

*For Office Use Only*  
*Executive Office of Environmental Affairs*

EOEA No.: 13822  
 MEPA Analyst: Holly Johnson  
 Phone: 617-626-1020

# 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.

<b>Project Name: "Scotland Heights I &amp; Scotland Heights II" (residential)</b>		
<b>Street: Rosebud Avenue / Klondike Road</b>		
<b>Municipality: Haverhill 01830</b>	<b>Watershed: Merrimack River</b>	
<b>Universal Transverse Mercator Coordinates:</b>	<b>Latitude: 42° 46' 12" N</b>	
-	<b>Longitude: 71° 08' 15" W</b>	
<b>Estimated commencement date:</b>	<b>Estimated completion date:</b>	
<b>Scotland Heights 1: 1995</b>	<b>Scotland Heights I: Complete</b>	
<b>Scotland Heights 2: 2000</b>	<b>Scotland Heights II: 2011</b>	
<b>Approximate cost: \$ 1,000,000.00 +/-</b>	<b>Status of project design: 99% (Construction of Scotland Heights II is ~60% complete)</b>	
<b>Proponent: Scotland Heights Realty Trust</b>		
<b>Street: 47 Keyes Hill Road</b>		
<b>Municipality: Pelham</b>	<b>State: NH</b>	<b>Zip Code: 03076</b>
<b>Name of Contact Person From Whom Copies of this ENF May Be Obtained:</b>		
<b>Michael Seekamp</b>		
<b>Firm/Agency Seekamp Environmental Consulting, Inc.</b>	<b>Street: 129 Route 125</b>	
<b>Municipality: Kingston</b>	<b>State: NH</b>	<b>Zip Code: 03848</b>
<b>Phone: 603-642-8300</b>	<b>Fax: 603-642-8500</b>	<b>E-mail: seekampm.sec@adelphia.net</b>

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: **MA DEP (state), Haverhill ConCom (local), and ACOE (federal)**)  No

List Local or Federal Permits and Approvals: *OOB #33-927 (Local Iss.); PGP #NAE-2004-105 Federal; pending) Planning Board, NPDES Phase II #MAR10BD07.*

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	Total	State Permits & Approvals
<b>LAND</b>				<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 ( <b>pending ENF Review</b> ) <i>(Restrictive Covenant will replace 401 WQC)</i> <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 <i>(including Legislative Approvals) – Specify:</i>
Total site acreage	87.8 acres			
New acres of land altered		48 acres		
Acres of impervious area	0 acres	12 acres	12 acres	
Square feet of new bordering vegetated wetlands alteration		323 sq.ft.		
Square feet of new other wetland alteration		15,070 sq. ft.		
Acres of new non-water dependent use of tidelands or waterways		N/A		
<b>STRUCTURES</b>				
Gross square footage	0 s.f.	199,200 s.f.	199,200 s.f.	
Number of housing units	0	83 units	83 units	
Maximum height (in feet)	N/A	35 feet	35 feet	
<b>TRANSPORTATION</b>				
Vehicle trips per day	N/A	830	830	
Parking spaces (paved)	N/A	166	166	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	N/A	34,238 gpd	34,238 gpd	
GPD water withdrawal	N/A	34,238 gpd	34,238 gpd	
GPD wastewater generation/ treatment	N/A	27,390 gpd	27,390 gpd	
Length of water/sewer mains (in miles)	0 miles	1.15 mi	1.15 mi	

\*See Tables Supplemental Summary of Project Size and Environmental Impacts Appendix R

**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.)

**(a) Site Description:**

*The site represents two residential subdivision that were proposed and permitted locally under separate applications. The 42-lot residential development known as Scotland Heights I is complete; the 41-lot residential subdivision known as Scotland Heights II represents an active construction site as the applicant has completed approximately 60% of the approved work to date.*

*Wetland resources at the site include state and locally-jurisdictional BVW, and local/federal-jurisdictional Isolated Vegetated Wetlands (IVW). The boundaries of the resource areas were reviewed and accepted by the Haverhill Conservation Commission (HCC) during review of a Request to Modify and Extend the existing Order of Conditions (DEP File # 33-927), as well as by representatives of the ACOE during the Section 404 review process.*

*Please refer to the attached "Project History Narrative" and "Wetland Impacts & Mitigation Report," prepared by Seekamp Environmental Consulting, Inc. for additional information.*

### **(b) Onsite & Offsite Alternatives:**

*The ensuing application represents an after-the-fact application. In the time since the project was initially proposed / approved under local zoning, planning, and wetland ordinances, the applicant has enlisted a new engineer (Xeriscape Design) and wetlands consultant (SEC). The result of this change in the Project Team was to effectuate design improvements to the Phase II Stormwater Drainage System, and to establish regular monitoring of construction activities (by SEC). It was not until additional wetland impacts were approved to resolve site stormwater drainage issues (the subject of an Enforcement Order issued by HCC) that the new Project Design Team became aware that the project had not yet undergone MEPA review, in addition to 401 Water Quality Certification (pending MEPA review), and Section 404 Programmatic General Permit (pending MA 401 Water Quality Issuance / Waiver).*

*Given the fact that Phase I is complete, and substantial progress has been made on construction of Phase II, alternatives to the approved design have not been explored in detail.*

*There are no off-site alternatives to developing this property; please refer to the next section for additional information.*

### **(c) Project Design and Mitigation Measures:**

*Scotland Heights I (construction of three (3) roadways, 42 single-family dwellings, and associated infrastructure) is complete. Scotland Heights II (which has been approved by the Haverhill Conservation Commission (HCC) and is currently under construction) involves development of a paved roadway (Snow Road), 41 single-family dwellings, access drives, stormwater management structures, and the extension of sewer line for wastewater treatment. Proposed wetland impacts are generally associated with the installation and construction of stormwater management structures and utilities. All wetland impact activities are complete, no further impacts (with the exception of buffer zone) are proposed. The applicant will provide mitigation for existing (approved) wetland alterations via compensatory planting and seeding activities, which will be comprised of wetland trees, shrubs, and herbaceous plant species, similar to that exhibited in the resource areas prior to disturbance. Please refer to the attached "Project History Narrative," Wetland Impact and Mitigation Report," and Detention Pond I, II, and Water Quality Swale Planting Plans (3 total) prepared by Seekamp Environmental Consulting, Inc. for additional information. Each plan submitted to the HCC for review and pending approval.*

### **(d) Sedimentation / Erosion Control Measures:**

*Temporary erosion controls in the form of siltation fence and/or doubly staked haybales have been installed at the limits of work and adjacent to all wetland resource areas for the development of Scotland Heights II. Haybale checkdams, sediment traps, diversion swales, temporary settling basins, and existing stormwater management structures (Detention Pond I, II, and Water Quality Swale) have been utilized and maintained as necessary throughout the construction of Scotland Heights II. Please review the "Project History Narrative" prepared by Seekamp Environmental Consulting, Inc. for a summary of construction monitoring and the maintenance of erosion and sedimentation controls.*


**CERTIFICATIONS:**

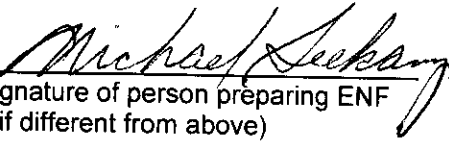
1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

The Eagle Tribune  
(Name)

On or before June 21, 2006  
(Date)

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

6-13-06   
Date Signature of Responsible Officer  
or Proponent

6-13-06   
Date Signature of person preparing ENF  
(if different from above)

George Charest  
Name (print or type)

Michael Seekamp  
Name (print or type)

Firm/Agency:  
Scotland Heights Realty Trust

Firm/Agency:  
Seekamp Environmental Cons., Inc.

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47 Keyes Hill Road

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