

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

**ENF Environmental Notification Form**

<i>For Office Use Only</i> <i>Executive Office of Environmental Affairs</i>
EOEA No.: <b>14453</b>
MEPA Analyst: <b>Purvi Patel</b>
Phone: 617-626- <b>1029</b>

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: Site Plan for Map 115 / Lot 10A Oak Street		
Street: Oak Street		
Municipality: East Bridgewater	Watershed: Black Brook	
Universal Transverse Mercator Coordinates:	Latitude: 42-03'-31.30" N Longitude: 70-55'-2.52" W	
Estimated commencement date: June 2009	Estimated completion date: Dec. 2009	
Approximate cost: \$ 100,000.00	Status of project design:	100 %complete
Proponent: Daniel Plant		
Street: 131 Curtis Mill Lane		
Municipality: Hanover	State: MA	Zip Code: 02339
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Michael E. Perrault, P.E.		
Firm/Agency: P.M.P. Associates, LLC	Street: 200 North Bedford Street	
Municipality: East Bridgewater	State: MA	Zip Code: 02333
Phone: 508-378-3421	Fax: 508-378-8382	E-mail: rnike@pmpassoc.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

**RECEIVED**

**JUL 10 2009**

**MEPA**

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):  
 No financial assistance or land transfer.

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 Yes (Specify MA DEP for BRPWW 10 (401 Water Quality Cert.) )  No

List Local or Federal Permits and Approvals: Site Plan Approval – East Bridgewater Planning Board; Septic System Plan Approval – East Bridgewater Board of Health; Order of Conditions Approval – East Bridgewater Conservation Commission; BRP WW 10 Major Project Certification Application – DEP (Trans # X227980)

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

- |                                 |                                       |  |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land   | <input type="checkbox"/> Rare Species | <input checked="" 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 type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input checked="" 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 <i>(including Legislative Approvals) – Specify:</i>
Total site acreage	5.83			
New acres of land altered		2.04		
Acres of impervious area	0	0.69	0.69	
Square feet of new bordering vegetated wetlands alteration		15,789		
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	2,400	2,400	
Number of housing units	0	0	0	
Maximum height (in feet)	0	40	40	
<b>TRANSPORTATION</b>				
Vehicle trips per day	0	<100	<100	
Parking spaces	0	10	10	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	0	210	210	
GPD water withdrawal	0	0	0	
GPD wastewater generation/treatment	0	210	210	
Length of water/sewer mains (in miles)	0	0.1 (water)	0.1 (water)	

**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) The 5.83 acre project site (Lot 10A and parcel A as shown on the approved Site Plan) is located in an Industrial Zone with access / frontage on the southerly side of Oak Street. This property is diagonally bisected by a vegetated wetland. There are no other access points available to the rear upland portion of the property.

(b & c) In preparing the site plans for this project and as part of the NOI submission, P.M.P. Associates, LLC (PMP) was requested by the East Bridgewater Conservation Commission to evaluate the alternatives to the wetland crossing. Sheet 1 of the Site Plan set showed all of the abutters and was used to verbally present the alternative analysis at the Conservation Commission Hearing, which the Commission accepted. There are no practicable alternatives that would have less adverse impact on the aquatic ecosystem at this property. There are no practicable alternatives that do not involve the placement of fill material in the resource area.

The DEP, as part of the Water Quality Certificate application process, in a letter dated June 2, 2009 requested additional information in regard to the site and the alternatives. The response, is presented as follows:

Extent of Wetlands

This 5.83 acre Industrially Zoned property is diagonally bisected by a vegetated wetland. The enclosed printout of the MA GIS DEP Wetlands map from the internet for the area surrounding the site has the approximate property boundaries superimposed on this image which clearly demonstrates the wetlands crossing the property and continuing to the south. The map also shows the wetlands to the west associated with the Black Brook, which runs in a north /south direction.

Zoning Access Limits

Also enclosed is an enlarged locus map of the site that is superimposed on the Town's Zoning map. This map clearly shows the location of the zoning line (residential / industrial) that splits the power line easement and clearly shows this (residential / industrial) zoning line on the west turning in a southerly direction. The industrial zoned land does not extend to Washington Street. The local Zoning Laws do not allow access into an industrial zone property through a residential district. Therefore, even if there was a way to acquire land off Northville Avenue or Mallard Lane and additional intermediate land to

the site, the Town's Zoning Laws would prohibit this access from the residential area. Furthermore, local Zoning By-laws require access to a property be across the legal frontage. The legal frontage for this property is Oak Street (as currently designed). Therefore, based on the Zoning Laws, there is no other practical access to the rear upland portion of the property that would not involve the placement of fill in the resource area.

#### Front Upland Site Area

An earlier alternatives analysis noted that there may be room to site a small building in the front portion of the property between the street and the wetlands. With the recent adjustment to the wetland boundary by the DEP, the available upland area has been further reduced. In order to properly site a small building within the front portion of the site, the design would have to include the associated entrance driveway, parking area, loading area, septic system, stormwater management facilities, etc. The available land area would not be able to support the development or meet the zoning set-back requirements to make the development economically feasible. Furthermore, the front portion of the property does not have room for any accessory use areas which are typical in an industrial site. Another design consideration is the water table, which is quite high in the front portion of the property and would limit the development area for the septic system and reserve area. Therefore, the front portion of the property is not suitable for development.

#### No Build Option

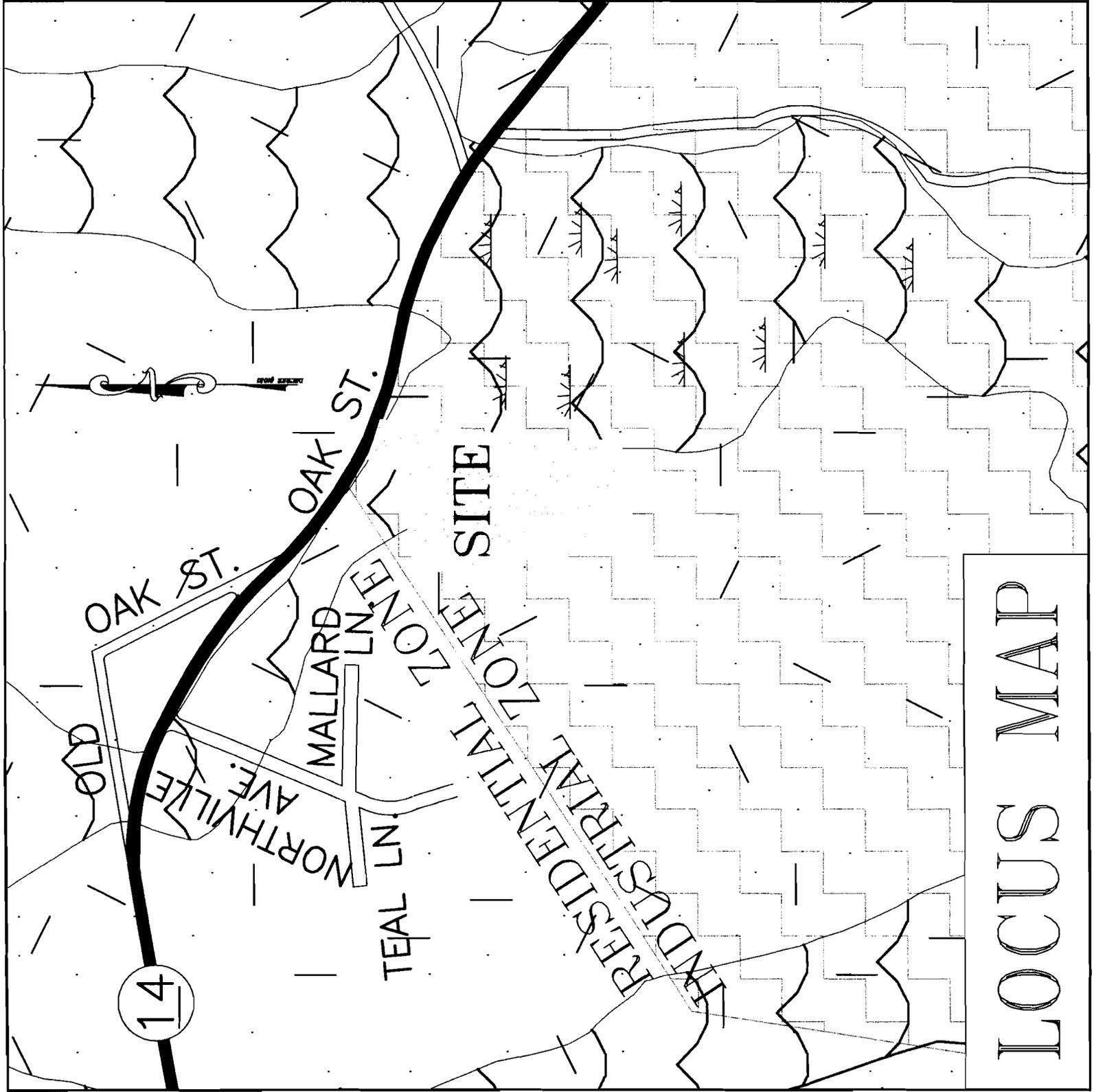
A "No-build" alternative is not an option and would be considered a "taking".

#### Limited Wetland Crossing

The limited wetland crossing is necessary to access the very large upland area on the property. The design of the limited wetland crossing was revised during the Notice of Intent hearing process to reflect the concerns of the East Bridgewater Conservation Commission. These revisions, which were shown on the approved Site Plan, included the use of large stone boulders at the toe of the embankment in lieu of a concrete retaining wall (to minimize the extent of embankment area filling impact). The East Bridgewater Conservation Commission wanted a more natural look through the use of the stone. The Commission also wanted to have three "critter crossing" culverts provided (not designed to convey stormwater). In order to limit the fill area impacts, the pavement width for the "industrial drive" was selected with dimensions that are less than the Town's requirements for an Industrial roadway, but still suitable for the intended use (Site Plan with these reduced dimensions were also approved by the East Bridgewater Planning Board). The driveway design includes the use of "cape cod" style berms to confine and direct runoff to the drainage system for treatment and prevent runoff damage to the embankments. The location of the crossing was carefully chosen to minimize the crossing disturbance and to restore historical damage on this property (the Water Quality Certification Site Plan shows both the updated replication areas as well as the updated restoration areas, which are all within the property).

#### Conclusion

As noted above, "there are no practicable alternatives that would have less adverse impact on the aquatic ecosystem" at this property. There are no practicable alternatives which do not involve the placement of fill material in the resource area.



LOCUS MAP