

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



**Environmental  
Notification Form**

<i>For Office Use Only</i> <i>Executive Office of Environmental Affairs</i>	
EOEA No.:	14142
MEPA Analyst:	Aisling Eglinton
Phone: 617-626-	X 1024

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: <b>Legacy Farms</b>		
Street: <b>Route 135 (East Main Street)</b>		
Municipality: <b>Hopkinton</b>	Watershed: <b>Concord River Basin</b>	
Universal Transverse Mercator Coordinates: <b>19 293410E 4678856N</b>	Latitude: <b>42° 14' 11"N</b>	Longitude: <b>71° 30' 13"W</b>
Estimated commencement date: <b>01-02-2009</b>	Estimated completion date: <b>12-31-2017</b>	
Approximate cost: <b>\$100+ million</b>	Status of project design:	<b>10 % complete</b>
Proponent: <b>Legacy Farms LLC c/o Boulder Capital, LLC</b>		
Street: <b>21 Center Street</b>		
Municipality: <b>Weston</b>	State: <b>MA</b>	Zip Code: <b>02493</b>
Name of Contact Person From Whom Copies of this ENF May Be Obtained: <b>Darlene Wynne, AICP</b>		
Firm/Agency: <b>Vanasse Hangen Brustlin, Inc.</b>	Street: <b>101 Walnut Street</b>	
Municipality: <b>Watertown</b>	State: <b>MA</b>	Zip Code: <b>02471</b>
Phone: <b>617-924-1770</b>	Fax: <b>617-924-2286</b>	E-mail: <b>dwynne@vhb.com</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 301CMR 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 does not require a land transfer from the Commonwealth and does not propose to seek financial assistance.**

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:** Zoning By-law Amendment, Subdivision Regulations Amendment and Subdivision Approvals; Planning Board Site Plan Review; Conservation Commission Approvals

**FEDERAL:** Environmental Protection Agency (EPA) NPDES General Permit for Storm Water Discharge from Construction Activities; Army Corps of Engineers Section 404 (Possible)

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

- 301 CMR 11.03 (1)(a)(2): Creation of ten or more acres of impervious area
- 301 CMR 11.03 (3)(b) Provided that a Permit is required:
- (1)(d) Alteration of 5,000 or more SF of bordering or isolated vegetated wetlands.
- 301 CMR 11.03 (5)(b)(1): Construction of a New wastewater treatment and/or disposal facility with a Capacity of 100,000 or more gpd.
- 3.01 CMR 11.03 (5)(b)(3)(b): Construction of one or more new sewer mains five or more miles in length.
- 3.01 CMR 11.03 (5)(b)(4)(c)(i): New discharge or expansion in discharge to groundwater of 10,000 or more gpd of sewage within an area, zone or district established, delineated or identified as necessary or appropriate to protect a public drinking water supply, an area established to protect a nitrogen sensitive area embayment, an area within 200 feet of a tributary to a public surface drinking water supply, or an area within 400 feet of a public surface drinking water supply.
- 301 CMR 11.03 (6)(a)(6): Generation of 3,000 or more new ADT on roadways providing access to a single location;
- 301 CMR 11.03 (6)(a)(7): Construction of 1,000 or more new parking spaces at a single location.

- |  |  |  |
|--|--|--|
| <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 <sup>4</sup>      |
| <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 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 checked="" type="checkbox"/> DEP or MWRA Sewer Connection/Extension Permit <sup>11</sup> <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify: <b>DEP Groundwater Discharge Permit</b>
Total site acreage	733			
New acres of land altered		27 <sup>1</sup>		
Acres of impervious area	11	92	103	
Square feet of new bordering vegetated wetlands alteration		8,000 (mostly Limited Project)		
Square feet of new other wetland alteration		1,000		
Acres of new non-water dependent use of tidelands or waterways		0		
<b>STRUCTURES</b>				
Gross square footage	105,000 <sup>2</sup>	2,210,000 <sup>2</sup>	2,236,500 <sup>2</sup>	
Number of housing units	6 <sup>3</sup>	940	946	
Maximum height (in feet)	30	18	48	
<b>TRANSPORTATION</b>				
Vehicle trips per day	3,430	14,529	17,959 <sup>4</sup>	
Parking spaces	120 <sup>5</sup>	3,410	3,530 <sup>5</sup>	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	980,000 <sup>6</sup>	(750,000)	230,000 <sup>6</sup>	
GPD water withdrawal	980,000	(750,000)	230,000 <sup>7</sup>	
GPD wastewater generation/treatment	27,540 <sup>8</sup>	262,460 <sup>8</sup>	290,000 <sup>9</sup>	
Length of water/sewer mains (in miles)	Water: 0.5 Sewer: 0	Water: 11 Sewer: 8	Water: 11.5 <sup>10</sup> Sewer 8 <sup>10</sup>	

**NOTES:**

1. The majority of the existing site is currently altered from horticultural activity.
2. Estimated based on known conditions and the draft master plan. Some existing buildings to be razed.
3. Includes SMOC facility as 1 dwelling unit.
4. No Highway Access permit required.
5. Existing is estimated; Proposed includes ±50% in residential garages.
6. Peak average day seasonally.
7. Actual consumption; includes approx. 60,000 GPD for Weston Nurseries.
8. Includes homes located off project site to be served by future sanitary sewer.
9. Based on Title 5. Actual flows are anticipated to be 50% of design flow.
10. Private sewer and public/private water.
11. If required for private WWTF.

**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 Please refer to Attachment C

**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

As discussed in *Attachment D*, four inventoried above-ground properties are located within the Project Site. None are listed in the National Register of Historic Places.

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.*)

Legacy Farms LLC (the "Proponent") proposes to develop a mixed-use village center, commercial district, and residential neighborhoods to be known as Legacy Farms (the "Project") on land previously owned by Weston Nurseries in Hopkinton, Massachusetts. This Project will result in approximately 500 acres of preserved and/or restored open space; 940 new dwelling units; a Village Center providing a dynamic activity cluster with retail uses, a restaurant, professional offices and a rejuvenated and consolidated Weston Nurseries (including the continued propagation of plants); two other commercial and professional office areas; a new north-south roadway; and a trail system linking public open spaces. The residential portion of the Project consists of a variety of single family and multi-family dwellings including 240 apartments for rent which will be permitted under the Local Initiative Program. As such 25% (60 units) of the 240 LIP dwellings will be set aside as affordable pursuant to M.G.L. c. 40B. This 240 unit LIP property will help the Town meet its need for increased diversity of housing types, provide for additional affordable housing, and allows all of the units to count toward the Subsidized Housing Inventory (SHI). The non-residential building program consists of up to 124,000 SF of retail and commercial uses in the Village Center; 200,000 SF of office and life sciences uses at Legacy Park; and 126,000 SF of office, retail and restaurant at the East Main Street Commercial Area. The Project will be constructed on a limited portion of the 733-acre former Weston Nurseries site which is bisected by Route 135 and wholly located within the Town of Hopkinton (the "Project Site"). The land north of Route 135 consists of approximately 432 acres and is roughly bounded by Howe Street and the Ashland town boundary to the north, Frankland Road and undeveloped land to the east and Wilson Street to the west. The land south of Route 135 is approximately 301 acres in size and is located primarily to the west of Clinton Street. Entry to the north parcel is accessed via a realigned intersection with Route 135 and Wilson Street. The south parcel is accessed via Route 135 and along Clinton Street.

The Project Site currently contains the operations for Weston Nurseries, including active horticultural use and greenhouses and associated retail and office buildings. Five single-family dwelling units and one group home are located within the Project Site for a total of six dwelling units. The majority of the

property has been actively utilized by Weston Nurseries for more than six decades. These areas consist of maintained plots that are used to grow stock, and flat pads that are occupied by greenhouses, gravel pits, and compost mixing areas. The plots and pads are encircled by a network of gravel and paved roads. Unaltered upland areas on the site consist of second growth forest. The vast majority of the Project is proposed within the previously altered areas. An important component of the Project includes restoration of land to provide more attractive and useable open space.

The Proponent has considered several development alternatives. Alternative 1 contains 527 dwelling units, including an approximately 327-unit as-of-right single-family residential subdivision and a 200-unit 40B development, encompassing approximately 529± acres. A higher density and greater impact maximized plan alternative, Alternative 2 consists of 1,360 dwelling units and 500,000 SF of retail/commercial space. Instead, the Legacy Farms project will build upon the general vision plan for the Project Site recommended in the East Hopkinton Master Plan.

The Project development components are designed to be clustered on the site in locations that maximize the open space for public use and scenic views. The Project is designed as a vibrant mixed-use community with significant visual and physical connections to the natural landscape and surrounding neighborhoods. The Project will also provide the Town and region with much needed housing opportunities, roadway improvements, infrastructure improvements, and fiscal benefits. The No-Build Alternative was considered non-viable as it would eliminate the Project's environmental and community benefits, including revegetation of the land and infrastructure improvements.

Potential environmental impacts associated with the Project and subject to review by MEPA include stormwater runoff, work adjacent to wetland buffers, and the construction of a new wastewater collection and treatment system. The Project requires a Groundwater Discharge Permit from the Department of Environmental Protection (DEP). The Project also requires an Order of Conditions from the Hopkinton Conservation Commission. Mitigation elements and/or improvements for each impact area are proposed in order to minimize potential adverse environmental impacts.

The Project includes the construction of a new private on-site wastewater treatment facility (WWTF) to be located at the southern end of the site that will be treated to tertiary water quality standards and discharged to the ground to replenish local groundwater resources and keep water within the local aquifer. The new WWTF will be sized to accommodate up to 58 existing homes located in the project area that currently rely on aged individual septic systems and have been identified as a "needs" area within the Hopkinton Comprehensive Wastewater Management Plan. The Project is designed to minimize potential impacts to wetland resource areas by developing within previously developed and/or altered areas and providing a compact site design with multi-story mixed-use buildings and clustering of residential buildings. Temporary construction impacts to wetlands will be minimized through the implementation of a comprehensive Erosion and Sedimentation Control Program which will incorporate Best Management Practices (BMPs) and inspection and reporting requirements that will be developed to exceed guidelines developed by DEP and the U.S. Environmental Protection Agency (EPA) and comply with the requirements of the NPDES General Permit for Storm Water Discharges from Construction Activities. Furthermore, this program will incorporate Low Impact Development (LID) techniques to the maximum extent feasible.

In addition to careful site design to minimize impacts to the environment, several on and off-site mitigation measures will be implemented to assist the Town of Hopkinton and the surrounding communities, including but not limited to the development of a new water supply well at Alprilla Farm; a new roadway running north-south through the project site to provide an alternative connection between Route 135 and Route 85 and alleviating the need to travel through Hopkinton center; enhanced access to the regional commuter rail station through the new roadway and the provision of shuttle services; new stormwater management facilities to reduce runoff from existing project site impervious surfaces and minimize impacts to nearby wetland resource areas; significant reduction in the use of fertilizer and nitrates due to the reduction in cultivated land; construction of a new private on-site wastewater treatment facility and discharge treated water to the ground and replenish local groundwater resources.