Commonwealth of Massachusetts
Executive Office of Environmental Affairs ■ MEPA Office

ENF Environmental Notification Form

For Office Use Only *Executive Office of Environmental Affairs*
EOEA No.: 13883 R
MEPA Analyst: Holly Johnson
Phone: 617-626- X 1023

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: **Little Pond Landing**		
Street: **Spring Bars Road**		
Municipality: **Falmouth**	Watershed: **Cape Cod**	
Universal Tranverse Mercator Coordinates: **N 4601840 E 367047**	Latitude: **41° 33' 28"N** Longitude: **-70° 35' 40"W**	
Estimated commencement date: **2010**	Estimated completion date: **2013**	
Approximate cost: **$35 Million**	Status of project design: **100** %complete	
Proponent: **Little Pond Landing, LLC**		
Street: **25 Railroad Square**		
Municipality: **Haverhill**	State: **MA**	Zip Code: **01832**
Name of Contact Person From Whom Copies of this ENF May Be Obtained: **Michael McGrath**		
Firm/Agency: **Holmes and McGrath, Inc.**	Street: **362 Gifford Street**	
Municipality: **Falmouth**	State: **MA**	Zip Code: **02540**
Phone: **508-548-3564** Fax: **508-548-9672**	E-mail: **mcgrath@holmesandmcgrath.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. **13883**) ☐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): **None**

Are you requesting coordinated review with any other federal, state, regional, or local agency?
☐Yes(Specify_____) ☒No

List Local or Federal Permits and Approvals: **Comprehensive Permit Approval (106-05) from Falmouth Zoning Board of Appeals, Order of Conditions (DEP File #25-3150) from Falmouth Conservation Commission, DEP Superseding Order of Conditions (Pending), DEP Groundwater Discharge Permit (Pending), EPA National Pollutant Discharge Elimination System (NPDES) Permit (Not Filed).**

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

- ☐ Land
- ☐ Water
- ☐ Energy
- ☐ ACEC
- ☐ Rare Species
- ☒ Wastewater
- ☐ Air
- ☐ Regulations
- ☒ Wetlands, Waterways, & Tidelands
- ☐ Transportation
- ☐ Solid & Hazardous Waste
- ☐ Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	Existing	Change	Total
LAND			
Total site acreage	21.2+/- Ac.		
New acres of land altered		11	
Acres of impervious area	0.7	4.6	4.6
Square feet of new bordering vegetated wetlands alteration		None	
Square feet of new other wetland alteration		278,000 – Land Subject to Coastal Storm Flowage	
Acres of new non-water dependent use of tidelands or waterways		None	
STRUCTURES			
Gross square footage	7,190 +/-	72,567 +/-	72,567 +/-
Number of housing units	N/A	168	168
Maximum height (in feet)	25	41	41
TRANSPORTATION			
Vehicle trips per day	N/A	1,000	1,000
Parking spaces	N/A	299	299
WATER/WASTEWATER			
Gallons/day (GPD) of water use	No existin onsite use	39,710 +/- onsite	47,710 +/- design capacity
GPD water withdrawal	None	None	None
GPD wastewater generation/ treatment	7,500+/- existing offsite generation	39,710 +/- proposed onsite generation	47,710 +/- design treatment of onsite & offsite sources
Length of water/sewer mains (in miles)	None	0.5 water	0.5 water

State Permits & Approvals

- ☒ Order of Conditions
- ☒ Superseding Order of Conditions
- ☐ Chapter 91 License
- ☐ 401 Water Quality Certification
- ☐ MHD or MDC Access Permit
- ☐ Water Management Act Permit
- ☐ New Source Approval
- ☐ DEP or MWRA Sewer Connection/ Extension Permit
- ☒ Other Permits (*including Legislative Approvals*) – Specify:

BRP WP06 – Major Groundwater Discharge Permit - pending

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 **Vernal Pool (Not Certified), Atlantic White Cedar Swamp**) ☐No

As delineated by Falmouth Conservation Commission (Order of Resource Area Delineation (SE#25-2972))

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

Archaeological Sensitivity Assessment prepared by Public Archaeology Laboratory, December 4, 2006 and Letter from Massachusetts Historical Commission, December 12, 2006.

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:

The proposed project is the construction and maintenance of a 168-unit, residential condominium development (Development) pursuant to M.G.L. c. 40B. The housing project includes the construction, installation and maintenance of 5 two-story buildings, on-site RUCK CFT Denitrifying sewage disposal system, roadways, driveways, drainage, utilities, and all excavation, grading and landscaping associated with such construction.

The existing 21.2-acre site off Spring Bars Road in Falmouth was once used as a concrete production facility (Figures 1 and 2). The past gravel pit operations have mined the property for sand and gravel, which has altered the topography of the parcel. In general, the natural elevations of the site have been artificially lowered, leaving much of the property within the 100-year Coastal floodplain. The wetland resources areas and their boundaries have been confirmed through an Order of Resource Area Delineation (ORAD) and accepted under the Order of Conditions issued by the Falmouth Conservation Commission. The wetland resource areas found on or within 100 feet of the property include Little Pond, an inland bank, a bordering vegetated wetland, riverfront area, vernal pool, isolated land subject to flooding, coastal banks, and land subject to coastal storm flowage.

On-Site Alternatives:

The local Zoning Bylaws for the Light Industrial A (LIA) Zoning District within which the property is located, allow many uses within this zoning district including retail sales, offices, hospitals, manufacturing and fabricating, hotels, multifamily dwellings, and the place of businesses for tradesmen. The minimum allowable lot size is 40,000 square feet. The parcel could easily be subdivided and multiple uses be proposed. This area of Falmouth is currently developed with various commercial and business establishments and neighboring residential developments. As such, the proposed residential Development is situated across the street from the Falmouth Mall and near other business and retail amenities, which will provide and promote a pedestrian and public-transit oriented lifestyle.

Mitigation Measures:

The proposed residential Development has been designed to minimize impacts on the environment. The site contains 3.06 acres of wetlands and the proposed development will maintain an additional 5.33 acres of undisturbed or restored buffer around the wetland resource areas. No direct wetland disturbance is proposed. There is no additional clearing, construction or new development within 50-feet of the bordering vegetated wetlands (BVW) or within 100-feet of the vernal pool habitat boundary. Over 50,000 square feet of buffer plantings within 100 feet of vernal pool and bordering vegetated wetlands are proposed. The proponent will remove and dispose of all existing debris inside these buffers and will replant selected disturbed areas when the existing debris is removed.

The proposed Site Development will involve filling the ground at all driveways, buildings, and immediate surrounding areas above the 100-year base flood elevation for Coastal Flooding as shown on the latest Flood Insurance Rate Map. All buildings will be built above the flood plain base elevation. Some portions of the exterior parking areas are located within areas designated as lying in a flood hazard area. All proposed parking areas on site will be elevated by fill to be above the flood plain. The filling and re-grading necessary for the construction of the building and parking areas in question will restore the mined land and place these areas above the elevation of the flood plain without displacing flood waters as such waters are not naturally stored in this area. The naturally occurring areas for flood storage are preserved on the site in the wetlands and in the buffers around the interior wetlands. The existing grades on the property are significantly lower than the grades on adjacent properties. The proposed grade changes will not re-direct any floodwaters or increase flooding to adjacent areas. All fill and construction activities remain more than 100 feet from the vernal pool and more than 50 feet from the BVW .

The Storm Water Management Plan for the Development, accepted under the Comprehensive Permit Approval and Order of Conditions, includes Stormwater Best Management Practices (BMPs) in accordance with the DEP Stormwater Policy. The drainage system consists of seven (7) independent leaching systems located predominately beneath paved parking areas. Stormwater runoff for the site is collected by catch basins that are equipped with four (4) foot sumps, gas traps and absorbent pillows. Runoff is then conveyed to Stormceptor™ units. These units will help remove additional grit and 80% of the total suspended solids. The treated runoff will then flow into a leaching system consisting of a perforated pipe network surrounded by crushed stone or through pre-cast concrete flowdiffusors™ surrounded by two feet of crushed stone. The drainage soil absorption system has been designed to manage the runoff volume equal to a twenty-five-year/one-hour storm event. The volume entering the leaching field will percolate into the ground. The BMPs will provide effective pollutant removal and will control downstream discharges to prevent flooding and erosion impacts.

The Development will be served by an on-site RUCK CFT wastewater treatment system. The RUCK CFT system will be subject to a Ground Water Discharge Permit and must be approved by the Department of Environmental Protection. The RUCK CFT System has been designed to accommodate a leaching capacity of 47,710 GPD and discharge a final effluent with a Total Nitrogen Concentration of 5 milligrams per liter. This discharge is below the Town standard in accordance with Section 240-100 A(3) of the Falmouth Zoning Bylaw for on site treatment systems in a Coastal Pond Overlay District, which establishes a discharge limit of 12 milligrams per liter. The RUCK CFT system is almost entirely underground.

The development is sited on the banks of Little Pond, a saltwater estuary, which drains into Vineyard Sound. The Massachusetts Estuary Project report from January 2006 identified this estuary as highly stressed and recommended no NET increase in nitrogen. The development will provide mitigation to achieve a no NET increase in nitrogen from the project onto Little Pond. To mitigate the nitrogen impacts and to evaluate the performance of the RUCK CFT system, the project will be developed in 2 phases. To achieve a no NET increase in nitrogen to Little Pond, the existing wastewater generated on the neighboring Falmouth Trade Center property will be treated as part of the Groundwater Discharge Permit. All existing soil absorption systems at the Falmouth Trade Center will be abandoned. The untreated wastewater from the Falmouth Trade Center will collected onsite, pass through a RUCK filter, collected and then treated through the Development RUCK CFT treatment system. The flow from the Falmouth Trade Center will be metered. A Groundwater Discharge Permit from DEP for the proposed project is pending.

The Development will be served by the town water system and by underground gas, telephone, electric, and cable television utilities. As part of the proposed Development, the proponent will extend approximately 1,500 linear feet of the Town water main along Spring Bars Road. This is a significant public benefit.

The property has approximately 870 feet of frontage along Spring Bars Road. The Traffic Impact and Access Study indicated the proposed 168-unit residential condominium development will generate an average of 1,000 vehicle-trips per day and will be split evenly between the vehicle trips entering and exiting the project site throughout a 24-hour day. The Level of Service Analysis conducted at the Spring Bars Road/Worcester Court intersection indicates that the proposed Development will not change the existing or projected 2010 Build traffic operating conditions. The Study concluded that the Development will not have a significant affect on the existing or future traffic conditions along Spring Bars Road and at the Spring Bars Road/Worcester Court intersection To mitigate the additional traffic generated, site improvements will be implemented and include the clearing of vegetation from either side of the entrance to maintain a 300-foot site distance, the installation of sidewalks along the property fronting Spring Bars Road, the installation of a bus kiosk and several stop signs. The proponent will establish an account in the amount of $25,000.00 to be used by the Town of Falmouth Engineer to design and implement any future traffic mitigation measures for the streets surrounding the Development.