

**Commonwealth of Massachusetts**

**Executive Office of Environmental Affairs ■ MEPA Office**

**ENF**

**Environmental Notification Form**

<i>For Office Use Only</i> <i>Executive Office of Environmental Affairs</i>	
EOEA No.:	<i>13553</i>
MEPA Analyst:	<i>NICK ZAVALAS</i>
Phone:	<i>617-626-1030</i>

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: 400 Wheeler Road		
Street: 400 Wheeler Road (west of Middlesex Turnpike)		
Municipality: Burlington	Watershed: Shawsheen	
Universal Transverse Mercator Coordinates: 47 04 801 N, 3 18 631 E	Latitude: 42° 28' 24" N	Longitude: 71° 12' 22" W
Estimated commencement date: Spring 2006	Estimated completion date: Spring 2008	
Approximate cost: \$30 million	Status of project design: 70% complete	
Proponent: 400 Wheeler Road Realty Trust (c/o The Gutierrez Company)		
Street: One Wall Street		
Municipality: Burlington	State: MA	Zip Code: 01803
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Bill Noll		
Firm/Agency: Vanasse Hangen Brustlin, Inc.	Street: 101 Walnut Street	
Municipality: Watertown	State: MA	Zip Code: 02471
Phone: 617-924-1770	Fax: 617-924-2286	E-mail: wnoll@vhb.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. 7110)  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):

The Project involves no financial assistance or land transfer from any state agency.

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

List Local or Federal Permits and Approvals: **Town of Burlington: Special Permit and Site Plan Review from Planning Board; Federal: NPDES General Permit for Construction Activities Stormwater Management**

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 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 type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts **	Existing	Change	Total	State Permits & Approvals
<b>LAND</b>				<input 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 checked="" 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	±24.05 acres			
New acres of land altered		±11.10 acres		
Acres of impervious area	±6.34 acres	±8.21 acres	±14.55 acres	
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		N/A		
<b>STRUCTURES</b>				
Gross square footage	±247,000 SF	±250,000 SF	±497,000 SF	
Number of housing units	- 0 -	- 0 -	- 0 -	
Maximum height (in feet)	±80 ft	- 0 -	±80 ft	
<b>TRANSPORTATION</b>				
Vehicle trips per day	±2,680 trips*	±1,910 trips	±4,590 trips	
Parking spaces	763	877	1,640	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use †	±4,056 GPD	±4,105 GPD	±8,161 GPD	
GPD water withdrawal	- 0 -	- 0 -	- 0 -	
GPD wastewater generation/ treatment †	±3,687 GPD	±3,732 GPD	±7,419 GPD	
Length of water/sewer mains (in miles) ††	- 0 -	Water: 0.01 Sewer: 0.04	Water: 0.01 Sewer: 0.04	

**NOTES:**  
 \*\* Unless noted otherwise, the data presented in the Table at left are for the total combined land area of the 400 Wheeler Road property and the existing adjacent 200 Wheeler Road property.  
 \* Based on ITE LUC 710. Actual traffic counts indicate existing trip generation for full occupancy of the existing 200 Wheeler Rd. offices is 1,810 vehicles per day.  
 † Based on water use/wastewater generation rates documented from records for the existing offices on 200 Wheeler Road property.  
 †† Water & sewer main data is for the 400 Wheeler Road property only.

**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.)

The Proponent, 400 Wheeler Road Realty Trust (c/o The Gutierrez Company), proposes to develop two office buildings with a total of approximately 250,000 square feet (SF) of gross floor area on a 14.56-acre property at 400 Wheeler Road in Burlington, Massachusetts. The Project area is located south of I-95/Route 128 and west of Middlesex Turnpike. It is to the southwest of the west extension of Wheeler Road. Figure 1 shows the location. The proposed 400 Wheeler Road development (the "Project") involves construction of the two office buildings, a site access driveway, approximately 877 new surface lot parking spaces, and installation of ancillary utilities, stormwater management facilities, and site landscaping. The proposed site access will be via an extension of the existing site access drive that serves the immediately adjacent 200 Wheeler Road property. The property at 400 Wheeler Road is contiguous to (immediately south of) the 200 Wheeler Road property, where there is an existing 247,000 SF office building previously developed for the Siemens Corporation. The adjacent 200 Wheeler Road property underwent MEPA review in June 1988 (EOEA #7110). After subsequent state/local permitting, the office building on that property was built in two phases during 1991 and 1999. At the time of MEPA review for 200 Wheeler Road, the Town of Burlington owned the 400 Wheeler Road property and there was no anticipated development of office use on the subject land.

The Proponent obtained the 400 Wheeler Road property as part of a "land swap" with the Town of Burlington in August 2002, which provided the Town with other land for senior and affordable residential development and for conservation purposes. The Town of Burlington deeded the 400 Wheeler Road property to an entity controlled by The Gutierrez Company ("Gutierrez"). The land was part of a 3-party land swap between Gutierrez, the Town of Burlington, and GVF, LLC ("GVF") of Burlington, Massachusetts. In exchange for receiving the subject 400 Wheeler Road property, Gutierrez conveyed the following properties to the Town: an 11-acre parcel adjacent to Wall Street in Burlington; four residential lots off Glenn Street in Burlington; two single family homes; and provided a commitment to deed to the Town an additional 6.5 acres for conservation purposes. The Town then conveyed to GVF the 11-acre parcel to permit development of up to 144 multi-family residential units and 36 senior affordable housing units in return for GVF conveying to the Town the approximately 6-acre Grandview Farm Premises located in the center of Burlington, enabling development of up to 48 units of senior affordable housing at that location.

The land swap with the Town of Burlington was intended to and does afford the opportunity to develop new office use on the 400 Wheeler Road land. Considering the changes in ownership of the property and that MEPA review of the 200 Wheeler Road development occurred 17 years ago, the new 400 Wheeler Road offices are being presented as a separate Project from the 200 Wheeler Road development. However, for the

(continued on next page)

**Project Description (continued)**  
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purpose of evaluating cumulative impacts, this ENF considers both the 200 Wheeler Road and 400 Wheeler Road properties. A portion of one of the proposed new office buildings will straddle the boundary with the 200 Wheeler Road property and the site access for the Project will be via an extension of the existing site access drive that serves 200 Wheeler Road. The Project's water, sewer, and drainage systems also will tie into the existing systems serving 200 Wheeler Road. This ENF generally provides descriptive information for the total combined impacts of the two properties, while assessing the net New impacts specifically associated with the proposed 400 Wheeler Road development.

Figure 2 depicts the existing site conditions. The site is bounded on the northwest by land owned by the Massachusetts Highway Department that is associated with the I-95/Route 128 right-of-way; on the west and south by various industrial and office uses; and on the east by a mixture of mostly small business uses that front on Middlesex Turnpike. Further to the north and northeast of the site is a mix of office and retail uses. The site is located on the top of a glacial drumlin rising approximately 90 feet above the Middlesex Turnpike. The site has varying, mostly gentle slopes across the crown and steeper grades about the perimeter. At the present time, the 400 Wheeler Road property is mostly undeveloped and much of the site is thinly wooded with little underbrush. There are a few cleared areas on the property including NSTAR aerial electric transmission lines on the east part of the site. The overall topography slopes generally away from the center of the site on all sides, with the highest elevation (261 NGVD) in the south central part of the property and the lowest elevation (160 feet NGVD) in the extreme easterly part of the site. The center of the property has relatively gentle slopes but moderate to steep slopes occur in the western portion of the site as well as on the extreme southern, northern and eastern edges of the property. There are no wetland resource areas on or in the immediate vicinity of the site, and therefore the Project is not subject to any review under the Massachusetts Wetlands Protection Act nor the local wetland by-law.

The No-Build Alternative would not address the Proponent's development objectives and, as part of the land swap, Town of Burlington officials have anticipated and generally supported development of this property for office use. The Project area is located within the I/G (General Industrial) District as established by the Town of Burlington Zoning By-law, and the proposed office use on the 400 Wheeler Road property is a natural extension of the existing 200 Wheeler Road offices. Other uses such as residential or retail would be incompatible with the existing development pattern on the surrounding properties. The Proponent has considered only the site development program and the general site layout/configuration as proposed herein (the "Preferred Alternative") given the site's zoning designation and associated dimensional and parking standards. Figure 3 illustrates the proposed site conditions. The existing moderate and steep slopes on portions of the site are the primary site planning consideration. The proposed site development plan minimizes land alteration and earthwork along most of the site perimeter. There will, however, be an unavoidable need for minor to moderate cuts and fills throughout the site interior to create a balanced condition, particularly towards the southeast portion of the site because the existing moderately steep slopes in that area extend towards the center of the site. The Project's stormwater management system will include rigorous erosion/sedimentation controls and incorporate best management practices (BMPs) for control of both the quantity and water quality of site runoff.

The *Traffic Impact and Access Study* (TIAS) for the Project is included as Attachment C of this ENF. The traffic evaluation has determined that, in general, the site-generated traffic would not have a significant traffic operations impact on area roadways. The TIAS presents a recommended mitigation concept plan for the Wheeler Road (west)/Middlesex Avenue/I-95 northbound ramps intersection, which will have a slight decrease in traffic operations with or without the Project. In addition, the Proponent will implement an on-site Travel Demand Management (TDM) program to reduce the use of single-occupant vehicles and commuter peak hour travel to/from the site. The Project must obtain an "indirect" Highway Access Permit from MassHighway since the site abuts the right-of-way of I-95/Route 128 and Route 3. The Project is subject to no other state agency permits or approvals and does not exceed any MEPA thresholds for preparation of a mandatory EIR.