of non-housing units	0 Buildings	6 - 20 Buildings associated w/ Product Distribution, Light Manufacturing, and Office Space) (1 - Distribution Building, Phase 1)	6 - 20 Buildings associated w/ Product Distribution, Light Manufacturing, and Office Space) (1 - Distribution Building, Phase 1)	
Maximum height (in feet)	0 ft	35 ft +/-	35 ft +/-	
TRANSPORTATION SECTION				
Vehicle trips per day	0 tpd	4,176 vpd (126 adt, Phase 1)	4,176 vpd (126 adt, Phase 1)	
Parking spaces	0 ps	266 ps (12 Ps, Phase 1)	266 ps (12 Ps, Phase 1)	
WASTEWATER SECTION				
Gallons/day (GPD) of water use	0 gpd	30,000 gpd (650 gpd, Phase 1)	30,000 gpd (650 gpd, Phase 1)	
GPD water withdrawal	0 gpd	0 gpd	0 gpd	
GPD wastewater generation/ treatment	0 gpd	30,000 gpd (650 gpd, Phase 1)	30,000 gpd (650 gpd, Phase 1)	
Length of water/sewer mains (in miles)	0.0 mi	.5 mi +/- (.25 mi +/-, Phase 1)	.5 mi +/- (.25 mi +/-, Phase 1)	

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

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:

True North LLC proposes to construct a commercial subdivision off Rabbit Road in the Town of Salisbury MA. It is expected the primary use within the development will consist of distribution / warehouse facilities given its close proximity to the interstate transportation network. Upon subdivision approval individual properties within the proposed development will require site plan approval from the Town of Salisbury as well as the necessary environmental approvals associated with the proposed conditions. Currently, the proposed subdivision is under review with the Salisbury Planning Board and Conservation Commission. Local approvals are expected in April 2007.

In 2005, the applicant began working closely with Town officials to revise the zoning designation for the project area in order to improve the development conditions for the applicant and increase the Town's commercial base. This cooperative effort resulted in Town Meeting approval in 2006.

The proposed project parcel is approximately 51 acres +/- in size and consists of 23 lots ranging in size from 1.0 acres +/- to 3.0 acres +/-, with the exception of one 8.3 acre parcel that contains no frontage and therefore it is not developable. The lot configuration was developed to provide flexibility in reducing the number of lots in the event that larger footprint developments are included in the final build-out. Reference is made to the Conceptual Maximum Build Plan (site plan) included in this submittal. In order to estimate the maximum build conditions within the proposed development, the 23-lot layout has been reduced to 6-lot configuration inclusive of larger footprint buildings. It is expected that a mixture of smaller and larger type developments will ultimately be included in the proposed subdivision, although it is possible that the conceptual maximum development layout included in this submittal could be implemented.

The proposed subdivision includes a 2,550 LF+/- cul-de-sac roadway (Enterprise Way) extending from Rabbit Road and traveling to the east with a pavement width of 32-ft. Low Impact Development (LID) techniques are proposed for roadway runoff mitigation. Roadside vegetated swales and constructed wetlands with forebays are located throughout the development for conveyance, storage and treatment. Proposed LID techniques require Planning Board waivers. The Board has indicated their support for the use of LID techniques on this project. It should be noted that these constructed wetlands and associated roadside swales used for roadway runoff mitigation are not jurisdictionally-protected wetland resource areas under federal, state, or local regulations, given that the purpose of these structures is intended for use in stormwater management exclusively. However, it is worth mentioning that these LID stormwater structures will likely provide wildlife habitat, wetland function, and shall consist of native wetland plant species.

It is the applicant's understanding the Town of Salisbury is in the process of extending and upgrading the water and wastewater facilities in the vicinity of the project and along Rabbit Road. It is expected that these municipal improvements will provide the necessary capacity for the project and will be in-place prior to the completion of Phase I work.

The following provides a more detailed description of the proposed work/associated phase.

Phase One Scope:

Phase One will be limited to one (1) 18,000 sq. ft. commercial unit located south of roadway station 6+00 with an associated paved drive and parking area (approximately two acres (2 ac) impervious surfaces, including building). The length of roadway and associated utility mains and LID stormwater management controls to be built under Phase One will extend from the site entrance off Rabbit Road, to the proposed sewer pump location (adjacent to roadway station 13+30). Sewer and water service main lines will be built to roadway station 13+30, and service lines will be installed to accommodate the proposed 18,000 sq. ft. building. The applicant is proposing to allow public access through an existing utility transmission easement and associated former railroad right-of-way, for the Town of Salisbury to use as a recreational "rails to trails" project. A detailed discussion of the Scope of Phase One is provided in SECTION 4, "Project Permitting and Project Description." Please refer to APPENDIX D, "Site Plans," for a graphical representation of the Scope of Phase One.

Reference is made to the attached "Phase I Waiver Plan" (site plan, included in APPENDIX D, "Site Plans) and SECTION 4 "Project Permitting and Project Description" included in this submittal.

Proposed infrastructure work associated with Phase I include: the construction of 1,450LF +/- of roadway and associated roadside swales for stormwater conveyance, three constructed wetlands for roadway stormwater mitigation, 675 LF +/- of 12"inch water main and associated hydrants, 700 LF +/- of 8" gravity sewer main, one sewer pump station, and 1,400 LF of 4" sewer force main. In addition, natural gas, electric, telephone, and street lighting facilities will be installed along the Phase I limitations (to roadway station 13+30).

The Phase I infrastructure work will support the installation of 18,000 SF +/- of commercial/warehouse space located south of roadway station 6+00. This building development will require local Site Plan (Planning Board) and potential environmental filings with local and state regulating agencies.

The applicant will provide access rights (easement) along the southern property line (approximately 1 acre) to the Town for the extension of a municipal rail trail. This rail trail follows a former railroad right-of-way and utility transmission easement located within and along the southern project property line.

Project proponents identify the easement as a public benefit to the development of *True North Commerce Center*. There is potential that future employees of the commercial park may commute to work via bicycle, or other non-vehicular means of transportation, following completion of the recreation trail by the Town of Salisbury.

Conceptual Maximum Development Scope:

As currently designed, the conceptual maximum development of *True North Commerce Center* (i.e., 600,000 sq. ft. of commercial development) will involve construction of six (6) individual, multi-use commercial units with associated paved roadway and utility services, accessory paved driveways, paved parking areas, and complementary Low-Impact Development (LID) stormwater management features (i.e., constructed wetlands and vegetated swales). Project Proponents have provided a brief discussion of the proposed conditions of both Phase One and the Conceptual Maximum Development of True North Commerce Center. Detailed discussions of these conditions are provided in SECTION 4, "Project Permitting Summary & Project Description." Please refer to APPENDIX D, "Site Plans," for a graphical representation of the proposed conditions of the conceptual maximum development of *True North Commerce Center*.

Reference is made to the attached "Conceptual Maximum Build Plan," (site plan) provided in APPENDIX D, "Site Plans".

Proposed infrastructure work associated with the "Conceptual Maximum Build", inclusive of Phase I improvements, include: the construction of 2,600 LF +/- of roadway and associated roadside swales for stormwater conveyance, four constructed wetlands for roadway runoff mitigation, 12 stormwater treatment areas for impervious mitigation, 2,550 LF +/- of 12" water main and associated hydrants, 1,800 LF +/- of 8" gravity sewer main, one sewer pump station, and 1,400 LF +/- of 4" sewer force main. As well, natural gas, electric, telephone and street lighting facilities will be installed along the subdivision roadway.

The Conceptual Maximum Build infrastructure work will support the construction of 600,00 SF +/- of commercial / warehouse / distribution development throughout the proposed subdivision. Local Site Plan approval and State and Local Environmental approval will be required for the individually constructed buildings. Actual maximum build development will most likely fall significantly below the estimated 600,000 SF of building footprint and estimated impacts to surrounding resource areas. This plan has been developed to identify potential impacts to resources areas and maximum design conditions for infrastructure features.

As mentioned in the Phase I scope, access rights for a municipal rail trail is included in the Conceptual Maximum Build scenario, and actual build conditions.

ON-SITE ALTERNATIVES & ASSOCIATED IMPACTS:

Phase One:

Alternatively, the 18,000 sq. ft. commercial unit associated with Phase One may be located on the opposite side of the roadway (north of roadway station 6+00). However, project proponents anticipate that development in that area will result in a direct impact to an isolated wetland (G-Series), which will require the preparation and submittal of a 401 Water Quality Certification (401 WQC) with the DEP. Project proponents would like to avoid the additional permitting procedures associated with a 401 WQC filing until future phases of construction; and therefore, this alternative is not viable to the intent of the

Phase One Waiver Request. Please refer to SECTION 5, "Alternative Analysis" for additional information.

Conceptual Maximum Development:

At this point in project planning, project proponents have not speculated in alternatives to future phases of development of *True North Commerce Center*. Additional information will be provided with the project proponents Draft Environmental Impact Report.

OFF-SITE ALTERNATIVES & ASSOCIATED IMPACTS:

Project proponents do not believe that the limited activities proposed under the Scope of Phase One require the speculation of off-site alternatives. Moreover, project proponents have not speculated off-site alternatives for future phases of the project at this point in project planning. However, it is our understanding that the Town of Salisbury will be responsible for installing water and sewer mains from Old Elm Street, and northward along Rabbit Road, beyond the project's access point off Rabbit Road.

POTENTIAL MITIGATION MEASURES for PROPOSED DESIGN, ON-SITE ALTERNATIVES, and OFF-SITE ALTERNATIVES:

Phase One:

Mitigation for Phase One impacts will include stormwater management controls that will be installed to accommodate the length of roadway proposed under Phase One and impervious surfaces associated with the 18,000 sq. ft. building, paved driveway, and parking areas. In addition, the applicant will reserve a portion of the project site for the Town of Salisbury to use in development of a recreational hiking / biking trail. The applicant will be providing a public benefit to the project by allowing public access in this reserved location. Please refer to SECTION 9, "Mitigation Measures," for additional information.

Conceptual Maximum Development:

As currently designed, the applicant will likely be required to construct 12'-wide left and right turning lanes and additional roadway widening along Rabbit Road (i.e, state highway), as specified and required by *MassHighway*. One (1) open-bottom box culvert will be installed beneath the roadway (adjacent to roadway station 16+35) to allow for wildlife passage underneath the roadway and to avoid flooding onto the new roadway, in the event that water levels rise in the adjacent Bordering Vegetated Wetlands during flood events. Wetland replication will also be provided on-site at a minimum mitigation ratio of 1 : 1 (mitigation : impact) for the proposed maximum impact estimates to Isolated Vegetated Wetlands (approximately 26,580 sq. ft., cumulatively) and Bordering Vegetated Wetlands (BVW) (approximately 1,730 sq. ft.). Project proponents have not definitively designed the extent or configuration of wetland replication; however, the area of upland which is north of wetland flags F-15 to F-39 will be reserved for on-site wetland replication. Please refer to SECTION 9, "Mitigation Measures," and for additional information. APPENDIX D, "Site Plans," also provide a visual reference of the IVWs which may be impacted, as well as approximate on-site location for wetland replication.