

For Office Use Only Executive Office of Environmental Affairs
MEPA Analyst: <u>Holly Johnson</u>
Phone: 617-626- <u>1023</u>

NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Pine Knoll / Hemlock Estates		EOEA #: 12618
Street: Gendron Street		
Municipality: Northbridge	Watershed: Blackstone	
Universal Transverse Mercator Coordinates: 279713.9767E / 4670281.6 N	Latitude: 42°09'20.2" Longitude: 71°39'58.5"	
Status of project construction: 25 %complete		
Proponent: J & F Marinella Development Corporation		
Street: P.O. Box 629		
Municipality: Franklin	State: MA	Zip Code: 02038
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Cheryl Peterson		
Firm/Agency: Heritage Design Group	Street: 1 Main Street	
Municipality: Whitinsville	State: MA	Zip Code: 01588
Phone: 508-266-2066	Fax: 508-266-2067	E-mail: cpeterson@heritage-dg.com

In 25 words or less, what is the project change? The project change involves . . .
 Changing 81 senior living condominiums to 31 single family house lots to be developed under the Flexible Development Bylaw.
 See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: ENF Certificate issued 11/09/01

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date:) No
 was a Single EIR filed? Yes (Date:) No

Have other NPCs been filed? Yes (Date(s): July 30, 2004) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to
"ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: Possible amendment to the Sewer Extension Permit

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))
 Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?
 Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	49.5 acres	0	49.5 acres
Acres of land altered	17.4 acres ¹	-5.1 acres	12.3 acres
Acres of impervious area	9.82 acres	-3.47 acres	6.35 acres
Square feet of bordering vegetated wetlands alteration	10,725 sf	0	10,725 sf
Square feet of other wetland alteration	845 LF (bank) 2,140 sf (isolated)	0	845 LF 2,140 sf (isolated)
Acres of non-water dependent use of tidelands or waterways	0	0	0
STRUCTURES			
Gross square footage	153,000 ²	-41,644	111,356 ³
Number of housing units	102	-50	52
Maximum height (in feet)	20	+10	30
TRANSPORTATION			
Vehicle trips per day	357	+13	370
Parking spaces	102 (driveway)	-50 (driveway)	52 (driveway)
WATER/WASTEWATER			
Gallons/day (GPD) of water use	15,300 + irrigation	+1490	16,790 + irrigation
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	15,300	+1490	16,790

Length of water/sewer mains (in miles)	1.11	-0.24 sewer	0.87 sewer
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¹ The original ENF identified an existing disturbed area of 9.7 acres resulting from the activity started for a later abandoned industrial subdivision. The ENF then identified an additional alteration area of 17.2 acres followed by a Notice of Project Change (7/30/2004) calling for an additional 0.2 acres of disturbance.

² The NPC identified the square footage of each condominium unit as 1500 square feet per unit.

³ The square footage of each condominium unit is 1500 square feet and the single family homes are 2576 square feet per unit.

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

4. impact on 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 No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No

5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

Originally, the site did not contain any endangered species, however, the area around the Blackstone River became a priority habitat for a rare species when the maps were revised and published in 2006 and 2008. Prior to the filing of this Notice of Project Change, correspondence and plans were sent to Natural Heritage for review and comment. Natural Heritage has issued an email indicating that the project has met certain permitting milestones described in the "Interim Guidance" document prior to being mapped as Priority Habitat. As a result, no further MESA review of this ongoing project is required. A copy of this email correspondence has been included with this filing.

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

(a) a brief description of the project as most recently reviewed

(b) a description of material changes to the project as previously reviewed,

(c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and

(d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

The Hemlock Estates & Pine Knoll Senior Living Community is a thirty one (31) lot residential, single family home development in addition to a twenty one (21) unit age restricted residential condominium development off Gendron Street in Northbridge located on 49.5 acres. The portion

of the development containing the single family housing is to be known as "Hemlock Estates" while the portion of the development containing the senior housing is to be known as "Pine Knoll". This Notice of Project Change is for EOE # 12618, Pine Knoll Senior Living Community, which received a Certificate of the Secretary of Environmental Affairs on the Notice of Project Change (NPC) on September 10, 2004, with a determination that the project did not require the preparation of a Supplemental Environmental Impact Report. When the project was last filed with the Secretary, the Pine Knoll Senior Living Community development consisted of a one hundred two (102) unit residential, age restricted condominium development.

When the Pine Knoll Senior Living Development was approved by the Northbridge Planning Board in 2004, the senior housing real estate market was very strong, demanding a strong supply of housing. The proponent of the development purchased the project and built Phase I of the senior living development. Phase I of the development consisted of the construction of twenty one (21) condominium units. In the time since Phase I was constructed, there has been a significant downturn in the senior housing real estate market. The market is now very soft with a low demand for new housing units. Due to this change in the market conditions, the proponent for the project has decided to change the development within Phases II through IV of the development. Instead of constructing an additional eighty one (81) units of age restricted condominiums, the proponents are proposing to construct thirty one (31) single family residential homes designed under the Flexible Development Bylaw within this same area.

In order to minimize the design changes on the site, the exact same roadway layout as proposed under the senior living development has been utilized for the single family residential development. Therefore, the road profiling, utility design, stormwater management design and roadway retaining wall design remain the same as originally proposed and approved by the Northbridge Planning Board. However, the change in housing units has provided a reduction in impacts to the site.

The Flexible Development Bylaw within the town of Northbridge promotes the preservation of open space by encouraging the developer to utilize smaller lot sizes while still allowing a developer to construct the same number of units allowed under conventional zoning. By developing thirty one (31) single family homes under this Bylaw, in addition to the existing twenty one (21) senior living condominiums, the "Acres of Land Altered" has been significantly reduced. The condominium development had proposed to alter 17.4 acres while the single family/senior condo development proposes to alter 12.3 acres, a reduction of 5.1 acres. With this change, only 44% of the site will be altered due to the construction. In following with the reduction in altered land area, there is also a reduction in the amount of "Acres of Impervious Area". The impervious area has been reduced by 3.47 acres or by 35%. Although the same roadway was utilized, a lot of driveways (serving clusters of condominiums) were eliminated with the change in housing types. With the reduction of impervious area, the amount of stormwater runoff generated on the site will also be reduced, therefore, generating more infiltration within the Blackstone River Watershed area.

Another category showing a significant reduction in impact is "Gross Square Footage". The change in housing type has generated a reduction of 27% or 41,644 square feet of housing area.

Senior housing generates a lower volume of vehicle trips per day than single family housing. As one would expect, a small increase in this category results from the change in housing types. An increase of 13 vehicle trips per day or an increase of 3.6% result from the change.

A small increase in the amount of wastewater flow and domestic water demand will result from the change in housing type. An increase of 1,490 gallons per day or 9.7% will result. The pump

station as currently designed and constructed will be capable of handling the additional flow. A copy of a letter written by the Northbridge Department of Public Works has been included with this Notice of Project Change. Heritage Design Group is awaiting comments from the Department of Environmental Protection as to whether we need to amend the Sewer Extension Permit or not. As stated in the Notice of Project Change filed in 2004, the I/I improvements to the local sewer system have already been provided at a 10:1 ratio, approved by both the Northbridge Department of Public Works and DEP-CERO. This mitigation is well in excess of the 4:1 ratio that was required under the Administrative Consent Order between DEP and the town of Northbridge. With so much additional I/I work having already been done, the additional wastewater flow from the change in housing type has already been satisfied.

When the Pine Knoll senior living development was originally approved by the Northbridge Planning Board in 2004, the site did not contain any area mapped by Natural Heritage to contain habitat for endangered species. However, when the endangered species habitat mapping was revised in 2006 and 2008, a portion of a mapped area extended to an area within the boundaries of the project. Hemlock Estates, developed under the Flexible Development Bylaw, incorporates a large amount of open space in to the development design. The largest portion of mapped area on the site is within the open space, therefore, creating no impact on the endangered species habitat. A small portion of the mapped area for habitat falls within the back half of two single family lots with a very small corner of a third single family house lot. Correspondence and design plans showing the mapped area for endangered species habitat has been sent to Natural Heritage for review and comment prior to filing the Notice of Project Change. Following the submittal of information, Natural Heritage has issued an email indicating that the project has met certain permitting milestones described in the "Interim Guidance" document prior to being mapped as Priority Habitat. As a result, no further MESA review of this ongoing project is required. A copy of this email correspondence has been included with this filing.

Insignificance of the Project Change in terms of its Environmental Consequences

To assist the Secretary in making the required findings detailed in 301 CMR 11:10 (6), the following additional information is provided.

- (a) *Expansion of the Project.* A change in a Project is ordinarily insignificant if it results solely in an increase in square footage, linear footage, height, depth or other relevant measures of the physical dimensions of the Project of less than 10% over estimates previously reviewed, provided the increase does not meet or exceed any review thresholds.

The project site is the same parcel and acreage as previously reviewed, with no change in size. The type of housing has changed from 102 age restricted condominium units to 21 age restricted condominium units and 31 single family houses. The square footage of the building for the entire project has decreased by 41,644 (27%) square feet. The proposed square footage areas are generated using 1,500 square feet for each of the age restricted condominium units and 2,576 square feet for each of the single family homes.

- (b) *Generation of further impacts, including an increase in release or emission of pollutants or contaminants during or after completion of the Project.* A change in a Project is ordinarily insignificant if it results solely in an increase in impacts of less than 25% of the level specified in any review threshold, provided that cumulative impacts of the Project do not

meet or exceed any review thresholds that were not previously met or exceeded.

The revised project does generate minor increases of impacts for maximum height for buildings, vehicle trips per day, water/wastewater generation, however, there are not any significant impacts resulting from the project as described in this NPC.

As indicated in the project description, a 3.6% increase in vehicle trips per day will be generated from the change in housing type. The original proposal for senior housing generated 357 vehicles per day while the senior housing and single family housing will generate 370 vehicles per day. In addition, an additional 9.7% increase in water/wastewater generation will be necessary due to the change in housing type. Sufficient capacity for the new wastewater flow is available at the treatment plant. The on-site pump station, as designed and constructed, is capable of handling the additional flows. The I/I improvements for the additional flow have also been completed. Another impact that will be increased due to the project change is the height of the structure. The condominium units were proposed to be 20 feet in height while the single family houses are proposed to be two stories in height yielding a height of 30 feet. Abutting property owners will not be impacted since undisturbed open space will surround all areas to be developed with housing. The remaining increase in impact results from the change in the Natural Heritage mapping of habitat for endangered species. A small portion of the project is now mapped habitat area, however, design plans and correspondence have been submitted to Natural Heritage for review and comment prior to the filing of this Notice of Project Change. Following the submittal of information, Natural Heritage has issued an email indicating that the project has met certain permitting milestones described in the "Interim Guidance" document prior to being mapped as Priority Habitat. As a result, no further MESA review of this ongoing project is required. As stated above, a copy of this email correspondence has been included with this filing.

- (c) *Change in expected date for Commencement of the Project, Commencement of Construction, completion date for the Project, or schedule of work on the Project.*

Construction on the project commenced in 2005 with Phase I (contains the senior living condominiums) being 90% complete. Commencement of construction within Phase II (single family homes) will begin immediately upon receipt of local and state permits, therefore, this criterion is not applicable.

- (d) *Change of the Project site.*

There has been no change in the Project site; therefore, this criterion is not applicable.

- (e) *New Application for a Permit or New request for Financial Assistance or a Land Transfer.*

There is no new request for financial assistance or a land transfer.

- (f) *For a Project with net benefits to environmental quality and resources or public health, any change that prevents or materially delays realization of such benefits.*

By changing the proposed development to single family housing, the construction on the site (Phase II through IV) will commence sooner than if the senior living condominiums were to be built. The local real estate market will support the construction of new single family housing whereas the market will not support the construction of new senior housing. By starting construction, the Project will accelerate benefits to the environment and public health by stabilizing conditions of an unstable and disturbed site. The disturbed conditions resulting from abandonment of the partially cleared and constructed industrial subdivision have resulted in areas with no vegetation. The proponent has already completed mitigation associated with sewer inflow/infiltration issues in the town of Northbridge that contribute an environmental benefit to the Town. This mitigation is well in excess of the 4:1 ratio required under the Administrative Consent Order between DEP and the town of Northbridge in place at the time of the original approval by the Planning Board.

- (g) *For a Project involving a lapse of time, changes in the ambient environment or information concerning the ambient environment.*

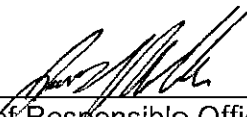
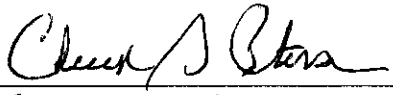
Construction commenced on this project within the allocated time, therefore, this criterion is not applicable.

ATTACHMENTS & SIGNATURES

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Signatures:

<p>October 28, 2008 </p> <p>_____ Date Signature of Responsible Officer or Proponent</p>	<p>October 28, 2008 </p> <p>_____ Date Signature of person preparing NPC (if different from above)</p>
<p>Joseph Marinella Name (print or type)</p>	<p>Cheryl Peterson Name (print or type)</p>
<p>J & F Marinella Development Corporation Firm/Agency</p>	<p>Heritage Design Group Firm/Agency</p>
<p>P.O. Box 629 Street</p>	<p>1 Main Street Street</p>
<p>Franklin, MA 02038 Municipality/State/Zip</p>	<p>Whitinsville, MA 01588 Municipality/State/Zip</p>
<p>508-509-2504 Phone</p>	<p>508-266-2066 Phone</p>