

MEPA Analyst: *Holly Johnson*

Phone: 617-626-*1023*

NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Cavossa Park		EOEA #:13840	
Street: Wareham Street			
Municipality: Middleborough		Watershed: Buzzards Bay/Taunton	
Universal Transverse Mercator Coordinates:		Latitude: 41°-50'-07"	
		Longitude: 70°-50'-25"	
Status of project construction: 0 %complete			
Proponent: Cavossa Commercial Park LLC			
Street: 210 Nathan Ellis Highway			
Municipality: East Falmouth		State: MA	Zip Code: 02536
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Evan Watson			
Firm/Agency: Prime Engineering, Inc.		Street: P.O. Box 1088, 350 Bedford Street	
Municipality: Lakeville		State: MA	Zip Code: 02347
Phone: 508-947-0050	Fax: 508-947-2004	E-mail:	

In 25 words or less, what is the project change? The project change involves significant reductions in the proposed office and industrial space. In turn reducing proposed impervious area, disturbed area, vehicle trips, and parking spaces. See full project change description attached.

Date of ENF filing or publication in the Environmental Monitor: 7/25/06

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date:) No
 was a Single EIR filed? Yes (Date:) No

Have other NPCs been filed? Yes (Date(s):) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

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PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed:

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))
 Yes No; if yes, attach justification. (Project is being reduced in size.)

Are you requesting that a Scope in a previously issued Certificate be rescinded?
 Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	77	0	77
Acres of land altered	27	-17.5	9.5
Acres of impervious area	21	-17.0	4.0
Square feet of bordering vegetated wetlands alteration	3,770	0	3,770
Square feet of other wetland alteration	0	0	0
Acres of non-water dependent use of tidelands or waterways	0	0	0
STRUCTURES			
Gross square footage	465,000	-445,000	20,000
Number of housing units	0	0	0
Maximum height (in feet)	42	0	42
TRANSPORTATION			
Vehicle trips per day	3,236	-3,036	200
Parking spaces	1,095	-995	100
WATER/WASTEWATER			
Gallons/day (GPD) of water use	18,500	-16,500	2,000
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	18,500	-16,500	2,000
Length of water/sewer mains (in miles)	0.41	-0.10	0.31

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No
2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No
3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No
4. impact on 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 No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No
5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

PROJECT CHANGE DESCRIPTION

Project Description as Reviewed

As submitted on the Expanded Environmental Notification Form (EENF), the project consisted of the construction of a twelve lot industrial/commercial business park containing approximately 465,000 square feet (sf). The project included 1,095 parking spaces and was anticipated to generate approximately 3,236 new vehicle trips per day at full occupancy. The 77-acre site is presently undeveloped and forested. The reviewed development plan presented in the EENF considered a maximum build-out scenario allowed under Middleborough zoning, through the Form C Subdivision process.

After reviewing the EENF, on July 25, 2006 you had determined that the project is subject to a mandatory EIR pursuant to Sections 11.03(1)(a)(2), 11.03(6)(a)(6), and 11.03(6)(a)(7) of the MEPA regulations, because it creates ten or more acres of impervious area, generates 3,000 or more new vehicle trips per day, and proposes construction of more than 1,000 parking spaces at a single location.

The project, as reviewed, will need to obtain a State Highway Access Permit for Route 28 from the Massachusetts Highway Department (MHD). It must comply with the U.S. Environmental Protection Agency's (U.S. EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges. The project will require an Order of Conditions from the Middleborough Conservation Commission as a limited project for impacts to wetland resource areas.

The proposed project, as reviewed, will be connected to Town water supply in lieu of on-site water supply wells. Each lot will have its own Title V wastewater system. The proponent has estimated that the project will consume about 18,500 gallons per day (gpd) of potable water. The project, as reviewed, will generate approximately 18,500 gpd of new wastewater flow.

Description of Material Changes

In general, the project has been revised to include many material changes from what was most recently reviewed. The revised development plan no longer considers a maximum build-out scenario allowed under Middleborough zoning. The project has been retracted from the Form C Subdivision process. The revised development plan shows a maximum of 3 lots which may be created through the Form A process. The revised project plans to develop one of these lots. This development will be referred to as the "Cavossa Industrial Facility." Please find in the following paragraphs the specific material changes, in respect to MEPA regulations.

The project, as revised, will need to obtain a State Highway Access Permit for Route 28 from the Massachusetts Highway Department (MHD). The drainage system has been fully designed and is shown on the revised development plan. The drainage system will not tie into the existing MHW drainage system. All discharges will occur on-site. It is proposed to relocate one catch basin within the MHW drainage system to facilitate the location of the access drive.

It will comply with the U.S. Environmental Protection Agency's (U.S. EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges by filing a NPDES Notice of Intent.

The project, as revised, will require an Order of Conditions from the Middleborough Conservation Commission as a limited project for impacts to wetland resource areas. As shown on the revised development plan, the impact to wetland resource areas remains the same as most recently reviewed. The revised development plan has been submitted to the Commission. The plan details the type of retaining wall to be used, takes into account all impacts from grading and wall placement, and includes a detailed wetland replication plan which conforms with DEP's *Inland Wetland Replication Guidelines*. The plan is currently under review and the issuance of an Order of Conditions is expected shortly.

The proposed project, as revised, will be connected to Town water supply. The proposed facility will have its own Title V wastewater system. It is estimated that the project will consume less than 2,000 gallons per day (gpd) of potable water. The project, as reviewed, will generate less than 2,000 gpd of new wastewater flow.

The proposed project, as revised, will alter approximately 9.5 acres of land and create 4 acres of impervious area (including gravel surfaces) on the approximately 77 acre project site. The revised development plan identifies existing and proposed grades for the site and stormwater management facilities. Land alteration was calculated using the detailed revised development plan.

The proposed project, as revised, will generate approximately 200 new trip ends per day. This estimation is based upon the average rate of trip generation per 1,000 s.f. of building area for an industrial park.

The proposed project, as revised, will contain no more than 100 parking spaces for passenger vehicles and trucks.

Significance of the Proposed Changes

In determining whether a change in the project might significantly increase environmental consequences, the Secretary shall consider the factors outlined in 301 CMR 11.10(6):

- (a) Expansion of the project: The project has been drastically reduced in scope and no longer meets or exceeds any MEPA thresholds.

- (b) Generation of further impacts: The project, as revised, has reduced all impacts to be below all MEPA thresholds.
- (c) Change in expected date: It is estimated to begin construction of the project when all permits have been obtained, estimated Summer, 2008.
- (d) Change in project site: The project site has not changed.
- (e) New application for a Permit or request for Financial Assistance: No new state permit or request for financial assistance is being sought.
- (f) Delay of realization of environmental benefits: No such benefits are proposed.
- (g) Projects involving a lapse of time: Not applicable.

Measures to Avoid Damage to the Environment

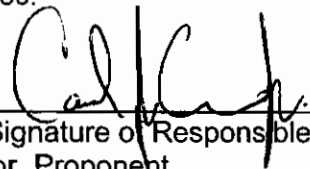
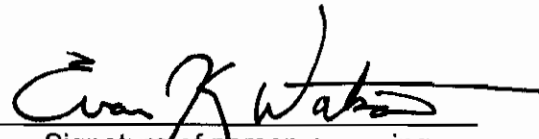
As described in the above text, the project has been revised to avoid damage to the environment by reducing the scope of the project and no MEPA thresholds are met or exceeded.

ATTACHMENTS & SIGNATURES

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Signatures:

2/14/08		Date		Date
	Signature of Responsible Officer or Proponent		Signature of person preparing NPC (if different from above)	

<u>Carl Cavossa, Manager</u>	<u>Evan Watson</u>
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Name (print or type)	Name (print or type)
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<u>Cavossa Commercial Park, LLC</u>	<u>Prime Engineering, Inc.</u>
Firm/Agency	Firm/Agency

<u>210 Nathan Ellis Highway</u>	<u>P.O. Box 1088</u>
Street	Street

<u>East Falmouth, MA 02536</u>	<u>Lakeville, MA 02347</u>
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<u>Municipality/State/Zip</u>	<u>Municipality/State/Zip</u>
<u>508-563-5530</u>	<u>508-947-0050</u>

Phone	Phone
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