

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

**ENF**

**Environmental**  
**Notification Form**

*For Office Use Only*  
*Executive Office of Environmental Affairs*  
 EOE No.: 13190  
 MEPA Analyst: Bill GAGE  
 Phone: 617-626-1025

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: Hillside Retirement Community Over-55 Residential Development		
Street: Wheeler Road and Technology Drive		
Municipality: Hudson	Watershed: Concord (SuAsCo)	
Universal Transverse Mercator Coordinates: 289,215 mE; 4,695,570 mN	Latitude: 42° 23' 08"	Longitude: 71° 33' 36"
Estimated commencement date: July 2004	Estimated completion date: 2007-2008 (to be built in phases over 3 to 4 years)	
Approximate cost: \$30,000,000	Status of project design: 95 %complete	
Proponent: Southborough Ventures Inc.		
Street: Suite One, 11 Main Street		
Municipality: Southborough	State: MA	Zip Code: 01772
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Paul J. McManus, LSP, PWS		
Firm/Agency: EcoTec, Inc.	Street: 102 Grove Street	
Municipality: Worcester	State: MA	Zip Code: 01605-2629
Phone: 508-752-9668	Fax: 508-752-9494	E-mail: pmcmanus@ecotecinc.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. \_\_\_\_\_)  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:

Site Plan Review (Hudson Planning Board)

Special Permit for Retirement Community Overlay District (Hudson Board of Appeals)

Additionally, the applicant sought a formal determination from the US Army Corps of Engineers as to wetlands jurisdiction on the site (including the lagoons) under the Clean Water Act. The Corps recently issued a negative determination.

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

- |  |                                       |  |
|--|---------------------------------------|--|
| <input checked="" type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input type="checkbox"/> Wetlands, Waterways, & Tidelands      |
| <input type="checkbox"/> Water           | <input type="checkbox"/> Wastewater   | <input type="checkbox"/> Transportation                        |
| <input type="checkbox"/> Energy          | <input type="checkbox"/> Air          | <input type="checkbox"/> Solid & Hazardous Waste               |
| <input type="checkbox"/> ACEC            | <input type="checkbox"/> Regulations  | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
<b>LAND</b>				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify: MCP PHASE IV
Total site acreage	47+/- (includes access easement)			
New acres of land altered		32.3 (includes lagoon alteration & stormwater mgmt.)		
Acres of impervious area	9.09- lagoons (measured from top of berm) & portion of easement previously used for parking	9.53	18.62- structures, pavement, sidewalks, tennis courts, & AUL	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
<b>STRUCTURES</b>				
Gross square footage	0	369,692	369,692	
Number of housing units	0	196	196	
Maximum height (in feet)	0	+/-40	+/-40	
<b>TRANSPORTATION</b>				
Vehicle trips per day	0	1,154	1,154	
Parking spaces	0	402	402	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	0	29,400	29,400	
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	0	29,400	29,400	
Length of water/sewer mains (in miles)	0	2.2	2.2	

**CONSERVATION LAND:** Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify \_\_\_\_\_)  No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify \_\_\_\_\_)  No

**RARE SPECIES:** Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify \_\_\_\_\_)  No

**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

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.)

a. **Project Description, Site Description, and Site History:** The proposed project consists of two primary components: remediation of arsenic-contaminated substrate in industrial wastewater lagoons, and development of a 196-unit, age-restricted residential condominium complex with open space.

The project site consists primarily of a wooded parcel on a north-facing slope consisting of approximately 44 acres, currently owned by Hillside Service Corp., and a long, narrow, previously altered existing gravel parking area parcel of approximately 3 acres owned by the Town of Hudson. Hudson Town Meeting on May 5, 2003 voted to grant an easement over the 3-acre parcel to provide site access to Technology Drive for the proposed project. Benefits to the Town and other mitigation measures are described below. In addition to second-growth forest, the site also contains several large constructed wastewater lagoons (approximately 6.7 acres in total area). These lagoons were utilized for many years as the wastewater disposal system for wool washing and combing operations at nearby mill facilities. As a result of that use, the substrate of the lagoons is contaminated with arsenic and, to a lesser degree, pesticides. Due to the presence of these contaminants, the site is a confirmed disposal site (Release Tracking Number 2-10526) under the Massachusetts Contingency Plan Regulations. This project proposes a permanent remediation of human health risk posed by the contaminated lagoon substrates through the collection and on-site encapsulation of the contaminated lagoon substrates. Future alteration of the encapsulation area will be prohibited through the establishment of an Activity and Use Limitation (AUL). The proposed long-term management of the encapsulation area is a single autumn mowing. This simple maintenance program will prevent the development of woody vegetation (required to maintain the integrity of the encapsulation area) and will also create and maintain approximately 2.5 acres of tall meadow, an increasingly rare habitat type in Massachusetts. A more detailed description

of the site history, contaminants, and proposed remediation is contained in the appended *Phase IV – Implementation of Remedial Action Report* by Rizzo Associates.

As part of the lagoon substrate collection and encapsulation, a historically culverted 290 linear foot (lf) section of intermittent stream will be relocated (intermittent designation based upon an evaluation in accordance with Riverfront regulations at 310 CMR 10.58). As part of this stream relocation, approximately 353 lf of new culvert will be installed and approximately 215 lf of new open channel will be created.

Following remediation of the lagoon contamination, the site will be developed as a 196-unit age-restricted (over 55) condominium complex. The proposed development includes the construction of the residences, as well as associated access and parking areas, and community areas. Primary access to the site will be from Technology Drive, a wide, boulevard-type roadway, with emergency access to Wheeler Road. Municipal water and sewer services are proposed for the development, and sufficient capacity is available within both systems. Stormwater management of the proposed development has been designed in accordance with the Massachusetts DEP Stormwater Management Manual. Wetland Resource Areas have been established through an Order of Resource Area Delineation issued by the Hudson Conservation Commission under the Massachusetts Wetlands Protection Regulations. Additionally, the applicant has sought a formal determination from the US Army Corps of Engineers as to wetlands jurisdiction on the site (including the lagoons) under the Clean Water Act. That determination has not been issued as of this writing, but is expected shortly. Contingent upon a finding from the Corps that the lagoons on site are non-jurisdictional; no areas of Bordering Vegetated Wetland are proposed to be filled on the site, and wetland impacts will be limited to the relocation of the historically culverted stream, culverting of approximately 70 lf of narrow intermittent stream channel, and less than 10% of the Riverfront Area on the site. Riverfront on the site is associated with the Assabet River (across Wheeler Road) and a small, unnamed perennial tributary to the Assabet. Site plans depicting existing and proposed conditions are appended.

In addition to the proposed development, approximately 10.2 acres of the site will be permanently protected as open space. The proposed site plans include a small gravel parking area adjacent to Wheeler Road to facilitate access to this open space land by the general public. The proposed site access to Technology Drive will be over a 3-acre area to which the Hudson Town Meeting voted to grant an easement for the project. In return for this easement, a 3-acre portion of the site adjacent to the Town of Hudson Forestvale Cemetery will be deeded to the Town.

b. **Alternatives:** The appended Phase IV Report describing site remediation is the result of a lengthy site evaluation and review of remediation alternatives for the site under the Massachusetts Contingency Plan Regulations (MCP). This process indicated that remediation of the contaminated lagoons is required to mitigate an unacceptable risk to human health at the site. Therefore, the "no alteration" alternative is not feasible at the site. Furthermore, in order to fund the required remediation, some form of significant return from the development of the site is required. As a result, any possible final (post-remediation) use of the site as open space or other use that would not generate significant revenue from the land would not be feasible. Therefore, the only final use of the site that would allow for the required remediation is development of some kind. The zoning of 33.7 acres of the site is M6 (allows residential, as well as most commercial, retail, and industrial uses) and the zoning of 10.2 acres along Broad Street is residential. In May, 2003, Hudson Town meeting voted to place the property in the Community Retirement Overlay District, which allow condominiums for age 55 and over subject to a Special Permit. While other development on the site would be possible, the votes of Town Meeting to re-zone the property and grant an access easement to Technology Drive

indicate that the desire of the Town of Hudson in general is the development of the retirement community.

c. **Mitigation measures:** The site proposes the following measures to minimize and mitigate impacts:

- Remediation of existing human health risk from the contaminated lagoons;
- Long-term establishment of approximately 2.5 acres of meadow habitat;
- Minimization of traffic impacts by the connection of the main site access to Technology Drive, which facilitates traffic flow to Routes 290 and 85;
- Creation of 215 lf of new open stream channel;
- Permanent establishment of approximately 10.2 acres in open space under permanent deed restriction;
- Granting of 3 acres in fee and \$150,000 to the Town of Hudson adjacent to Forestvale Cemetery in return for the access easement;
- Additional cemetery access available from the proposed site access road; and
- Payment of \$88,200 for sewer service to the Town of Hudson, required for new projects (29,400 gallons at a rate of \$3 gallons/day) to be used for inflow and infiltration.

**LAND SECTION – all proponents must fill out this section**

**I. Thresholds / Permits**

A. Does the project meet or exceed any review thresholds related to land (see 301 CMR 11.03(1))  
 Yes \_\_\_ No; if yes, specify each threshold:

The project exceeds two thresholds pertaining to the mandatory filing of an ENF and other MEPA review if the secretary so requires. These are the direct alteration of 25 or more acres of land under 301 CMR 11.03(1)(b)1 and the creation of 5 or more acres of impervious area under 301 CMR 11.03(1)(b)2.

**II. Impacts and Permits**

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	<u>0</u>	<u>8.49</u>	<u>8.49</u>
Roadways, parking, and other paved areas	<u>0</u>	<u>7.39</u>	<u>7.39</u>
Other altered areas (describe)	<u>13.25</u>	<u>3.93</u>	<u>17.18</u>
Undeveloped areas	<u>32.88</u>	<u>21.39</u>	<u>11.49</u>

**Other altered areas:** 2.37 acres in the access easement area consists of a gravel parking lot. The wastewater lagoons (side slopes, berm, and bottom area) occupy approximately 10.88 acres. Additional proposed alterations include the stream replication, AUL, stormwater management, tennis courts, grading, grass, and miscellaneous.

C. Has any part of the project site been in active agricultural use in the last three years?  
 \_\_\_ Yes  No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

C. Is any part of the project site currently or proposed to be in active forestry use?  
 \_\_\_ Yes  No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? \_\_\_ Yes  No; if yes, describe: