

MEPA Analyst: *Anne Canaday*
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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: True North Commerce Center		EOEA #: 14002	
Street: Enterprise Way (off Rabbit Road)			
Municipality: Salisbury		Watershed: Merrimack River	
Universal Transverse Mercator Coordinates: Zone 19: 344807 E, 4745655 N		Latitude: N 42-50-52 Longitude: W 70-56-58	
Status of project construction:		0.0 %complete	
Proponent: True North, LLC.			
Street: 83 River Road			
Municipality: West Newbury		State: MA	Zip Code: 01985
Name of Contact Person From Whom Copies of this NPC May Be Obtained: James M. Dolansky			
Firm/Agency: Seekamp Environmental Consulting, Inc.		Street: 129 Route 125	
Municipality: Kingston		State: NH	Zip Code: 03848
Phone: 603-642-8300	Fax: 603-642-8500	E-mail: dolanskyj.sec@comcast.net	

In 25 words or less, what is the project change? The project change involves the addition of a 2.68 acre parcel, "Parcel B," to the project site which results in a reduced / preferred maximum buildout. The addition of land does not meet or exceed any new MEPA review thresholds and it does not require any new state permits, other than those which were anticipated in the previously submitted Expanded ENF. See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: **Volume 67, Issue11: 4-11-2007**

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date: 2-29-2008, concurrent with ensuing NPC) 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: The project change, as stated on previous page, does not require any new or modified state permits, other than those identified in ENF.

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

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	51 ac. +/-	+ 2.68 ac.	54 ac. +/-
Acres of land altered	29 ac. +/-	+ 2.5 ac.	31.5 ac. +/-
Acres of impervious area	22 ac. +/-	- 3.5 ac.	18.5 ac. +/-
Square feet of bordering vegetated wetlands alteration	1,730 s.f. +/-	- 1,730 s.f. +/-	0.0 s.f.
Square feet of other wetland alteration	26,580 s.f.	- 5,280 s.f. +/-	21,300 s.f. +/-
Acres of non-water dependent use of tidelands or waterways	0.0 ac.	0.0 ac.	0.0 ac.
STRUCTURES			
Gross square footage	600,000 s.f. +/-	-100,000 s.f.	500,000 s.f. +/-
Number of units (i.e., buildings)	6 - 20 units	-1 unit	5 - 20 units
Maximum height (in feet)	35 ft. +/-	0 ft.	35 ft. +/-
TRANSPORTATION			
Vehicle trips per day	4,176 tpd	- 696 tpd	3,480 tpd
Parking spaces	266 ps	+ 68 ps	334 ps
WATER/WASTEWATER			
Gallons/day (GPD) of water use	30,000 gpd	- 6,350 gpd	23,650 gpd
GPD water withdrawal	0 gpd	0 gpd	0 gpd
GPD wastewater generation/ treatment	30,000 gpd	-8,500 gpd	21,500 gpd
Length of water/sewer mains (in miles)	0.5 mi. +/-	0 mi.	0.5 mi. +/-

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).

- A) An Expanded ENF (EENF) and Request for Phase I Waiver was reviewed by MEPA and associated stated agencies during late Spring / early Summer 2007. The EENF proposed to construct approximately 600,000 s.f. of industrial park space (i.e., light manufacturing, product distribution, and office space) within a 51 ac. +/- parcel of land. The Phase I Waiver Request proposed to construct a 18,000 s.f. distribution building; construction of one-half the total roadway length; installation of one-half the total water and sewer main lengths; as well as installation of sewer pump station; construction and implementation of associated LID stormwater management BMPs within approximately 5 acres of the entire project site. The Secretary issued a Certificate on the EENF on May 18, 2007 and determined that the project requires the preparation of an Environmental Impact Report (EIR). The Secretary also issued a Final Record of Decision (FROD) on the Phase I Waiver Request on June 8, 2007 which allowed the Proponent to proceed to state permitting prior to completion of the aforementioned EIR in order to commence Phase I activities. A mandatory EIR is required because it involves the creation of 10 or more acres of impervious area and will generate 3,000 or more new automobile average daily trips.
- B) An abutting parcel of land, "Parcel B," which encompasses an area of approximately 2.68 ac. of previously developed land (i.e., parking lot) is now included in the entire project scope, which results in a total site area of approximately 54 acres +/- . The recently added parcel has been historically used as an overflow paved parking lot by an adjacent manufacturing operation; and therefore, the addition of this land does not result in any net increase to impervious surfaces. The new parcel of land does not contain any jurisdictional wetland resource areas. Project Proponents have elected to reduce the maximum build-out, from approximately 600,000 s.f. to 500,000 s.f., of industrial space, despite the inclusion of Parcel B. It is also important to point out that the inclusion of Parcel B will avoid alteration to BVW and also result in fewer alterations to IVW.
- C) It is the opinion of project proponents that the aforementioned project change will not significantly increase environmental consequences for the following reasons:
 - 1) The Change will not expand previously reviewed maximum build-out estimates by greater than 10%, nor does it meet or exceed any MEPA review thresholds. The new maximum buildout design (500,000 s.f.) reduces industrial space by approximately 17%.
 - 2) The Change will not generate impacts by greater than 25% of any previously reviewed MEPA threshold, nor will cumulative impacts result in meeting or exceeding any MEPA review thresholds that which were not previously met or exceeded. Impacts from new maximum buildout design are equal to or less than EENF estimates, with the exception of acres of land altered and new parking spaces.
 - 3) The Change does not substantially affect the overall commencement of the project, commencement of construction, completion date for the project, or schedule of work on the project.
 - 4) The Change is limited to the addition of previously developed 2.68 acres +/- to the original 51 acre project site.
 - 5) The Change does not result in the application for a new state permit that was not previously identified.
- D) The project will implement the following measures to minimize and / or mitigate unavoidable environmental impacts:
 - 1) Implementation of LID stormwater management BMPs (i.e., constructed wetlands, rain gardens, vegetated swales)
 - 2) On-site wetland establishment at a minimum mitigation ratio of 1.5 : 1 (mitigation : impact)
 - 3) Preservation and / or creation of vegetated buffers between existing abutting houses and new industrial park space
 - 4) Construction of *RailTrail* to allow future park employees to commute to work via non-vehicular means of transportation
 - 5) Roadway widening and creation of access-egress lanes, and implementation of a Transportation Demand Management (TDM) program.
 - 6) Installation and maintenance of temporary erosion control measures, temporary check dams, temporary settling basins, and a stone entrance/exit pad during construction to prevent Damage to the Environment during development of the site.