

Commonwealth of Massachusetts
Executive Office of Environmental
Affairs ■ MEPA Office

ENF Environmental
Notification Form

<i>For Office Use Only</i> Executive Office of Environmental Affairs
EOEA No.: <u>14250</u>
MEPA Analyst: <u>Beiony Angus</u>
Phone: 617-626- <u>1029</u>

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: Village at Pine Creek		
Street: off Boardman Street		
Municipality: Norfolk	Watershed: Charles River	
Universal Transverse Mercator Coordinates:	Latitude: 42° 7'39.51"N Longitude: 71°19'34.04"W	
Estimated commencement date: 2008	Estimated completion date: 2011	
Approximate cost: \$9,600,000	Status of project design: 100 %complete	
Proponent: Pine Creek Development Corporation		
Street: 82 Oak Street		
Municipality: Norton	State: MA	Zip Code: 02766
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Deborah Horgan		
Firm/Agency: BSC Group, Inc.	Street: 33 Waldo Street	
Municipality: Worcester	State: MA	Zip Code: 01608
Phone: 508-792-4500	Fax: 508-792-4509	E-mail: dhorgan@bscgroup.co

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 301 CMR 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: Local: See attached list Federal: NPDES Construction

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 checked="" 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	34.4 acres			
New acres of land altered		13.9 acres		
Acres of impervious area	0 acres	4.3	4.3	
Square feet of new bordering vegetated wetlands alteration		640 direct; 2,532 indirect		
Square feet of new other wetland alteration		31 linear feet Bank		
Acres of new non-water dependent use of tidelands or waterways		0 acres		
STRUCTURES				
Gross square footage	0	0	0	
Number of housing units	0	14	14	
Maximum height (in feet)	0	2 stories	2 stories	
TRANSPORTATION				
Vehicle trips per day	0	134	134	
Parking spaces	0	0	0	
WASTEWATER				
Gallons/day (GPD) of water use	0	7,392	7,392	
GPD water withdrawal	0	0	0	
GPD wastewater generation/treatment	0	440 per house/ Septic	6,160/ Septic	
Length of water/sewer mains (in miles)	0	0	0	

List Local Permits and Approvals

Norfolk Planning Board: Certificate of Approval of a Definitive Plan, May 15, 2006

Norfolk Board of Health: Notice of Board of Health Decision: Approving the Project with Conditions, October 18, 2007

Norfolk Zoning Board of Appeals: Notice of Decision Special Permit, November 19, 2007

Norfolk Conservation Commission: Local Bylaw Order of Conditions, May 23, 2007. Under appeal by the Proponent

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 Eastern Box Turtle) 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 Unknown. A letter has been written to the Mass Historical Commission.

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) The project site is a 34.4 acre wooded site with access onto Juniper Lane and Village Green in a residential neighborhood off Boardman Street. The site is surrounded by single family residences. An intermittent stream and associated red maple wooded swamp bisect the site. The project site falls within Priority or Estimated Habitat in the Massachusetts Natural Heritage Atlas for Eastern Box Turtle (*Terrapine carolina*). The site was used as a boy scout camping site until it was sold to the proponent in 2000.
- b) The proposed project consists of a 14 lot residential subdivision, with two points of access to the two public ways, Juniper Lane and Village Green. The intermittent stream and associated red maple wooded swamp bisect the site, necessitating a bridged roadway crossing to provide a through road, as required by the Planning Board. A total of 3,172 square feet of wetlands (wooded swamp) are proposed to be altered. Six hundred forty (640) square feet will be directly altered as a result of dredge and fill activity associated with the construction and maintenance of bridge footings; and 2,532 square feet may be altered as a result of tree removal and shading. The intermittent stream will not be directly altered, but will be spanned as part of the arched bridge construction. All houses will be constructed outside the wetland buffer zone.

Wetland restoration of 6,441 square feet of wooded swamp and intermittent stream is proposed as mitigation for the proposed and potential impact to wooded swamp from fill and shading. The project received a Superseding Order of Conditions from MassDEP, which has been appealed by abutters, and an Order of Conditions approval under the Norfolk Wetlands Bylaw, under appeal by the proponent.

The project will result in the take of Eastern Box Turtle habitat according to the MA NHESP because it will alter >5 acres of estimated habitat. No sighting of Eastern Box Turtle has occurred. A take will occur due to disruption of the nesting, feeding, breeding, or migratory habitat of a local population of box turtles. As part of the Conservation Commission public hearing process, the Commission's consultant conducted a survey for the turtle and observed no turtles. The results of the survey have been submitted to NHESP.

- c) The proposed crossing is required as a result of the Town of Norfolk Subdivision requirement that a through road with two points of access is required for every subdivision. Since the intermittent stream bisects the property, there is no way to construct a through road without altering bordering vegetated wetland. The bridge has been designed to cross the wooded swamp at the most narrow point to avoid and minimize wetland impacts. An alternatives analysis was included in the Notice of Intent submitted to the Norfolk Conservation Commission and included requests for a waiver from Norfolk Subdivision Rules and Regulations requirement for a through road. Specifically, the waiver was requested to allow an extension of an existing cul-de-sac to provide access to more than 7 houses. The waiver request was denied by the Planning Board. There was significant discussion at the Conservation Commission public hearings regarding alternatives to the proposed crossing. The proposed crossing is the minimum width allowed by the Town of Norfolk. The use of retaining walls is included in the plan to ensure minimal effect to wetlands.

As a result of the alternatives analysis, and through discussions with the Natural Heritage and Endangered Species Program (NHESP), impacts to habitat have been minimized to the greatest extent possible on site by minimizing lot sizes, reducing the number of lots originally proposed, and placing approximately 19 acres into a Conservation Restriction. In addition, a forest management plan will be implemented to improve forest habitat value for Eastern Box Turtles, and small existing infestations of invasive exotic plants will be managed to improve the overall quality of habitat on the site. On-site impacts have been further mitigated through preservation of an additional approximately 4.7 acres of potential box turtle habitat off-site. See the figure 'Open Space Context' for location. Details regarding the conservation easement, the forest management plan, and the invasive species management plan are being refined based on discussions with NHESP.

Steps have also been identified and discussed with the Natural Heritage Program to avoid direct impacts to turtles during construction. These include turtle exclusion fencing and daily monitoring for adult turtles.