

# ENF Environmental Notification Form

*For Office Use Only*  
*Executive Office of Environmental Affairs*  
EOEA No.: *14475*  
MEPA Analyst: *Holly Johnson*  
Phone: 617-626-*1623*

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: 36 Essex Street		
Street: 36 Essex Street		
Municipality: Wenham	Watershed: Miles River	
Universal Transverse Mercator Coordinates:	Latitude: 42° 35' 38" Longitude: 70° 50' 54"	
Estimated commencement date: Spring 2010	Estimated completion date: Fall 2016	
Approximate cost: \$ 72,000,000.00	Status of project design: 20% complete	
Proponent: Mullen Management, Inc.		
Street: 36 Essex Street		
Municipality: Wenham	State: MA	Zip Code: 01984
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Peter J. Ogren, P.E., President		
Firm/Agency: Hayes Engineering, Inc.	Street: 603 Salem Street	
Municipality: Wakefield	State: MA	Zip Code: 01880
Phone: 781-246-2800	Fax: 781-246-7596	E-mail: bbergeron@hayeseng.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: Local Site Plan Review and Special Permit from Wenham Planning Board and Wenham Board of Appeals and/or Zoning changes, Conservation Commission Order of Conditions and Board of Health on site sewage disposal are likely to be required. National Pollution Discharge Elimination System (NPDES) General Permit for Stormwater Discharge.

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 checked="" type="checkbox"/> Wastewater | <input checked="" 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 <i>(including Legislative Approvals) – Specify:</i>  Groundwater Discharge Permit – 314 CMR 5.0  Reclaimed Water Permit 314 CMR 20.0
Total site acreage	48.68± acres			
New acres of land altered		19		
Acres of impervious area	5.00± acres	9.6	14.6	
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	110,000±	290,000	400,000	
Number of housing units	0	450 *	450 *	
Maximum height (in feet)	600± ft.	60± ft.	60± ft.	
<b>TRANSPORTATION</b>				
Vehicle trips per day	878	2,234 **	3,112	
Parking spaces	356	907	1,263	
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	8,000	60,000 **	68,000	
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	8,000	60,000 **	68,000	
Length of water/sewer mains (in miles) (W/S)	.21±/.10	.18±/.34±	.39±/.44±	

\* This is a potential alternative use that would not be present with the other alternatives.

\*\* This represents the maximum number for one potential alternative only. (See alternative matrix)

**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 (Ref.: Priority Habitats and Established Habitats Effective 10/01/08)

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 (Ref.: Priority Habitats and Established Habitats Effective 10/01/08)

**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.*)

The existing site consists of a 48.68-acre parcel of land located westerly of Essex Street, westerly of Appleton Road (a paper road) and southerly of Grapevine Road in the Town of Wenham, Massachusetts. The site has been used as a campus-style corporate headquarters for Mullen Advertising since 1987. The company relocated its facility and ended its lease on July 31, 2009. The existing site consists of approximately 110,000 square feet of office area with 356 parking spaces. The complex is serviced by the Town of Wenham Water Department for the domestic water supply as well as for the fire sprinkler system. The sanitary sewage is disposed on site through the approved Title 5 septic system.

The existing site contains approximately 8.3 acres of wetland resource areas, including portions of the site within the Miles River 200-foot resource area. The locations of the resources are shown on the attached Existing Condition Resource Area Plan.

The site topography ranges from 152 in the northwesterly portion of the site to a low of 45 in the wetland system on the easterly side of the property along Appleton Road. There are numerous hills and low areas throughout the site. The wooded portion of the site contains a mixture of hardwood forest, of which a significant amount is maintained in a park-like state with very little understory.

The Mullen Advertising facility employed 365 employees. The ITE Land Use Code 714 – Corporate Headquarters, indicates that the average daily traffic, based upon the 110,000 square feet of gross floor area, would generate approximately 878 vehicle trips per day. The main access drive for the existing complex is from Essex Street. There is a secondary access to Grapevine Road that is used only for emergency vehicle use. Both Essex Street and Grapevine Road are local roads maintained by the Wenham Department of Public Works.

In keeping with the MEPA process, this Environmental Notification Form is being submitted for review early in the reuse planning for this site in order to develop an overall strategy moving forward. It is anticipated that the ultimate development of the site will most certainly involve an increase in the generation of sanitary sewage. The existing facility is currently serviced by a 310 CMR 15.0 Title 5 sanitary sewage disposal facility that is at the maximum allowable flow without treatment. Therefore, the primary reason for the filing of this ENF is to allow the applicant to file for an approved scope for the Hydrogeological Report in order to submit a request for a Groundwater Discharge Permit for an on-site, privately-owned wastewater treatment facility (PWTF). The potential range of users that may be interested in the site include a use that could generate a sanitary sewer design flow of up to 68,000 gallons per day (gpd). Pursuant to the provisions of 301 CMR 11.03(5)(b)4.c.ii, the applicant is required to file an ENF for a new discharge or expansion in discharge to groundwater of 50,000 or more gallons per day of sewage.

ENF – Project Description  
36 Essex Street, Wenham, MA  
July 28, 2009

While the potential users are not known at this time, it is clear that any expansion of the facility will require the issuance of a Groundwater Discharge Permit. In an effort to expedite the reuse planning process, it is the applicant's desire to initiate this lengthy permit process while other aspects of the reuse are explored.

It is also the applicant's intent to apply for a Reclaimed Water Permit along with the Groundwater Discharge Permit to reduce the amount of potable water demand for the site. During the design of the potential alternatives, reclaimed water for site irrigation systems will definitely be incorporated into the plan to reduce domestic water use and the discharge to the site leaching system.

It is the applicant's intention that the alternatives being considered for the reuse of this valuable complex will not meet or exceed any mandatory EIR thresholds. The subject matter jurisdiction for the site will potentially include the above-noted Groundwater Discharge Permit if the final user does require a design sewage flow of 50,000 gpd or more. It is likely that some of the potential uses could exceed the 5-acre new impervious area threshold pursuant to 301 CMR 11.03(1)(b)2 under the Land category, but not the 10 acres of new impervious area or 50 acres of direct alteration of land that would require the filing of a mandatory EIR. There are no proposed filling or disturbance areas planned for any of the on-site wetland resources. The project will consist of buffer zone activities only. Any development expansion will result in a need for more parking spaces and would probably result in an increase in traffic. However, the anticipated use will not exceed any of the mandatory EIR thresholds and no Massachusetts Highway Department curb cut is required since there are no adjacent MHD roadways or jurisdiction.

Although there are no definitive plans at this point in time, the main focus for the site development options that the applicant has deemed appropriate fall into three (3) main categories, as follows:

1. Corporate Headquarters
2. Corporate Headquarters with conference/training and overnight lodging facilities.
3. Continuing Care Retirement Community (CCRC)

The first option would be to continue and expand the site to a Corporate Headquarters such as it has been used in the past. The expansion to the existing 110,000 square feet of office space by an additional 280,000 square feet is deemed to be a potential build-out option. This would not exceed any mandatory MEPA EIR thresholds, but would generate approximately 27,720 gallons of new sanitary sewage for a site total of approximately 35,720 gpd. This is far in excess of the allowable existing Title 5 system of 10,000 gpd and therefore would require a PWTf along with a Groundwater Discharge Permit.

The second option would result in the retention and expansion of the corporate headquarters campus theme, however the expansion of the office area would be downsized to approximately an additional 100,000 square feet. The campus would also include the addition of a conference/training facility for up to 600 people, along with overnight lodging facilities for the use of up to 320 employees, clients and contractors. This option will not exceed any mandatory MEPA EIR thresholds, but would generate approximately 42,700 gallons of new sanitary sewage for a new site total of approximately 50,700 gpd. This option also exceeds the allowable Title 5 system and will require a new PWTf.

The third option would be for the development of a continuing care retirement community that would have a wide range of living accommodations; from detached dwelling units all the way to nurse-assisted living. This option would result in the conversion and expansion of the existing structures, where feasible. The height of any new structure would be limited to the height of existing structures. This option would require the most capacity from the proposed PWTf and would have a capacity of approximately 68,000 gallons per day.

All of these expansion options will require new approvals and/or zoning changes from the Town of Wenham to move forward, however, in order to proceed with these development options more fully, the available capacity of the treatment plant and the maximum allowable discharge for the Groundwater Discharge Permit is a critical element. A Development Matrix table is attached to this submittal.

While the stormwater management design will conform to the Stormwater Management Standards, it is something that will be a part of any final design, as well as the filing for approval under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the US EPA. These finite details must all be developed and designed once the capacity of the treatment plant has been established through the approval process with the DEP.