

For Office Use Only
Executive Office of Environmental Affairs

EOEA No.: 13603
 MEPA Analyst: Bill GAGE
 Phone: 617-626-1025

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: Pine Needles Estates Subdivision (Lots 41, Map 34)			
Street: Beeden Road			
Municipality: Westport	Watershed: Buzzards Bay		
Universal Transverse Mercator Coordinates:	Latitude: N 41° 37.77"		
	Longitude: W 71° 02.57'		
Estimated commencement date: 2005		Estimated completion date: Fall 2007	
Approximate cost:		Status of project design: 80 % complete	
Proponent: Arthur N. Berard			
Street: P.O. Box N101			
Municipality: Westport	State: MA	Zip Code: 02790	
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Mr. Marc J. Garrett			
Firm/Agency: The Garrett Group, LTD.		Street: 280 Black Cat Road	
Municipality: Plymouth		State: MA	Zip Code: 02360
Phone: (508) 747-3553		Fax: (508) 747-0052	E-mail:

- Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes X No
- Has this project been filed with MEPA before?
 Yes (EOEA No. _____) X No
- Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) X No
- Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
- a Single EIR? (see 301 CMR 11.06(8)) Yes X No
 - a Special Review Procedure? (see 301 CMR 11.09) Yes X No
 - a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes X No
 - a Phase I Waiver? (see 301 CMR 11.11) Yes X 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): N/A

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify _____) X No

List Local or Federal Permits and Approvals: Order of Conditions (OOC), MAPGP, Water Quality Certification and Subdivision Control.

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"/> 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 checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) – Specify:</i> NHESP – Conservation & Management Permit _____ _____ _____ _____ _____ _____
Total site acreage	19+/- ac			
New acres of land altered		5.0		
Acres of impervious area	0.00 ac	1.24 ac	1.24 ac	
Square feet of new bordering vegetated wetlands alteration		850+/- sf		
Square feet of new other wetland alteration		N/A		
Acres of new non-water dependent use of tidelands or waterways		N/A		
STRUCTURES				
Gross square footage	0	N/A	N/A	
Number of housing units	0	5	5	
Maximum height (in feet)	N/A	N/A	N/A	
TRANSPORTATION				
Vehicle trips per day	N/A	N/A	N/A	
Parking spaces	N/A	N/A	N/A	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	N/A	N/A	N/A	
GPD water withdrawal	N/A	N/A	N/A	
GPD wastewater generation/treatment	N/A	N/A	N/A	
Length of water/sewer mains (in miles)	N/A	N/A	N/A	

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?

X Yes (Specify PH 1540: Marbled Salamander – *Ambystoma opacum*) 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 _____) X No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) X No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) X 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.*)

(See Attached Pages)

Project Description:

The site occupies a total of 846,622 sf or 19.44 ac of forested wetlands and uplands, with some existing and permitted disturbance from the local Conservation Commission (ConCom). For all plan references presented herein, please refer to plan enclosed within the attached Conservation & Management Permit Submittal (Boucher & Heureux, dated 12-14-04, revised 07-12-05).

While the project, a five lot subdivision, may have been previously permitted by the ConCom, that permit may have been issued prematurely since designated habitat issues and NHESP jurisdiction does not appear to have been adequately addressed at the time. Recently, TGG conducted two site walkovers to observe the presence of the species in question (Marbled Salamander - *Ambystoma opacum*), or any critical habitat conditions associated with the species. TGG searched for pools and small ponds within the delineated swampy wooded wetlands for breeding. Approximately six were observed in the on-site wetlands on the portions of Lots 1, 2 and 3 north and northwest of the existing cul-de-sac; and northwest and west of the existing detention basin (wet pond facility). Both the ConCom and MADEP have approved the drainage calculations as complying with the MADEP Stormwater Policy requirements and guidelines.

The existing development area is a continuous irregularly shaped area that includes the existing roadway, drainage infrastructure and structure; and also includes anticipated housing and yard areas, driveways and wastewater disposal facilities. The total surface area development area is 221,203 sf or 5.1 ac, and represents 26% of the total site area. The proposed open space "Conservation Restriction" includes 625,420 sf or 14.4 ac, and represents 74% of the total site area. Also, 298,360 sf or 6.8 ac of the total on-site wetland area of 299,303 sf or 6.9, or 98% are encompassed within the proposed "Conservation Restriction".

The applicant acknowledges that a portion of the project is already built-out and constitutes a "Taking"; but would submit that the current concept proposes 74% of the site area as being available for conservation restrictions, and these areas encompass the portion of the site that support the observed breeding pools and small ponds. Also, while not being designed as a habitat feature, MassWildlife will accept the detention basin (wet basin) as potential additional breeding habitat. In addition, offsite mitigation will include a \$ 40,000.00 contribution to the long-term enhancement or research into the Marbled Salamander.