

For Office Use Only
Executive Office of Environmental Affairs

EOEA No.: **13463**
 MEPA Analyst: **RICK BOURRE**
 Phone: 617-626-**1130**

ENF Environmental Notification Form

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: Lincoln Woods		
Street: 18 Lincoln Street / 123 & 151-R & 163-A Shawsheen Road		
Municipality: Andover	Watershed: Shawsheen River	
Universal Transverse Mercator Coordinates:	Latitude: 042 39' 41.5" N Longitude: 071 09' 37.3" W	
Estimated commencement date: June 2005	Estimated completion date: December 2006	
Approximate cost: \$7,000,000.00	Status of project design: 99 % complete	
Proponent: Rayvon Realty Trust		
Street: 59 Chandler Circle		
Municipality: Andover	State: Ma	Zip Code: 01810
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Steven Eriksen		
Firm/Agency: Norse Environmental Service Inc.	Street: 130 Middlesex Road, Suite 15	
Municipality: Tyngsboro	State: Ma	Zip Code: 01879
Phone: (978) 649-9932	Fax: (978) 649-7582	E-mail: s.eriksen1@verizon.net

- 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)) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a Special Review Procedure? (see 301CMR 11.09) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a Waiver of mandatory EIR? (see 301 CMR 11.11) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| a Phase I Waiver? (see 301 CMR 11.11) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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: **Andover Planning Board & soon to file with Conservation Commission**)

List Local or Federal Permits and Approvals: **Special Permit Multifamily Cluster Development & NPDES - SWPPP**

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

- | | | |
|---------------------------------|--|--|
| <input type="checkbox"/> Land | <input checked="" 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
LAND				<input 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 type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:
Total site acreage	18.56 ac			
New acres of land altered				
Acres of impervious area	.11 acres	2.56 acres	2.56 acres	
Square feet of new bordering vegetated wetlands alteration				
Square feet of new other wetland alteration				
Acres of new non-water dependent use of tidelands or waterways				
STRUCTURES				
Gross square footage	2375 s.f.	44680 s.f.	44680 s.f.	
Number of housing units *(Existing dwellings to be razed)	2	22	22	
Maximum height (in feet)	30 ft	35 ft	35 ft	
TRANSPORTATION				
Vehicle trips per day	-0-	198	198	
Parking spaces	-0-	44	44	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	1050 GPD	4650 GPD	4650 GPD	
GPD water withdrawal	1050 GPD	4650 GPD	4650 GPD	
GPD wastewater generation/treatment	1050 GPD	4650 GPD	4650 GPD	
Length of water/sewer mains (in miles)	.05 miles	.53 miles	.53 miles	

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: **Spotted Turtle (Clemmys guttata)**) 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.)

Narrative

The proponent is proposing to raze two single-family dwellings and an in ground pool to construct, Lincoln Woods, a 22-unit multiple-family attached cluster residential development. Lincoln Woods consists of several existing parcels comprising of 18.56 acres. The site is located on the west side of Lincoln Street and the north side of Shawsheen Road in Andover Massachusetts.

The area is mapped by Massachusetts Natural Heritage Atlas 11th Edition as Estimated Habitat and Priority Habitat for Rare Species. The Massachusetts Natural Heritage & Endangered Species Program (NHESP) proclaims the project occurs within the actual habitat of the Spotted Turtle (*Clemmys guttata*). As a result the project has been designed to incorporate a bridge to span a potential migratory pathway, 2 ft retaining walls encompasses the site to avoid and prevent turtle mortality, creation and preservation of a potential turtle nesting areas, 13.0 area conservation restriction or open space and a donation of \$15,000.00 to Manomet Center for Conservation Science for the purpose of research and conservation of the spotted turtle.

Existing Conditions

The majority of land is wooded with light underbrush, previously developed grassy areas, wetlands and a certified vernal pool. The topography varies on site with several ridges sloping down to depressions and areas of wetlands.

The wetlands on site are primarily red maple swamps. The red maple swamp consists of the following vegetation; red maple (*Acer rubrum*), white pine (*Pinus strobus*) and white ash (*Fraxinus Americana*) in the overstory. The understory consists of glossy buckthorn (*Rhamnus frangula*) and arrow-wood (*Viburnum dentatum*). The herbaceous layer consists of skunk cabbage (*Symplocarpus foetidus*) and Canadian mayflower (*maianthemum canadense*).

I. Alternative Build Condition – Single Family Subdivision

The proponent filed with the Town of Andover Planning and Conservation Board in December 2002 for an eight (8) lot single family residential subdivision located on the west side of Lincoln Street east of Shawsheen Road. The project area consisted of 8.42 acres and is zoned as SRB or a minimum lot area of 30,000 s.f. The total impervious area for the site consisted of 1.41 acres or 16.7% of the site.

The Town of Andover Planning Board denied the project because the proponent was

proposing to demolish an existing ridge consisting of slopes exceeding 35%. Section 4.1.4.5 of the Town of Andover Zoning By-Law states, "All natural slopes exceeding thirty-five percent... are protected and shall remain undisturbed." The Andover Conservation Commission denied the project because the proponent was proposing construction of a retaining wall 25 ft from a Bordering Vegetated Wetland that contained a Certified Vernal Pool No. 1823

This alternative does not work because the project cannot comply with the Town of Andover Zoning By-Laws and Conservation Commission By-Laws. In addition the proposed work, grading and detention pond is proposed directly adjacent to a potential migratory pathway for the spotted turtle and red maple swamp demarked on the plan as wetland flag A-series. The red maple swamp may provide potential overwintering, foraging, and aestivation habitat. Please see the attached Exhibit "A"

II. Alternative Build Condition – Single Family Subdivision

The second alternative is to create a two cul-d-sac roadway entering from Shawsheen Road. The two cul-d-sac roadways would permit for the construction of an 11-lot single-family subdivision. The proposed roadway adjacent to the wetland flag X-series is approximately 50 ft. To construct an access roadway and sidewalk would require grading into the wetland area. In addition the access roadway would extend 300 ft into the Buffer Zone. Clearing and grading for the roadway will alter the canopy cover, elevation, and temperature of the wetland area. This design would not alter the ice contact ridge feature or exceed the thirty-five percent slope requirement of the Andover Zoning By-Laws. However, this design will alter significant area within the Buffer Zone as well as creating substantial impervious area on site.

This alternative does not work because the proposed design will alter significant habitat with regards to clearing, grading, and filling of wetland area. In addition the roadway clearing and grading will impact the potential migratory pathway canopy cover as well as elevation and may result in a "Taking" of the spotted turtle. Please see Exhibit "B"

III. Alternative Build Condition – Single Family Subdivision

The proponent was able to acquire the adjacent parcel and therefore redesign the project to construct a 14 lot single-family subdivision. As a result, the project would conform to the traditional zoning and planning boards setback rules and regulations. The roadway system, sidewalks, and driveways would result in a substantial increase in impervious area. Most single-family homes have extensive lawn areas and usually incorporate a lawn care program that result in chemical fertilizer applications.

This alternative does not work because the proposed design will substantially increase the impervious area and application of chemical lawn fertilizers. The open space or conservation restriction of 13.0 acres will be lifted, as well as the \$15,000 donated to the Manomet Center for Conservation Science for the purpose of research and conservation, and a designated nesting habitat area will not be possible. Please see Exhibit "C"

Conclusion

The revised multifamily 22-unit multiple-family attached cluster residential development is best suited for the site given the potential habitat of the spotted turtle and potential vernal pools on site. The project provides protected access for the turtles to migrate between the potential vernal pool and 13 acres of protected open space with a conservation restriction to ensure no further development. The open space will be managed and maintained by the Homeowners Association and will provide maintenance of the proposed nesting habitat and barrier walls for the protection of the turtles.