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June 25, 2021

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : The Willows at Boxford  
PROJECT MUNICIPALITY : Boxford  
PROJECT WATERSHED : Parker  
EEA NUMBER : 16380  
PROJECT PROPONENT : Toll Bros., Inc.  
DATE NOTICED IN MONITOR : May 26, 2021

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project proposes the construction of an elderly residential community consisting of 33 duplex, townhouse-style residential buildings (66 residences); a club house with swimming pool, patio, pergola, and walking paths; a stormwater management system; landscaping; and associated infrastructure. A Community Public Water System is proposed to supply water for the project, consisting of two (2) wells in the southeastern portion of the site, a treatment system, 10,000-gallon underground storage tank, booster pumps, and an associated access drive. An additional five (5) wells are proposed to be installed in the northeastern portion of the site to provide irrigation. Wastewater generated by the project will be treated through a private septic system proposed in the northeast portion of the site, consisting of a sewer collection system, pump station, a 20,000-gallon pre-treatment septic tank, a secondary 10,000-gallon pre-treatment tank, and leaching field.

The site will be accessed by a private main entrance and gated emergency access drive connecting to Willow Road. Two internal roadways are proposed to provide access throughout the community; one will terminate in a cul-de-sac in the northeast portion of the project site while the other will terminate at the gated emergency access drive. An existing wetland/intermittent stream crossing consisting of a 12-inch corrugated plastic pipe will be replaced with a 10-foot wide box culvert to accommodate the proposed roadway and provide utility access. A 27-space surface parking lot associated with the clubhouse will be provided, in addition to 10 visitor spaces, 6 spaces within a public access open space parking lot, and two-car garages and driveways associated with the duplexes (an additional 264 spaces). In addition to the 25.9 acres proposed to be redeveloped, a 2-acre parcel will be set aside for future development and a separate 0.9-acre parcel will be reserved for potential use as a soil absorption reserve. There are no immediate plans for development of either parcel; however, potential impacts associated with the future alteration/clearing of these parcels are reflected in the environmental impacts described below. Approximately 90.8 acres will be placed under a Conservation Restriction (CR) for rare species habitat protection and passive recreation.

### Project Site

The 117.62-acre project site located north of Willow Road and south of Parker River in the Town of Boxford (Town) consists of approximately 91.9 acres of forested, undeveloped land and approximately 25.7 acres of developed land, which includes historic and existing agricultural uses, a soil screening and distribution operation, and a dirt-bike terrain park. Approximately 0.2 acres of undeveloped land and the entirety of the previously developed area (totaling 25.9 acres) will be used for the construction of the housing development; an additional 2.9 acres will be reserved for future use, as described above. Approximately 2 acres of passive land within the redeveloped area (the septic leaching field) and the remaining land within the project site are proposed to be preserved under a CR (totaling 90.8 acres) as mitigation for rare species impacts. Surrounding land use to the east, south, and west of the project are characterized as residential. Land use north of the project site consists of 140 acres of preserved land. A majority of the project site is classified as Farmland of Statewide Importance by the U.S. Department of Agriculture (USDA). The entirety of the project is classified as Zone II Wellhead Protection Area, as designated by the Massachusetts Department of Environmental Protection (MassDEP). Portions of the project site are mapped as Flood Zone AE (an area inundated during a 100-year storm), with a Base Flood Elevation (BFE) of elevation (el.) 88 and 89 ft NAVD88 as delineated on Federal Emergency Management Agency (FEMA) map 25009C0233F (effective date July 3, 2012).

Wetland resource areas present within the project area include Bordering Vegetated Wetland (BVW), Bank, Riverfront Area, and Land Under Water (LUW), much of which is associated with Parker River. The entire project site is mapped as *Estimated and Priority Habitat of Rare Species* as delineated by the Natural Heritage and Endangered Species Program (NHESP) in the 14th Edition of the Massachusetts Natural Heritage Atlas. Several Certified Vernal Pools, which are classified as Outstanding Resource Waters (ORW), are also present on-site. The project site is not located in an Area of Critical Environmental Concern (ACEC) and does not contain any structures listed in the State Register of Historic Places or the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth.

### Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include the direct alteration of 28.8 acres of land, all of which is designated as Priority and/or Estimated Habitat; the development of 10.5 acres of Farmland of Statewide Importance, of which 5.8 acres is currently in active agricultural use as hay fields, a blueberry patch, and Christmas tree farm; the creation of 8.6 acres of impervious surface; and the alteration of 689 square feet (sf) of BVW and 92,661 sf of Riverfront Area. The project will generate approximately 9,900 gallons per day (gpd) of water and wastewater; construct 0.11 miles of water main; generate 390 average daily trips (adt); and create 307 parking spaces.<sup>1</sup>

Measures to avoid, minimize, and mitigate environmental impacts include the placement of 90.8 acres of Priority and Estimated Habitat under a CR; establishment of Habitat Management Areas (HMAs); creation of a wetland replication area; restoration of temporarily disturbed areas to pre-construction conditions; construction of a stormwater management system, including three infiltration basins; implementation of time-of-year (TOY) restrictions on stormwater operations and maintenance to protect state-listed species; and the use of erosion and sedimentation controls during project construction.

### Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03 (1)(b)(1), 11.03(1)(b)(2), 11.03(1)(b)(4), and 11.03(2)(b)(2), and 11.03(3)(b)(f), because it requires a State Agency Action and will result in the alteration of 25 or more acres of land; creation of five or more acres of impervious area; conversion of land in active agricultural use to nonagricultural use; the alteration of greater than two acres of designated priority habitat, as defined in 321 CMR 10.02, that results in a Take of a state-listed species; and the alteration of one half or more acres of any other wetlands (Riverfront Area), respectively. The project requires a Conservation and Management Permit (CMP) from NHESP, and a Water Supply New Source Approval from MassDEP.

The project will require an Order of Conditions from the Boxford Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions from MassDEP); an Earth Removal and Filling Permit and an Irrigation Well Permit from the Boxford Board of Health; and a Special Permit from the Boxford Zoning Board of Appeals. The project also requires a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) from the United States Environmental Protection Agency (EPA).

The project is not receiving Financial Assistance from the Commonwealth. Therefore, MEPA jurisdiction for any future reviews would be limited to those aspects of the project that are within the subject matter of any required or potentially required Agency Actions and that may cause Damage to the Environment, as defined in the MEPA regulations.

### Review of the ENF

The ENF provided a description of existing and proposed conditions, preliminary project plans, local permitting documents, correspondence with MassDEP and NHESP, a Traffic Impact Study (TIS),

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<sup>1</sup> Of the proposed 307 parking spaces, 264 will be provided in two-car garages/driveways.

Draft Conservation Restriction Plan, and identified measures to avoid, minimize and mitigate environmental impacts. To assist in MEPA review, the Proponent also provided details regarding sustainable design measures on June 14, 2021; as well as information regarding well testing and water conservation measures on June 16, 2021.

Comments from State Agencies do not identify any significant impacts that were not reviewed in the ENF, note deficiencies in the alternatives analysis, or identify additional alternatives for further review. Comments from the Parker River Clean Water Association (PRCWA) note concerns with the projects impacts to the Parker River watershed, private wells, and the Town of Georgetown's public well supply.

### *Alternatives Analysis*

The ENF considered a No-Build Alternative, Combined Single Family/Elderly Housing District Alternative, and the Preferred Alternative. The No-Build Alternative would leave the project site in its present condition and not result in further impacts to environmental resources. Currently, approximately 25.7 acres of the project site is developed, and the project proposes to add 3.1 more acres of development to the site. According to the ENF, the No-Build Alternative would not result in the highest and best use of the parcel and would not meet the project goal of providing elderly housing for the Town; therefore, it was dismissed. As described in the ENF, the Combined Single Family/Elderly Housing District Alternative was developed in 2017 and would involve 16 single-family units, 50 market-rate senior housing units, and 16 affordable senior housing units, with a roadway constructed through the site connecting to both Willow Road and Pine Plain Road. In total, this Alternative would result in 34.7 acres of developed land, including 10.5 acres of impervious surface. The ENF indicates that NHESP had significant concerns with the impact of this Alternative on state-listed species due to the fragmentation of Estimated and Priority Habitat; thus, this Alternative was not considered viable.

The Preferred Alternative (described herein) proposes to redevelop 28.8 acres of land and create 8.5 acres of impervious surface. As described in the ENF, the Preferred Alternative involves a reduction and realignment of the housing units and roadway as compared to the Combined Single Family/Elderly Housing District Alternative in order to minimize impacts to Estimated and Priority Habitat. The ENF indicates the Preferred Alternative was selected as it best meets the project goal while minimizing environmental impacts.

Comments from the PRCWA note concern with the proposed location of the project and recommend evaluating abutting parcels that are also held by the landowner, specifically a 50-acre parcel which abuts the project site to the north and is located in a different watershed. The ENF states that this abutting parcel is currently under a CR or an Agricultural Preservation Restriction (APR), and, therefore, cannot be developed. The ENF indicates that the proposed project site, notwithstanding its classification as Farmland of Statewide Importance, has the least agricultural value as compared to other potential sites controlled by the landowner. The ENF further notes that the area of the project site proposed to be placed under a CR for habitat management abuts the land to the north presently under conservation/preservation, thereby resulting in 230.9 acres of contiguous land placed under conservation.

### *Agricultural Land*

As noted above, a majority of the project site is designated as Farmland of Statewide Importance. Documents included in the ENF indicate a portion of the project site was classified as agricultural land under M.G.L. Chapter 61A (c. 61A) in 1963. The ENF also includes a 'Notice of Intent to Convert to Other Use', filed on March 9, 2020, which proposes to convert the agricultural land subject to c. 61A for residential elderly housing. According to the ENF, the project site was rezoned as an Elderly Housing District in 2018. The ENF states that a majority of the agricultural land will be preserved within the 90.8-acre CR area that is proposed as mitigation for rare species impacts; however, approximately 10.5 acres will be located within the area proposed for redevelopment (of which approximately 5.8 acres is currently in agricultural use). As noted above, the ENF asserts that the proposed project site has the least agricultural value out of all the land that is under the control of the Proponent. I encourage the Proponent to consider additional measures to mitigate the loss of agricultural land, for instance, through preservation of land under an APR.

### *Wetlands*

The project will result in the alteration of 689 sf of BVW (509 sf permanent / 180 sf temporary), 44 lf of Bank (permanent), and 92,661 sf of Riverfront Area (permanent). Impacts to BVW and Bank are primarily associated with the reconstruction of the existing farm road and the replacement of the 12-inch pipe culvert with the 10-foot box culvert. Impacts to Riverfront Area are primarily associated with the construction of the stormwater management system and the proposed Habitat Management work. The Boxford Conservation Commission will review the project for its consistency with the Wetlands Protections Act (WPA), the Wetland Regulations (310 CMR 10.00), and associated performance standards, including the Stormwater Management Standards (SMS). According to the ENF, erosion and sedimentation controls will be installed prior to construction and all temporarily impacted wetland resources areas will be restored to pre-construction conditions. A 765-sf wetland replication area will be constructed to mitigate permanent impacts to BVW. Additionally, the existing culvert and a 40-sf area of upland area will be converted to wetlands. To mitigate impacts to Bank, the ENF proposes the creation of 84 lf of Bank through the restoration of the streambed within the box culvert.

### *Rare Species*

The entirety of the project site is mapped as *Estimated Habitat of Rare Wildlife* and *Priority Habitat of Rare Species* for Blanding's Turtle (*Emydoidea blandingii*) and Wood Turtle (*Glyptemys insculpta*); these species and their habitats are protected pursuant to the Massachusetts Endangered Species Act (MESA) and its implementing regulations (312 CMR 10.00). The ENF states the Proponent has coordinated with NHESP throughout the design of the project to minimize impacts to Rare Species and to provide adequate mitigation where impacts cannot be avoided. Over 90.8 acres will be protected through a CR to mitigate the 28.8 acres of permanent alteration to mapped habitat (assuming the 2.9 acres reserved for future use are developed). Approximately 5.8 acres of land will be actively managed as HMAs to restore, enhance, and manage high-quality foraging/aestivating and nesting habitat for Blanding's Turtle and Wood Turtle; 3.8 acres of this area will be included in the CR. Additionally, a Turtle Protection Plan as well as an Operations and Maintenance Plan will be implemented to protect state-listed species during and post-construction. Comments from NHESP acknowledge the Proponent's

ongoing consultation with the agency and confirm the project will require a CMP. I remind the Proponent that no construction activities may take place until the MESA permitting process is complete.

### *Water Supply and Wastewater*

The project proposes the construction of two wells to supply the 9,900 gpd of estimated water demand. The ENF states a Request for Site Exam (MassDEP Permit BRP WS 13) was submitted to MassDEP on July 12, 2018 and approved on August 29, 2018. A Source Final Report (BRP WS 15) was submitted to MassDEP on January 8, 2021 and is currently under review. The ENF states water from the test wells was found to have concentrations of iron and/or manganese in excess of the MassDEP-designated Secondary Maximum Contaminant Levels; one water sample contained Per- and Polyfluoroalkyl Substances (PFAS) in exceedance of the Massachusetts Maximum Contaminant Level. Additional testing will be performed to confirm the presence of PFAS. The ENF states the water will be treated to remove iron and manganese prior to distribution, and that the system will be designed to allow for treatment of PFAS compounds and/or emergency disinfection as necessary. In addition to the two wells proposed to be used for water supply, the ENF proposes the installation of up to five (5) irrigation wells in the northern portion of the project site.

Comments from the PRCWA note concern with the project's impacts to the Town of Georgetown's public water supply due to the proximity of the wells to the project site. The PRCWA states that residents along Pine Plain Road (proximate to a proposed well location) have experienced issues with existing wells during drought conditions. Supplemental information provided by the Proponent states that testing of private wells was offered to abutters during a pump test for the two proposed wells. The proposed wells were pumped simultaneously at over 145% of the estimated maximum demand for 5-days; no impact to the two abutting private wells that were tested was detected during this time. As described in the ENF, the proposed bedrock wells will be individually metered to record instantaneous discharges and daily volumes. The wastewater system will provide pre-, secondary, and enhanced treatment of the 9,900 gpd of wastewater expected to be generated by the redevelopment. The Proponent indicates treated wastewater will be recharged on-site through the use of wastewater leaching beds.

### *Climate Change Adaptation and Resiliency*

Governor Baker's Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569; the Order) was issued on September 16, 2016. The Order recognizes the serious threat presented by climate change and direct Executive Branch agencies to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet greenhouse gas (GHG) emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA) and will work to prepare state government and cities and towns for the impacts of climate change. I note that the MEPA statute directs all State Agencies to consider reasonably foreseeable climate change impacts, including additional greenhouse gas emissions, and effects, such as predicted sea level rise, when issuing permits, licenses and other administrative approvals and decisions. M.G.L. c. 30, § 61.

The region's climate is expected to experience higher temperatures and more frequent and intense storms. The Northeast Climate Science Center at the University of Massachusetts at Amherst has developed projections of changes in temperature, precipitation and sea level rise for each river basin in Massachusetts.

This data is available through the Climate Change Clearinghouse for the Commonwealth at <http://www.resilientMA.org>. I encourage the Proponent to consider this data during design of the project to increase its resiliency to the effects of climate change.

The Town is a participant in the Commonwealth's Municipal Vulnerability Preparedness (MVP) program. The MVP program is a community-driven process to define natural and climate-related hazards, identify existing and future vulnerabilities and strengths of infrastructure, environmental resources, and vulnerable populations, and develop, prioritize and implement specific actions the Town can take to reduce risk and build resilience. The "Town of Boxford Community Resilience Building Workshop: Summary of Findings" (the Report), dated April 2019, evaluated the Town's vulnerabilities to climate change and evaluated resiliency measures.<sup>2</sup> The Report identified flooding, drought, and major storms, and invasive species as top hazards. As described above, comments from the PRCWA note concern with the project's impacts to the surrounding water supply and its potential to increase abutters' vulnerability to drought. While testing of the two wells proposed for water supply purposes did not reveal any impact to abutting private wells, it does not appear this testing included the proposed irrigation wells. To minimize the impact of the project on water supply, the Proponent has indicated that treated wastewater will be recharged on-site and that all buildings will be outfitted with water-efficient faucets and toilets. I encourage the Proponent to minimize the use of groundwater for irrigation and to consider future climate change conditions as the design of the project is finalized and proceeds to permitting.

#### *Greenhouse Gas (GHG) Emissions and Sustainable Design*

While the project does not exceed the thresholds for application of MEPA's GHG Policy and Protocol, it does involve the development of new residential homes that will add to GHG emissions from the building sector. The Town has adopted the Massachusetts Stretch Energy Code (SC). Therefore, the project will be required to meet the applicable version of the SC in effect at the time of construction. The SC increases the energy efficiency code requirements for new construction (both residential and commercial) and for major residential renovations or additions in municipalities that adopt it. The Proponent has indicated that the project will meet SC requirements and will utilize energy efficient windows, high-efficiency lighting and appliances, and will provide options to add electric vehicle (EV) charging outlets in garages to residents during home design. Building rooftops will be designated as solar-ready, although no rooftop solar is currently proposed. I encourage the Proponent to voluntarily undertake additional measures to minimize GHG emissions from the project by incorporating energy conservation measures into the housing design. Measures that may be suitable include:

- High efficiency building envelope standards (Passivehouse or HERS rating of 45 or lower);
- Efficient electrification of space and water heating (fossil fuel elimination);
- Reducing air leakage
- Mitigation of solar heat gains
- Energy recovery
- Rooftop solar PV

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<sup>2</sup> The Report can be accessed at: <https://www.mass.gov/doc/boxford-report/download>

- EV-ready parking

Buildings designed to Passivehouse standards or achieving HERS rating of 45 or lower and/or adopting energy-efficient electric heating and cooling systems are potentially eligible for financial incentives from a number of sources. As detailed in the comment letter submitted by the Department of Energy Resources (DOER), the MassSave program offers financial incentives for the design and construction of homes that exceed the building code and result in high performance, energy-efficient homes. In addition, heat pumps may be eligible for Alternative Energy Credits (AECs), which include multipliers for Passivehouse buildings or buildings that achieve a HERS rating of 50 or lower. I encourage the Proponent to consider taking advantage of the Commonwealth's solar photovoltaic (PV) SMART plan, which allows building owners to receive financial incentives by providing solar production directly to the utility, without requiring the participation of residents as offtakers. I refer the Proponent to DOER's comment letter for additional guidance on this issue and the GHG reduction strategies identified above.

### *Transportation*

The project does not exceed MEPA review thresholds related to traffic or transportation, however the ENF included a TIS that was conducted to evaluate the potential traffic impacts associated with the project. The ENF states the TIS examined projected traffic operations under Existing, 2027 Build, and 2027 No-Build Scenarios at key intersections surrounding the project site, including: Willow Street at Deer Run Road, Spofford Road at Pine Plain Road, and along the main project site roadway. The results of the TIS indicate the project will not have a significant impact on overall traffic operations, with no change in the Level of Service (LOS) experienced at the study intersections between the 2027 Build and No-Build Scenarios.

### *Construction*

All construction activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits.



Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with State Agencies, I have determined that an EIR is not required. To the extent specific uses are identified for parcels (2.9 acres) reserved for future development, the Proponent is directed to consult with the MEPA Office to determine the need for additional review, to the extent such future uses would result in new or additional impacts beyond those disclosed herein and Agency Actions remain outstanding.

June 25, 2021

Date

Kathleen A. Theoharides

## Comments received:

06/14/2021	Massachusetts Division of Fisheries and Wildlife (MassWildlife), Natural Heritage and Endangered Species Program (NHESP)
06/14/2021	Department of Energy Resources (DOER)
06/15/2021	Massachusetts Department of Environmental Protection (MassDEP), Northeast Regional Office (NERO)
06/15/2021	Parker River Clean Water Association (PRCWA)
06/16/2021	Massachusetts Board of Underwater Archaeological Resources (BUAR)

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# View Comment

Comment Details			
EEA #/MEPA ID*	First Name	Address Line 1	Organization
16380	David	1 Rabbit Hill Road	MA Division of Fisheries and Wildlife-NHESP
Comments Submit Date	Last Name	Address Line 2	Affiliation Description
6-14-2021	Paulson	--	State Agency
Review Due By	Phone	State	Status
6-16-2021	--	MASSACHUSETTS	Opened
Reviewer	Email	Zip Code	
Eva Murray (857) 408-6381	david.paulson@mass.gov	01581	

Comments
<p><b>Topic:</b> The Willows at Boxford (20-39756/16380)</p> <p>June 14, 2021 Dear Secretary Theoharides: The Natural Heritage &amp; Endangered Species Program of the Massachusetts Division of Fisheries &amp; Wildlife (the Division) has reviewed the Environmental Notification Form for the proposed The Willows at Boxford Project and would like to offer the following comments regarding state-listed rare species and their habitats. On December 17, 2020 the Division issued the following determination for the above referenced project. Attached is a copy of the determination. MA Wetlands Protection Act (WPA) Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, will not adversely affect the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions. Please note that this determination addresses only the matter of rare wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project. MA Endangered Species Act (MESA) The MESA is administered by the Division, and prohibits the Take of state-listed species. The Take of state-listed species is defined as “in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process... Disruption of nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat” of state-listed species (321 CMR 10.02). The project, as currently proposed, includes the construction of a 66 residential unit active adult community and a future 2 acre building lot resulting in ±27.8 acres of disturbance on a ±117.6 acre property, as shown on the Plan. Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that the project, as proposed, will result in a Take (321 CMR 10.18 (2)(b)) of the Blanding’s Turtle and Wood Turtle due to the permanent loss of suitable habitats and interference with the feeding, breeding, over-wintering and migratory activities of this species. Projects resulting in a Take of state-listed species may only be permitted if they meet the performance standards for a Conservation and Management Permit (CMP; 321 CMR 10.23). In order for a project to qualify for a CMP, the applicant must demonstrate that the project has avoided, minimized and mitigated impacts to state-listed species consistent with the following performance standards: (a) adequately assess alternatives to both temporary and permanent impacts to the state-listed species, (b) demonstrate that an insignificant portion of the local population will be impacted, and (c) develop and agree to carry out a conservation and management plan that provides a long-term net benefit to the conservation of the state-listed species. The Applicant has proactively consulted with the Division to avoid, minimize and mitigate impacts to state-listed species and their habitats associated with proposed project, and it is our understanding that it intends to apply for a CMP. Please note that the Division will not render a final decision until a final CMP Application has been submitted and the Massachusetts Environmental Policy Act (MEPA) review process has been completed. If you have any questions about this letter, please contact David Paulson, Senior Endangered Species Review Biologist, at (508) 389-6366 or david.paulson@state.ma.us.</p>

Attachments
<a href="#">Boxford_20-39756_No_Adverse_Take_EMB_GLIN.pdf(null)</a>

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## DIVISION OF FISHERIES & WILDLIFE

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December 17, 2020

Scott Miccile, Toll Bros., Inc.  
116 Flanders Road, Suite 1200  
Westborough, MA 01581

Boxford Conservation Commission  
7A Spofford Road  
Boxford, MA 01921

Applicant:	Scott Miccile, Toll Bros., Inc.
Project Location:	Willow Road
Project Description:	The Willows at Boxford, Residential Development
DEP Wetlands File No.:	114-1313
NHESP File No.:	20-39756

Dear Applicant and Commissioners:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the Division) has completed its review of the Notice of Intent and project plans entitled "Site Plan of Land for The Willows at Boxford An Active Adult Community Located Off Willow Road Boxford, Massachusetts" (dated 11/19/2020; prepared by The Morin-Cameron Group, Inc.) in compliance with the rare wildlife species section of the Massachusetts Wetland Protection Act Regulations (WPA; 310 CMR 10.58(4)(b) and 10.59). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act (M.G.L. c.131A) and its implementing regulations (MESA) (321 CMR 10.00).

The Division has determined that the proposed project is located within the mapped Priority and Estimated Habitat of the Blanding's Turtle (*Emydoidea blandingii*), a species state-listed as Threatened and the Wood Turtle (*Glyptemys insculpta*), a species state-listed as Special Concern. These species and their habitats are protected pursuant to the MESA. Fact sheets for state-listed species can be found at [www.mass.gov/nhesp](http://www.mass.gov/nhesp).

### **MA Wetlands Protection Act (WPA)**

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

### **MA Endangered Species Act (MESA)**

The MESA is administered by the Division, and prohibits the Take of state-listed species. The Take of state-listed species is defined as "in reference to animals...harm...kill...disrupt the nesting, breeding, feeding or migratory activity...and in reference to plants...collect, pick, kill, transplant, cut or process...Disruption of

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nesting, breeding, feeding, or migratory activity may result from, but is not limited to, the modification, degradation, or destruction of Habitat” of state-listed species (321 CMR 10.02).

The project, as currently proposed, includes the construction of a 66 residential unit active adult community and a future 2 acre building lot resulting in  $\pm 27.8$  acres of disturbance on a  $\pm 117.6$  acre property, as shown on the Plan. Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that the project, as proposed, will result in a Take (321 CMR 10.18 (2)(b)) of the Blanding’s Turtle and Wood Turtle due to the permanent loss of suitable habitats and interference with the feeding, breeding, over-wintering and migratory activities of this species.

Projects resulting in a Take of state-listed species may only be permitted if they meet the performance standards for a Conservation and Management Permit (CMP; 321 CMR 10.23). In order for a project to qualify for a CMP, the applicant must demonstrate that the project has avoided, minimized and mitigated impacts to state-listed species consistent with the following performance standards: (a) adequately assess alternatives to both temporary and permanent impacts to the state-listed species, (b) demonstrate that an insignificant portion of the local population will be impacted, and (c) develop and agree to carry out a conservation and management plan that provides a long-term net benefit to the conservation of the state-listed species.

This Determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any person aggrieved by this decision shall have the right to an adjudicatory hearing at the Division pursuant to M.G.L. c. 30A, s.11 in accordance with the procedures for informal hearings set forth in 801 CMR 1.02 and 1.03. Any notice of claim for an adjudicatory hearing shall be made in writing, accompanied by a filing fee in the amount of \$500.00 and the information specified in 321 CMR 10.25 (3). The notice of claim shall be sent to the Division’s Director, Mark S. Tisa, by certified mail, hand delivered or postmarked within twenty-one (21) days of the date of the Division’s Determination.

**Please note that no soil or vegetation disturbance, work, clearing, grading or other activities related to the subject filing shall be conducted anywhere on the project site until the MESA permitting process is complete.** Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact David Paulson, Senior Endangered Species Review Biologist, at (508) 389-6366.

Sincerely,



Everose Schlüter, Ph.D.  
Assistant Director

cc: Anne M. Marton, LEC Environmental Consultants, Inc.  
Alexander J. Price, Price Family LLC  
MA DEP Northeast Regional Office



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENERGY RESOURCES**  
100 CAMBRIDGE ST., SUITE 1020  
BOSTON, MA 02114  
Telephone: 617-626-7300  
Facsimile: 617-727-0030

**Charles D. Baker**  
Governor

**Karyn E. Polito**  
Lt. Governor

**Kathleen A. Theoharides**  
Secretary

**Patrick Woodcock**  
Commissioner

14 June 2021

Kathleen Theoharides, Secretary  
Executive Office of Energy & Environmental Affairs  
100 Cambridge Street  
Boston, Massachusetts 02114  
Attn: MEPA Unit

RE: The Willows at Boxford, Boxford, Massachusetts, EEA #16380

Cc: Maggie McCarey, Director of Energy Efficiency, Department of Energy Resource  
Patrick Woodcock, Commissioner, Department of Energy Resources

Dear Secretary Theoharides:

We've reviewed the Environmental Notification Form (ENF) for the proposed project. The project includes construction of 66 single family and townhouse buildings for an active adult community. The objective of this letter is to share strategies for the project to reduce greenhouse gas emissions (GHG), improve resiliency, and affordability.

### **Key Strategies**

Deployed together, the following have been found to be effective strategies in advancing emission reduction, resilience, and affordability:

- High efficiency building standards:
  - HERS 45 or lower; or
  - Passivehouse building standard;
- Efficient Electrification of space and water heating (fossil fuel elimination);
- High efficiency building envelope;

- Reducing air leakage;
- Mitigation of solar heat gains;
- Energy recovery;
- Rooftop solar PV;
- EV Ready Parking.

Experience has shown that the above deliver 50 to 80% less emissions than projects built to Code while improving affordability and resilience. In addition, significant incentives may be available, as well, including MassSave<sup>®</sup> incentives, Alternative Energy Credits (AECs), and Solar Massachusetts Renewable Target (SMART) credits.

## **Key Mitigation Strategies Explained**

### HERS Rating

The Home Energy Rating System (HERS) index is industry standard by which a home's energy efficiency is measured. A score of 100 represents the "American Standard building" while 0 would represent a net zero energy home. In addition to the performance index, HERS rated homes require infield testing providing a quality assurance for the owner and developer.

Code requires HERS 55. DOER recommends reducing the HERS rating to HERs 45 or better.

### Passivehouse

Passivehouse is an energy efficiency building standard that results in an ultra-low energy building requiring little energy use for space heating and cooling. This is achieved by focusing on envelope performance, airtightness, and energy recovery. Passivehouse projects also typically have much smaller HVAC systems and air quality.

Passivehouse is an energy code standard which is unlike other energy efficient building approaches in that its truly performance based by requiring mandatory, rigorous in-field tests to confirm that strict standards are being met. Passivehouse methods are recognized by both Massachusetts building Code, MassSave<sup>®</sup>, and incentives under Massachusetts' Alternative Portfolio Standard (APS).

Passivehouse also delivers:

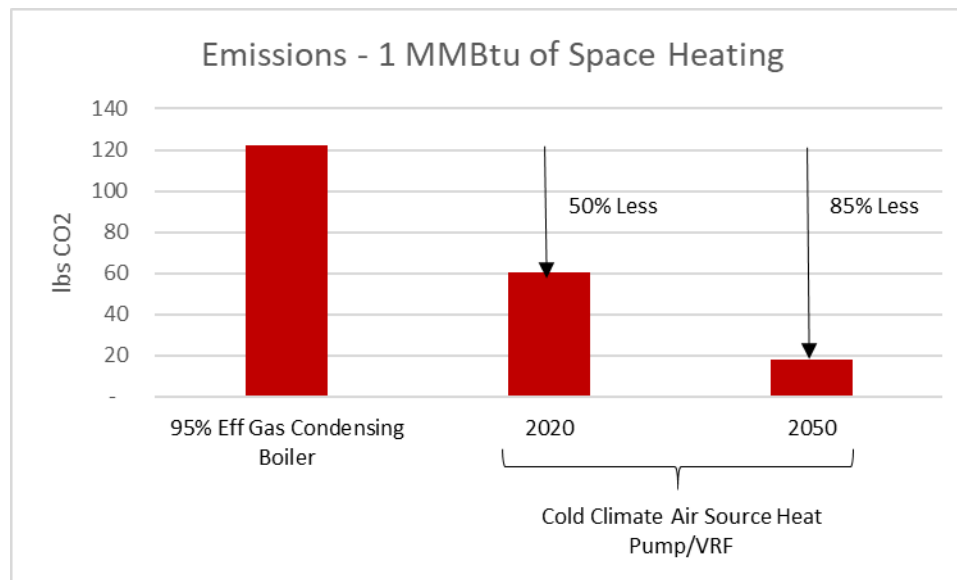
- *Significant reduction in utility costs:* thus is much more affordable to residents;
- *Improved resiliency:* Passivehouse buildings can stay warm (or cool, in the summer) for extended periods of time even with loss of power.

While Passivehouse for low- and mid-rise multifamily buildings has little to no cost premium, DOER recognizes that Passivehouse for single family and townhomes may have a cost premium due to the increased envelope quality.

### Fossil Fuel Elimination

It is unclear from the submission if the project plans to utilize any fossil fuels on site. For single family and townhouse buildings, the elimination of fossil fuels is a feasible approach to reduce energy use, improve air quality, and reduce GHG emissions.

Efficient electrification of space and water heating is a key mitigation strategy with significant short- and long-term implications on GHG emissions. Massachusetts grid emissions rates continue to decline with the implementation of clean energy policies that increase renewable electricity sources. The implication is that efficient electrification of space and water heating will have much lower emissions than propane. Currently, efficient electric heating has approximately **50% lower emissions** in Massachusetts than condensing natural gas heating. By 2050, efficient electric heating is expected to have approximately **85% lower emissions** in Massachusetts than condensing natural gas heating. See illustration below.



Efficient electrification entails the use of:

- Cold-climate air source heat pumps, and/or VRF for space heating;
- Ground source heat pumps for space and water heating;
- Air source heat pumps for water heating;
- Electric resistance or induction ranges for cooking.

Note that air source heat pumps, VRF systems, and ground source heat pumps can also be used for cooling. Accordingly, the same equipment would be used for both heating and cooling, which could

reduce upfront equipment costs. Depending on system design, the use of heat pumps for heating and cooling could reduce duct work, presenting an opportunity for significant savings.

Electrification would eliminate the need for natural gas or propane service from the project and would likely reduce operating costs. Additionally, efficient electrification could yield significant incentives.

### High Performing Building Envelope

High-performing envelope is essential to successful GHG mitigation, affordability, and resilience. Key strategies for maintaining integrity of envelope are:

- Improved roof, wall, and basement insulation;
- Continuous insulation;
- Reducing air infiltration;
- Eliminating thermal bridges;
- High efficiency glazing;
- Avoiding excessive window areas.

The thermal performance of windows are typically about **70 to 80% less** than the thermal performance of the framed, insulated wall assemblies. Accordingly, buildings which use extensive windows have compromised envelope performance which impacts energy consumption, emissions, resiliency, and affordability.

### Mitigation of Solar Heat Gains

To limit solar heat gains, we encourage examination of building self-shading, external shading, and varying glass solar heat gain coefficient (SHGC) as a function of exposure. (For example, targeting lower SHGC-rated glass for building sides and areas more exposed to sun and/or less shaded.)

### Rooftop Solar PV

Rooftop PV can provide significant GHG benefits as well as significant financial benefits. Experience has shown that, with planning, up to 80% of roof space can be set aside for PV on roofs of low-rise, mid-rise, and high-rise buildings.

Even if PV is not installed during building construction, it is important to plan the project to ensure that roof space is set aside for PV and that roof space doesn't become unnecessarily encroached with HVAC appurtenances, diminishing the opportunities for future PV. Electrification of heating and Passivehouse both contribute to enabling more PV as these approaches can greatly reduce rooftop equipment associated with conventional code HVAC.

### Electric Vehicle (EV) Parking Spaces

EV charging stations are critical for the continual transition towards electric mobility. Even if EV charging stations are not installed during construction, it is critical to maximize EV ready parking



spaces as it is significantly cheaper and easier to size electrical service and install wiring or wiring conduit during construction rather than retrofitting a project later.

## **Incentives**

Buildings which incorporate the above strategies can qualify for significant incentives:

- MassSave<sup>®</sup> residential new construction incentives<sup>1</sup> offer incentives for homes that exceed the Massachusetts building energy code and builds high performance, energy-efficient homes.
- Alternative Energy Credits (AECs)<sup>2</sup> offer incentives to electrify building space heating using heat pumps and/or VRF. This program also includes multipliers which increase value if the building meets Passivehouse standards or buildings built to HERs 50 or less. These credits may be distributed on a quarterly basis over time; or, may be distributed in a lump sum to the developer if certain conditions are met.
- Massachusetts SMART program<sup>3</sup> provides significant incentives for solar development on top of federal and state tax incentives. SMART includes pathways which allow solar production to be sold without off-takers. This may be of potential interest to building developers as this allows them to develop rooftop solar without necessarily engaging with building tenants. For this reason, setting aside rooftop solar PV areas helps ensure that building owners' ability to monetize the roof is not impacted.

## **Stretch Code**

Boxford has adopted the Stretch Code and, as a result, homes built in Boxford are required to achieve a HERS rating of 55 or less, Passivehouse, or Energy Star v3.1. In response to a question regarding stretch code pathways, the project will be pursuing the HERS 55 approach.

Additionally, the project plans to install 92% efficient natural gas furnaces, with air conditioning provided to each home. This presents an ideal opportunity to swap the proposed two systems for a single combined air source heat pump that could provide both efficient heating and cooling. This would likely reduce upfront cost (by combining both systems) and could present a pathway to eliminate natural gas from the site by utilizing air source heat pump water heaters, and induction stove tops.

## **Recommendations**

The strategies described above provide pathways to GHG mitigation, increased affordability, and improve resiliency. The following are questions that should be considered throughout the planning process:

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<sup>1</sup> <https://www.masssave.com/en/saving/residential-rebates>

<sup>2</sup> <https://www.mass.gov/guides/aps-renewable-thermal-statement-of-qualification-application>

<sup>3</sup> <https://www.mass.gov/info-details/solar-massachusetts-renewable-target-smart-program>

- Was Passivehouse or HERS 45 or lower evaluated? Early analysis improves the feasibility of cost feasible higher efficiency building practices. Was the following answered:
  - Does the analysis include all benefits (GHG mitigation, affordability, and resiliency)?
- Was efficient electrification considered? Air source systems are feasible for the proposed buildings and should be considered for all buildings. Were the following answered:
  - Does the analysis include all benefits (GHG emissions, affordability, reduced dedicated mechanical space, reduced floor to floor height or more flexible HVAC arrangements)?
  - Did the analysis of water heating consider all available technologies, including heat pumps (centrally located, split, and combined systems), solar thermal, and ground source?
  - Were all MassSave® and AEC incentives accounted for in the analysis?
- Is the project managing solar gains with exterior shading and improved solar heat gain coefficient?
- Is the project using continuous insulation, reduced air infiltration (with in-field confirmation), and limiting or eliminating use of glass “curtain wall” and spandrel assemblies?
- Did the project set-aside as much space as possible for rooftop PV, does this meet the minimum code PV set-aside? It is important to set-aside roof space for PV early to ensure that mechanical equipment spacing is designed to maximize rooftop space. A target of 80% roof set-aside is generally achievable.
- Furthermore, integration of these recommended measures has compounding and interrelated benefits. For example: the adoption of an above code building envelope and air-sealing measures greatly improve the feasibility and economics of an all-electric space heating system; electrification reduces rooftop equipment; inclusion of solar PV in a project improves the economics of efficient electrification of space and water heating. Accordingly, these solutions should be considered as a package rather than in isolation.

Sincerely,



Paul F. Ormond, P.E.  
Energy Efficiency Engineer



Resources

Massachusetts  
Department of Energy

The Willows at Boxford, EEA #16380  
Boxford, Massachusetts

Brendan Place

Clean Energy Engineer  
Massachusetts Department of Energy  
Resources



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Kathleen A. Theoharides  
Secretary

Martin Suuberg  
Commissioner

June 15, 2021

Kathleen A. Theoharides, Secretary  
Executive Office of  
Energy & Environmental Affairs  
100 Cambridge Street  
Boston MA, 02114

RE: Boxford  
The Willows at Boxford  
EEA # 16380

Attn: MEPA Unit

Dear Secretary Theoharides:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Environmental Notification Form (ENF) for the proposed The Willows at Boxford in Boxford. MassDEP provides the following comments.

### **Wetlands**

An Environmental Notification Form (ENF) has been filed with the Executive Office of Energy and Environmental Affairs by LEC Environmental Consultants, Inc. on behalf of Toll Bros., Inc. for the construction of 33 duplex, townhouse-style residential buildings, associated site features, a parking lot, two private roads, and a wetland crossing within jurisdictional areas located north of Willow Road in Boxford.

The project proposes impacts to Bank, Bordering Vegetated Wetlands (BVW), and Riverfront Area to the Parker River. The project involves upgrading an existing wetland/intermittent stream crossing for roadway and utility access. The work associated with this crossing will result in approximately 509 square feet of permanent BVW impacts and

approximately 180 square feet of temporary impacts to BVW. BVW that is temporarily altered will be restored in place. Approximately 805 square feet of BVW replication is proposed.

The project proposes approximately 44 linear feet of impacts to bank associated with the work on the crossing which will be restored. There are approximately 92,661 square feet of impacts proposed to the 200-foot Riverfront Area to the Parker River proposed with the development. The applicant will need to demonstrate how the impacts to Riverfront Area meet the performance standards found in 310 CMR 10.58(4), including the performance standards for redevelopment within previously disturbed Riverfront Areas (310 CMR 10.58(5)).

The project will require an Order of Conditions from the Boxford Conservation Commission. The Notice of Intent should include details on the wetland crossing demonstrating that the crossing meets the Massachusetts Stream Crossing Standards and that the wetland replication area meets the performance standards in accordance with the Regulations.

The MassDEP appreciates the opportunity to comment on this proposed project. Please contact [Rachel.Freed@mass.gov](mailto:Rachel.Freed@mass.gov) at (978) 694-3258 for further information on wetlands issues. If you have any general questions regarding these comments, please contact me at [John.D.Viola@mass.gov](mailto:John.D.Viola@mass.gov) or at (978) 694-3304.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

John D. Viola  
Deputy Regional Director

cc: Brona Simon, Massachusetts Historical Commission  
Eric Worrall, Rachel Freed, Jill Provencal, Kyle Lally, MassDEP-NERO

PO Box 798  
• Byfield, MA 01922



[www.Parker-River.org](http://www.Parker-River.org)  
• 978-462-2551

June 15, 2021

Secretary of Energy & Environmental Affairs  
EEA, Attn: MEPA office  
Eva Murray, EEA No. 16380  
100 Cambridge St., Suite 900  
Boston, MA 02114

Dear Ms. Murray

RE The Willows at Boxford MEPA # 16380

The Parker River Clean Water Association (PRCWA) has completed its review of the proposed Willows 66-unit housing project and associated facilities in Boxford after reviewing the available documents located on the Town website. These documents include the NOI application and associated plans from LEC environmental consultants.

It should have been noted in the MEPA application that the Parker River is considered a highly stressed basin, as classified by the Water Resource Commission due to its low flow conditions. As the project sits in close proximity to the Town of Georgetown's public wells that deliver water to nearly 9000 residents, we have grave concerns.

## **WATER SUPPLY**

Not noted in the applicant's plans is that the area of development is nestled between two medium yield aquifers, shared between Boxford and Georgetown. Residents in Boxford subsist totally on private wells, while Georgetown's residents' sole source water supply is the aquifer to the North of the development site. DEP's Sustainable Water Management Act interactive map also indicates this area is in a **Category 5** net groundwater loss, greater than 55 percent net loss (see enclosed SWMI map detail).

Plans indicate a private well providing drinking water will be located near the southern entrance to the project near the intersection of Rte. 133 and Pine Plain Road. Residents along Pine Plain Road have made town officials aware that they have experienced well problems during drought periods.

## **WATER QUALITY**

The project will include the planting of over 800 trees and shrubs. Fertilizers, herbicides and pesticides will be stored in a covered area onsite and used “sparingly.” When organic practices and native plants are used, there should be no need for fertilizers, herbicides and pesticides.

The project’s wastewater disposal system will be located downstream at the northernmost location near the Parker River, at the closest point to Georgetown’s public wells. James Persky, Drinking Water Program Manager Northeast, in discussion with PRCWA stated that locating the wastewater plant downstream would enhance the protection of the Willows development private well upstream.

## **RARE HABITAT MANAGEMENT AREAS**

PRCWA has been working with the Natural Heritage & Endangered Species Program (NHESP) on the protection of Blanding’s Turtle habitat in the area for over 20 years. The project proponent has been advised by (NHESP) to create habitat management areas.

## **RECOMMENDATIONS:**

1. Further analysis is needed to determine the project’s impact on the nearby private wells located on Willow Road (Rte. 133) and Pine Plain Road. Abutters have questioned during preliminary meetings with the proponents, if a cross-connection were possible with the Town of Georgetown in the event of a loss of water. PRCWA recommends Boxford hire an independent hydrologist to determine the impact of the project’s new well on the surrounding homes. With MEPA’s goal in communities becoming more climate resilient, there is no statement by the proponents on how this project will offset the drought issues caused by climate change.
2. According to the special conditions of DEP’s Water Management Act withdrawal permit, Georgetown was required to contact Boxford for a “Best Effort Requirement” to protect the Zone II recharge area located between the two towns. What efforts, if any, have been suggested? Due to the increase of 8 acres of impervious cover, it is imperative that the towns work together to develop a plan to limit the impacts of this development within a sensitive recharge area.
3. What water conservation methods are being considered as part of this process? The applicant is proposing to plant over 800 trees and shrubs. Such an ambitious undertaking will require a great amount of initial and long-standing water being lost to evapotranspiration and evaporation. Boxford has no limitations on non-essential use unless a private entity usage exceeds 100,000 gallons per day. The proponent should come up with a conservation plan to lower the intensity of water usage (native plantings, onsite and offsite mitigation, etc.).
4. The MA Wetlands Protection Act requires applicators of herbicides and pesticides contact the State Pesticide Board for approval of a detailed plan for usage within ‘sensitive’ areas. CMR 11 outlines requirements which include vernal pools, wetlands and riverfront areas. In areas of State-listed rare species, herbicide and pesticide treatment

must be approved by the Division of Fisheries & Wildlife. Zone IIs and private wells also have specific requirements.

5. Since there are water quality concerns by MassDEP that the proposed wastewater disposal system will be located downstream of the private well, an analysis should be done to determine how a sewage breakout or system failure could impact Georgetown's public wells. What would be the travel time of any harmful pollutants, based on a soils analysis, reaching Georgetown's public water supply in the event of a sewage system failure? Should the Board of Health install a scheduled wastewater testing program in lieu of a NPDES permit?
6. One Habitat Management Area (HMA) located on the plan indicates close proximity to a busy roadway (Rte. 133). The Town should consider hiring an independent biologist to review the current location of the HMAs. A biologist could recommend alternate locations, determine road-kill mortality rate along that stretch of road, and offer solutions (signage?) if necessary.

MEPA regulations require applicants not only look at alternative locations onsite, but also any abutting parcels of the owner. In this case the Price family owns several abutting parcels, including a 50-acre abutting parcel north of the site. This parcel contains adequate frontage along Washington Street and most importantly, is located in another basin, the Merrimack River. Referring again to the SWMI map, the Merrimack basin groundwater withdrawal depletion is in the Category 3 (10 – 25 percent) net loss.

A letter (attached) from the Price Family dated February 11, 2020 indicates that they are exploring options, including the selling of the 50-acre parcel. Representatives from the BTA-Bolt local land trust claim that the Price family has been resistant to the permanent safeguarding of their farmland beyond Chapter 61 protection. As people are well aware, sustainable local farming in eastern Massachusetts continues to dwindle.

The proponents and MEPA should study serious alternatives to this project as planned, considering the risks associated with current development plans in the Parker River basin. For the reasons stated above, PRCWA believes an Environmental Impact Report assessment is needed before any permits are granted to this project.

Thank you for your consideration of our issues regarding this proposal.

Sincerely,



George Comiskey  
VP, PRCWA Ph. 978-352-7364

Cc: PRCWA, R. Povenmire, J. Cashell, H. LaCortiglia, R.Freed, E. Sabounjian, P.Huckery, D. Paulson, S. Przyjemski



February 11, 2020

To: The Boxford Board of Selectman

We are writing this letter to help clear up any misunderstanding concerning Ingaldsby Farm and the farmland. Also, to explore any opportunities for us to continue operating the farm as a whole, as it has been for over a century.

As we speak, one half of the farm land is under contract to be sold and the other half is up for sale. Contrary to public opinion, the farm does not own any land. Buying farm land is one thing, but buying farm land at house lot prices is unattainable on a farmer's income.

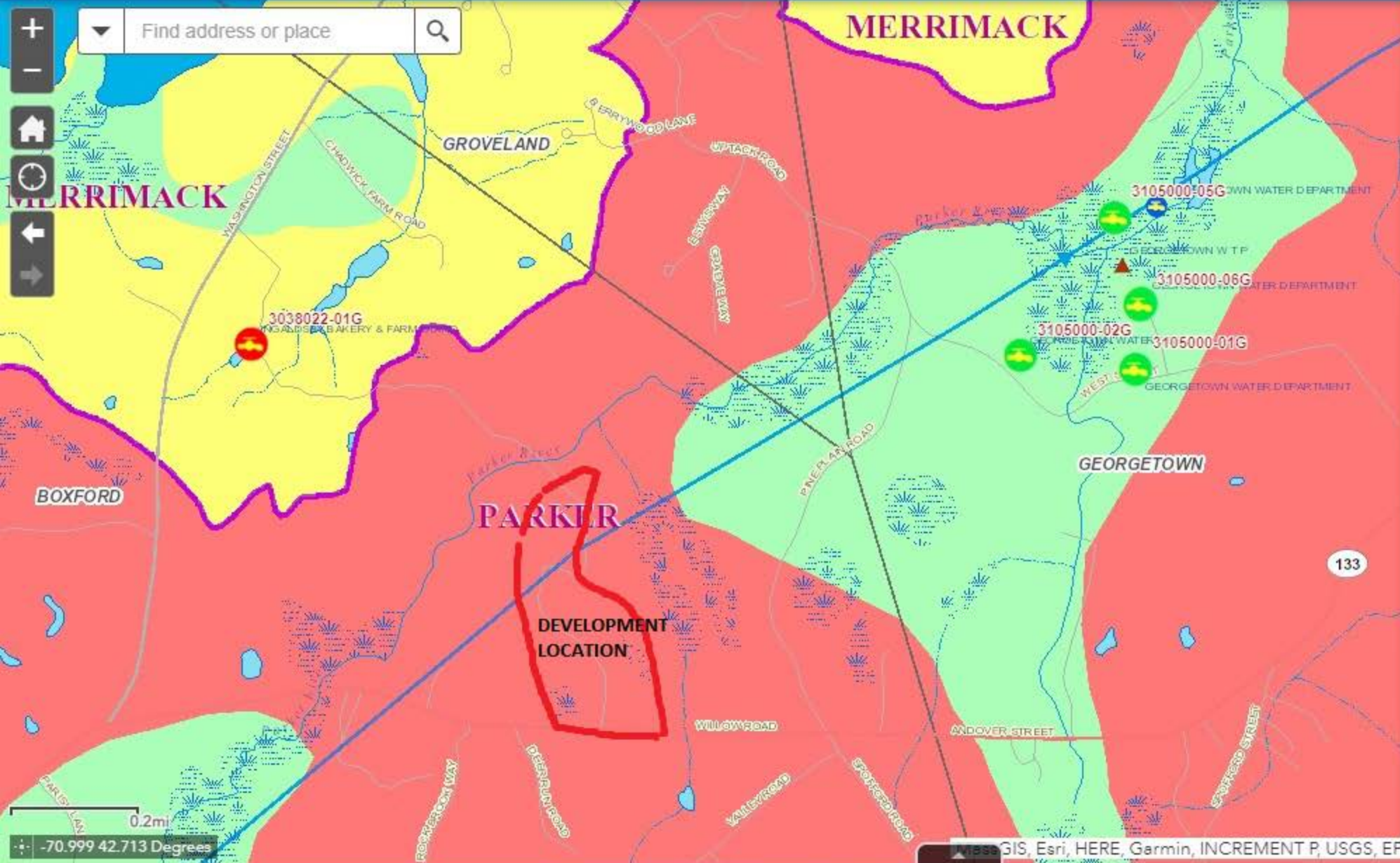
Even though we realize that it may not be possible or economical we'd like to share some of our thoughts. Presently we don't know what the future holds for Ingaldsby Farm in Boxford. We hope that somehow things could stay the same, since the farms inception in 1911. Ideally we'd like to continue the farm as a whole, knowing that not only is all open land of utmost importance, but also Farm Market location. This is also the case on our farm, with the 133 area Retail location being what we've always considered to be essential in helping to ensure a viable future for generations of farmers to come. Because of partnership changes, family medical issues and lastly changes in land ownership, it has been put on hold.

If the town is interested we'd like to at least explore the option of saving the farm. Selling the development rights would obviously have to be an integral part of any plan. Having the Town of Boxford, the State of Massachusetts, Land Preservation Groups, and etc. work together may or may not work. We look forward to any thoughts or ideas.

Thanks for your time.

Tom and Sheila Price and family





### Layer Visibility

- ☒ Groundwater Withdrawal Category (GWC) ...
  - ☒ Groundwater Withdrawal Categories (GWC) ...
    - No data
    - 1 0 - 3%
    - 2 > 3 - 10%
    - 3 > 10 - 25%
    - 4 > 25 - 55%
    - 5 > 55%
  - ☒ Groundwater Withdrawal Categories (GWC) ...
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    - 1 0 - 3%
    - 2 > 3 - 10%
    - 3 > 10 - 25%
    - 4 > 25 - 55%
    - 5 > 55%
- ☐ Net Groundwater Depleted (NGD) ...
  - ☒ Net Groundwater Depleted (NGD) ...
    - Yes
    - No



# Boxford MIMAP

Merrimack Valley Planning Commission (2019)

Search... Sign in

Help

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## Welcome to MIMAP for the Town of Boxford

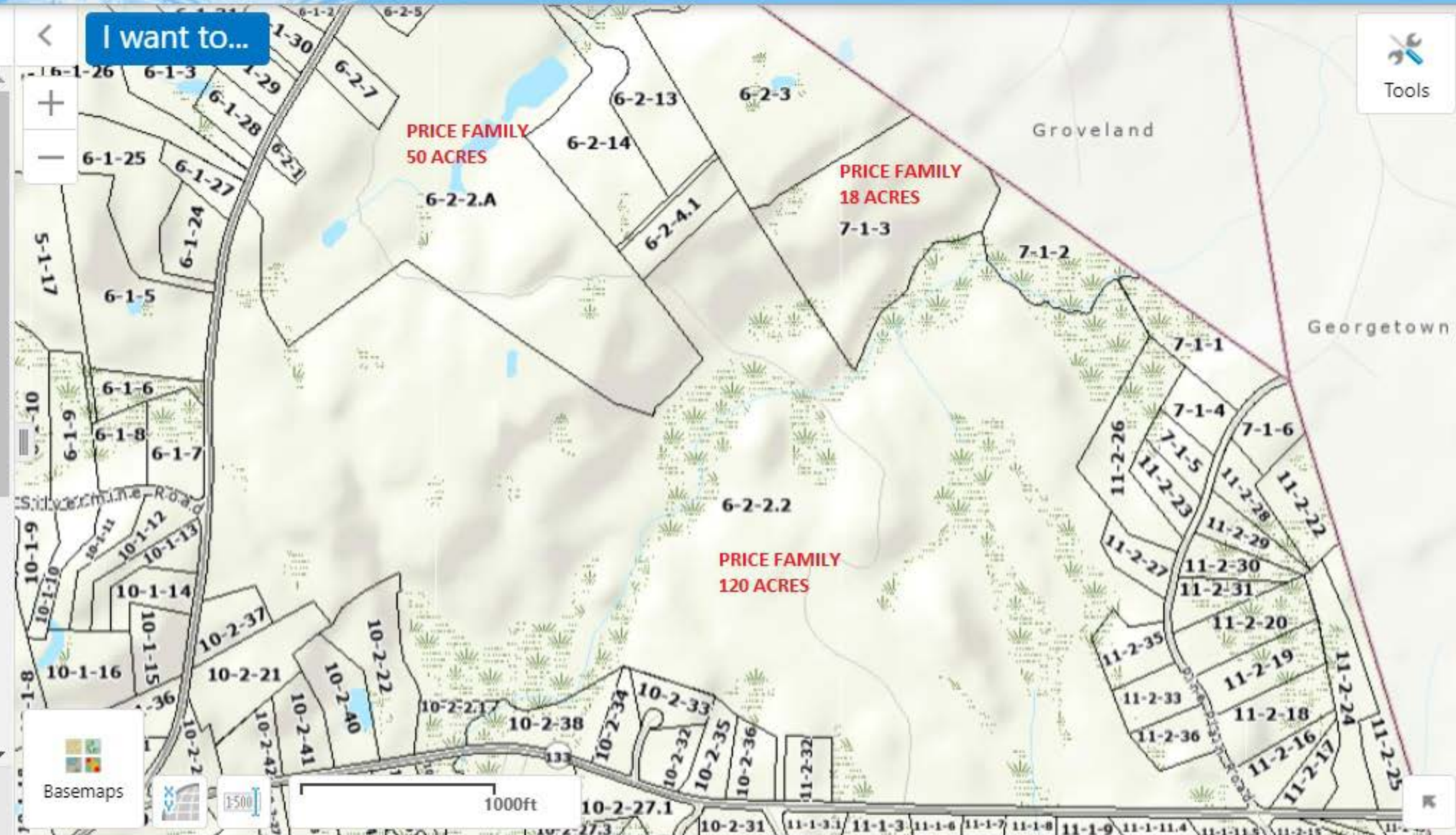
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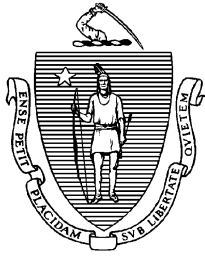
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If you need additional guidance please check out this series of training [videos](#). You can also [email us](#) if you have questions or are in need of technical assistance.

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Tools



The COMMONWEALTH OF MASSACHUSETTS  
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
251 Causeway Street, Suite 800, Boston, MA 02114-2136  
Tel. (617) 626-1014 Fax (617) 626-1240  
[www.mass.gov/orgs/board-of-underwater-archaeological-resources](http://www.mass.gov/orgs/board-of-underwater-archaeological-resources)

June 15, 2021

Kathleen A. Theoharides, Secretary  
Executive Office of Energy and Environmental Affairs  
Attention: Eva Murray, MEPA Unit (via email attachment)  
100 Cambridge Street, Suite 900  
Boston, MA 02114

RE: The Willows at Boxford Project (EEA #16380), Boxford, MA

Dear Secretary Theoharides,

The staff of the Massachusetts Board of Underwater Archaeological Resources has reviewed the above-referenced proposed project as detailed in the Environmental Monitor of May 26, 2021 and offers the following comments.

The Board has conducted a preliminary review of its files and secondary literature sources to identify known and potential underwater archaeological resources within the wetlands portion of proposed project area. No record of any underwater archaeological resources was found within the area. Based on the results of this review, the Board expects that this project is unlikely to impact submerged cultural resources.

Should heretofore-unknown underwater archaeological resources be encountered during the course of the project, the Board expects that the project's sponsor will take steps to limit adverse effects and notify the Board and the Massachusetts Historical Commission, as well as other appropriate agencies, immediately, in accordance with the Board's *Policy Guidance for the Discovery of Unanticipated Archaeological Resources*.

The Board appreciates the opportunity to provide these comments as part of the MEPA review process. Should you have any questions regarding this letter, please do not hesitate to contact me at the address above or by email at [david.s.robinson@mass.gov](mailto:david.s.robinson@mass.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "David S. Robinson", with a stylized flourish at the end.

David S. Robinson  
Director

/dsr

Cc: Brona Simon, MHC