

Expanded Environmental Notification Form

**Proposed Lowe's, Walmart and Meineke Expansions, and
Future Camp Lion Improvements**

Highland Avenue (Route 107)

Salem, Massachusetts

Submitted to:

Executive Office of Energy and Environmental Affairs

Massachusetts Environmental Policy Act Office

December 28, 2009



TETRA TECH RIZZO

December 28, 2009

Ian A. Bowles, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
Attn: MEPA Office

**Re: Expanded Environmental Notification Form
Proposed Lowe's, Walmart and Meineke Expansions,
and Future Camp Lion Improvements
Highland Avenue (Route 107)
Salem, Massachusetts**

Dear Secretary Bowles:

On behalf of the Kennedy Development Group, Inc., Tetra Tech Rizzo and Bohler Engineering are pleased to submit this Expanded Environmental Notification Form (EENF) for the development of the Lowe's of Salem, Massachusetts and the expansion of the existing Walmart and Meineke stores, and the future Camp Lion improvements on Highland Avenue (Route 107) in Salem, Massachusetts. The Lowe's building will be 153,063± square feet including a 31,204± square foot garden center. The existing Walmart and adjacent retail will be razed, with a new Walmart constructed. This will include a net retail expansion of 42,732± square feet from 109,460± square feet to 152,192± square feet.

The project requires the filing of an Environmental Notification Form because it exceeds the MEPA review threshold in the Wetlands, Waterways and Tidelands category for impacts exceeding 500 feet of inland bank. In addition, a mandatory Environmental Impact Report is required for exceeding the Land category threshold for the creation of 10 or more acres of impervious area and the Transportation category for the generation of 3,000 or more new ADT on roadways providing access to a single location and construction of 1,000 or more new parking spaces at a single location.

The purpose of this letter and EENF is to request that the preparation of a Single Environmental Impact Report (SEIR) be allowed pursuant to 301 CMR 11.06 (8). The EENF provides detailed project information, as described below.

One Grant Street
Framingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001



Describes and analyzes all aspects of the Project and all feasible alternatives. The EENF fully describes the proposed development. All project aspects, including issues such as zoning, cultural and natural resources, utilities, traffic and air quality are described. Alternatives including the No Build and alternative prototypes are considered.

Provides a detailed baseline. A detailed baseline is provided. Local, state and federal wetland resources have been delineated. Manual traffic turning movement counts were conducted at study area intersections, and automatic traffic recorders were used on Highland Avenue (Route 107) adjacent to the site to support traffic analyses.

Demonstrates all feasible means to avoid potential environmental impacts. The EENF details efforts made to avoid and minimize environmental impacts. Siting a portion of the project in a previously developed area significantly reduces potential environmental impacts. Resource Area impacts have been avoided to the maximum extent practicable and, where impacts are unavoidable, mitigation is proposed. A comprehensive stormwater management plan is included as an integral part of the overall design and is fully described in the EENF.

The EENF also provides details on the measures that Lowe's and Walmart each propose to implement to increase the energy efficiency of, and reduce emissions of greenhouse gases ("GHG") from the Salem Project.

Lowe's also specifically proposes to implement a number of measures (the "GHG Commitments") that are discussed in further detail in Appendix F. Lowe's previously has provided the GHG Commitments to the MEPA Office for review and comment, and has revised the GHG Commitments to reflect the comments it has received to date. In addition to implementing the GHG Commitments at its Salem Project, Lowe's proposes to implement the GHG Commitments at future stores it constructs in the Commonwealth. As part of any Certificate issued for the Salem Project, and as further discussed in the EENF, Lowe's seeks conditional authorization from the Secretary, pursuant to MEPA's Special Review Procedures (310 CMR 11.09), that future Lowe's stores not be required to quantify and model GHG emissions associated with energy consumption (stationary source direct and indirect emissions) if the store is constructed in accordance with the GHG Commitments. However, the GHG emissions associated with the site specific aspects of future store proposals, such as the specific store location and associated traffic generation, would still be quantified and modeled by Lowe's on a site-by-site basis. Lowe's requests that the authorization provided by the Secretary apply to any future store of Lowe's for which review under MEPA has commenced on or before January 1, 2013.

We trust that you will find the EENF to be comprehensive in meeting the requirements for allowing a SEIR. Please publish this EENF in the Environmental Monitor on January

13, 2010, the next publication date. We understand that submittal of this EENF and request for a SEIR process will extend the review and public comment period. Enclosed are two copies of the bound EENF, including appendices. Also enclosed are one additional copy of the ENF form and a loose copy of the USGS map showing the site. Supplemental Project information is included in Appendix A. The EENF distribution list and Public Notice of Environmental Review are included in Appendix B.

If you have any questions or require additional information, please call me at 508-903-2078.

Very truly yours,



Edward T. Hutchinson, P.W.S.
Sr. Project Environmental Scientist

Environmental Notification Form

- Appendix A Supplemental Project Information
- Appendix B Distribution List and Public Notice of Environmental Review
- Appendix C Wetland Report
- Appendix D Agency Correspondence
- Appendix E Traffic Impact Study
- Appendix F Greenhouse Gas Analysis
- Appendix G Lowe's and Walmart Drainage Reports

ENF

**Environmental
 Notification Form**

EOEA No.:
 MEPA Analyst:
 Phone: 617-626-

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: Proposed Lowe's, Walmart and Meineke Expansions, and Future Camp Lion Improvements		
Street: Highland Avenue (Route 107)		
Municipality: Salem	Watershed: North Coastal	
Universal Transverse Mercator Coordinates: 340922 E, 4706461 N	Latitude: 42° 29' 39" N Longitude: 70° 56' 9" W	
Estimated commencement date: December 2011	Estimated completion date: June 2013	
Approximate cost: \$46 million	Status of project design: 75 %	
Proponent: Kennedy Development Group, Inc.		
Street: 500 Broadway		
Municipality: Everett	State: MA	Zip Code: 02149
Proponent:		
Street:		
Municipality:	State:	Zip Code:
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Edward Hutchinson		
Firm/Agency: Tetra Tech Rizzo	Street: One Grant Street	
Municipality: Framingham	State: MA	Zip Code: 01701-9005
Phone: (508) 903-2078	Fax: (508) 903-2001	E-mail: ed.hutchinson@tetrattech.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: **U. S. EPA-NPDES Construction General Permit for Storm Water Discharges from Construction Activities; Salem Conservation Commission-Order of**

Conditions; City of Salem Planning Board - Special Permit for a Planned Unit Development (PUD) and a Section 404 Permit from US Army Corps of Engineers.

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 checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input 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
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 checked="" 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	91.6			
New acres of land altered		19.4		
Acres of impervious area	8.3	13.8	22.1	
Square feet of new bordering vegetated wetlands alteration		4,585		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	116,711±*	204,068±	320,779 ¹ ±	
Number of housing units	0	0	0	
Maximum height (in feet)	30	20	50	
TRANSPORTATION				
Vehicle trips per day	7,332	5,960	13,292	
Parking spaces	413	634	1,047 ²	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	5,976± ²	11,568± ²	17,544± ²	
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	5,976± ³	11,568± ³	17,544± ³	
Length of water/sewer mains (in miles)	0	0	0	

¹ Represents total proposed building square footage. Change in square footage reflects the difference between existing and proposed building square footage.

² Represents total final parking count. Change in parking spaces reflects the difference between existing and proposed parking counts. Proposal includes 378 Lowe's spaces, 613 Walmart spaces, 50 Camp spaces, and 6 Meineke spaces.

³ Based on Title V estimates

*116,711 sf:
 109,460 sf Walmart
 3,084 sf Meineke
 4,167 sf Camp Lions

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 project will be located on a 91.6 parcel assemblage that includes an existing Walmart, Camp Lion day camp facility and property owned by the City of Salem. The existing Walmart occupies one parcel of land totaling approximately 14.1 acres located at 450 Highland Avenue, Salem, Massachusetts. The existing Walmart property currently contains an existing 109,460± sf retail building which includes the Walmart and abutting retail uses. The existing site is currently served by two site driveways that connect to Highland Avenue, as well as a cross connection which connects to the abutting retail use to the north. The north, south and western edges of the existing development consist of rock ledge faces which were created during the original store construction. The undeveloped portions of the property to the north, south and west, are heavily wooded.

The Lowe's portion of the site consists of two parcels of land totaling approximately 12.4 ± acres. The parcels that will make up the Lowe's property are currently owned by Camp Lion and the City of Salem. The Camp Lion portion of the Site is used as a children's summer day camp. The Camp site is improved with a one story lodge building constructed in 1970 and a two story house currently used as the camp office; the camp buildings total 4,167 sf. Other features of the camp include a swimming pool and picnic table areas. The site also contains existing radio and cell towers and associated gravel access drives. Portions of the Camp have been cleared for outdoor recreation uses. The remainder of the Site consists of a paved parking area west of the lodge and wooded areas in all directions surrounding the lodge. The undeveloped areas consist of exposed bedrock faces and surfaces, large rock outcroppings, and wooded areas. Exposed bedrock faces, up to 40 feet in height, are present along the southeast and central portions of the site; which will require blasting to establish final grades.

Lowe's is proposing the construction of a 153,063± square foot (sf) retail store including a 31,204± sf garden center on an approximate 12.4 acre parcel. Walmart is proposing to raze the existing 109,460± sf mixed retail facility, including 97,000± sf Walmart, to expand the total facility by 42,732± square feet to a total of 152,192± square feet. The existing Walmart parcel includes approximately 14.1 acres of land. The proposed Walmart expansion will include an additional 3± acres of land for a total of 17.1± acres. The Walmart expansion will be situated on the existing Walmart parcel and will also include land currently owned by the City of Salem and Camp Lion. The combined project will include 320,779± sf of building (includes existing 3,084 sf Meineke building square footage, an increase of 204,068± square feet from the existing condition), 1,047 parking spaces, circulation driveways, and landscaping.

The portion of the Site that is currently owned and occupied by Camp Lion contains structures and an access driveway that support a summer day camp. The project includes improvements to the Camp Lion facilities and the realignment of the existing driveway to facilitate the construction of the Lowe's. Lowe's

will be responsible for preparing rough graded, stabilized areas in support of the future construction of an 9,900± sf building, approximately 50 parking spaces, a pool area, and a recreation field on the Camp Lion property. The Camp improvements will be completed by the Camp at a later date. The City of Salem owned parcel will be included as part of the proposed project. The City will be provided a portion of the existing Camp Lion property to construct a municipal water tower. Construction of the water tower will be coordinated with the overall project construction schedule. Access to the tower parcel will be provided through the project site.

The project site abuts an existing Meineke Car Care Center. A small expansion of the Meineke building is proposed as part of the project. The expansion will include a storage area and an additional service bay. Minor improvements to the layout of the parking are also proposed.

b) Lowe's considered a number of factors during the site selection process and the Preferred Alternative site layout. Alternative layouts were considered by Lowe's to accommodate the proposed building program and associated parking. The Preferred Site Alternative was selected based on a review of these alternatives and a combination of factors including complying with local zoning, minimizing environmental impacts, providing market-demanded parking, access, visibility, acreage, and economic return. Other alternatives considered included the No Build and the inclusion of a larger building prototype.

The project site was selected due to the fact that Walmart was looking to upgrade and expand its current facility. Given the site's location fronting along Highland Avenue with an existing signalized intersection in place and the site's zoning, the logical site development features retail or commercial uses. Due to the joint development nature of this project, a shared common access driveway with a new upgraded signalized intersection and associated roadway improvements is an attractive and essential mitigation measure. The Lowe's development will also benefit Camp Lion by presenting them with an opportunity to substantially upgrade their existing facilities, an opportunity that may not otherwise be afforded to them without the Lowe's project.

c) The project will result in direct impacts to resource areas subject to protection under the Massachusetts Wetlands Protection Act. The relocation of an existing intermittent stream will result in impacts to 633 linear feet of bank and 4,585 square feet of bordering vegetated wetlands. Mitigation will be provided with the stream realigned to accommodate the site improvements. The relocated stream will incorporate both low and active flows and a shelf to establish permanent wetland plantings associated with the replicated bordering vegetated wetland system. There is no work subject to protection under the Massachusetts Wetlands Protection Act associated with the Walmart portion of the project.

To mitigate the project's traffic impact at this location and address existing operational deficiencies, improvements to the existing intersection operations will be made. The main signalized site driveway will be relocated further south to the location of the existing southerly right-turn in/right-turn out driveway. The driveway at the location of the existing main site driveway will be closed, reducing the number of curb cuts along Highland Avenue. The proposed intersection will be widened to include additional turn lanes, provide signalized control to existing uses along Highland Avenue, and provide an additional location for Highland Avenue southbound traffic to U-turn to travel northbound.

Request for Special Review Procedure

Lowe's proposes to implement a number of measures to increase the energy efficiency of, and reduce emissions of greenhouse gases ("GHG") from, its Salem project. These measures (the "GHG Commitments") are discussed in further detail in Appendix F. Lowe's previously has provided the GHG Commitments to the MEPA Office for review and comment, and has revised the GHG Commitments to reflect the comments it has received to date.

In addition to implementing the GHG Commitments at its Salem project, Lowe's proposes to implement the GHG Commitments at future stores it constructs in the Commonwealth.¹ As part of any Certificate issued for the Salem project, Lowe's seeks authorization from the Secretary, pursuant to MEPA's Special Review Procedures (310 CMR 11.09), that future Lowe's stores not be required to quantify and model GHG emissions associated with energy consumption (stationary source direct and indirect emissions) if

¹ Lowe's voluntarily has agreed to implement the GHG Commitments at its proposed store in Quincy (a store which already has completed the MEPA review process).

the store is constructed in accordance with the GHG Commitments. However, the GHG emissions associated with the site specific aspects of future store proposals, such as the specific store location and associated traffic generation, would still be quantified and modeled by Lowe's on a site-by-site basis. Lowe's requests that the authorization provided by the Secretary apply to any future store of Lowe's for which review under MEPA has commenced on or before January 1, 2013.

LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

A. Does the project meet or exceed any review thresholds related to land (see 301 CMR 11.03(1)) Yes ___ No; if yes, specify each threshold: **Creation of 10 or more acres of impervious area, generation of 3,000 or more new ADT on roadways providing access to a single location, and construction of 1,000 or more new parking spaces at a single location.**

II. Impacts and Permits

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	2.7 ²	4.7	7.4
Roadways, parking, and other paved areas	5.6	9.1	14.7
Other altered areas (describe) ³	0	7.1	7.1
Undeveloped areas	83.1	(19.4)	63.7

²2.7 acres = 2.5 acre Walmart + 0.2 acres Meineke and Camp Lion Building

³ Represents altered land in the proposed condition that will not be covered by impervious surfaces that was previously unaltered in the existing condition. Includes rough graded, stabilized area in support of the future construction of an 9,900± sf building, 50 parking spaces, a pool area, and a recreation field associated with the Camp improvements. The improvements will be constructed by the Camp at a future date.

B. Has any part of the project site been in active agricultural use in the last three years? ___ Yes No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

C. Is any part of the project site currently or proposed to be in active forestry use? ___ Yes No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? ___ Yes No; if yes, describe:

E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction? ___ Yes No; if yes, does the project involve the release or modification of such restriction? ___ Yes ___ No; if yes, describe:

F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A? ___ Yes No; if yes, describe:

G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? ___ Yes No; if yes, describe:

H. Describe the project's stormwater impacts and, if applicable, measures that the project will take to comply with the standards found in DEP's Stormwater Management Policy:

The proposed stormwater management system complies with all aspects of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Standards. The project as designed will meet or exceed DEP's stormwater management standards. Although a portion of the project could qualify as redevelopment, where the policies must be met "to the greatest extent practicable" the storm water management

system was designed in accordance with the standards for new development for the whole site. The DEP Storm Water Management Form, a narrative description of compliance, and details on the operation and maintenance plan can be found in the Drainage Report in Appendix G.

I. Is the project site currently being regulated under M.G.L.c.21E or the Massachusetts Contingency Plan? ___ Yes No; if yes, what is the Release Tracking Number (RTN)?

J. If the project site is within the Chicopee or Nashua watershed, is it within the Quabbin, Ware, or Wachusett subwatershed? ___ Yes ___ No; if yes, is the project site subject to regulation under the Watershed Protection Act? ___ Yes ___ No

N/A, The site is not within the Chicopee or Nashua Watershed.

K. Describe the project's other impacts on land:

The project will require the alteration of previously undeveloped land for the construction of the proposed site improvements. However, the project has been designed to minimize impacts to the natural resource areas and the other undeveloped portions of the site. The proposed elevations associated with the Lowe's development have been designed to minimize land disturbances and bedrock cuts. Cut material required as part of the Lowe's project is expected to be used to the maximum extent practicable as fill material for both the Lowe's construction and as part of the Camp improvements.

The Walmart expansion has been designed to primarily utilize the previously developed areas of the site. The new Walmart store location and elevations are designed to be a balanced site in itself (with the Walmart tract/analysis being independent from the Lowe's tract), resulting in the new Walmart facility elevated approximately 13 feet above the existing building finished floor elevation. The proposed redevelopment is expected to utilize existing utility infrastructure in place and therefore utility main extensions and improvements are not anticipated at this time.

III.. Consistency

A. Identify the current municipal comprehensive land use plan and the open space plan and describe the consistency of the project and its impacts with that plan(s):

B. Identify the current Regional Policy Plan of the applicable Regional Planning Agency and describe the consistency of the project and its impacts with that plan:

The current regional policy plan is MetroPlan 2000, prepared by the Metropolitan Area Planning Council. This plan was prepared to provide a vision for the future of the 101 Cities and Towns in the Greater Boston Area and to support development that will support economic development initiatives, utilize existing services and infrastructure to the greatest extent possible and to encourage the protection of open lands. This project will be consistent with the MetroPlan in the following ways; (1) Encourage Private Sector Investment in the Region (Econ. Dev. #2), (2) Create or retain jobs for the local labor force, (3) Reuse and redevelopment of existing development site (Facility Siting #3), and (4) Minimize impacts to environmentally sensitive areas and open lands.

C. Will the project require any approvals under the local zoning by-law or ordinance (i.e. text or map amendment, special permit, or variance)? Yes No ___; if yes, describe:

The project will require a Special Permit from the City of Salem Planning Board in connection with a Planned Unit Development (PUD) proposal.

D. Will the project require local site plan or project impact review?
 Yes ___ No; if yes, describe:

The project will require site plan approval from the City of Salem Planning Board.

RARE SPECIES SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to rare species or habitat (see 301 CMR 11.03(2))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to rare species or habitat? ___ Yes X No

C. If you answered "No" to both questions A and B, proceed to the **Wetlands, Waterways, and Tidelands Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Rare Species section below.

II. Impacts and Permits

A. Does the project site fall within Priority or Estimated Habitat in the current Massachusetts Natural Heritage Atlas (attach relevant page)? ___ Yes ___ No. If yes,

1. Which rare species are known to occur within the Priority or Estimated Habitat (contact: Environmental Review, Natural Heritage and Endangered Species Program, Route 135, Westborough, MA 01581, allowing 30 days for receipt of information):

2. Have you surveyed the site for rare species? ___ Yes ___ No; if yes, please include the results of your survey.

3. If your project is within Estimated Habitat, have you filed a Notice of Intent or received an Order of Conditions for this project? ___ Yes ___ No; if yes, did you send a copy of the Notice of Intent to the Natural Heritage and Endangered Species Program, in accordance with the Wetlands Protection Act regulations? ___ Yes ___ No

B. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04)? ___ Yes ___ No; if yes, describe:

C. Will the project alter "significant habitat" as designated by the Massachusetts Division of Fisheries and Wildlife in accordance with M.G.L. c.131A (see also 321 CMR 10.30)? ___ Yes ___ No; if yes, describe:

D. Describe the project's other impacts on rare species including indirect impacts (for example, stormwater runoff into a wetland known to contain rare species or lighting impacts on rare moth habitat):

WETLANDS, WATERWAYS, AND TIDELANDS SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))? X Yes ___ No; if yes, specify, in quantitative terms: **The project will alter 500 or more linear feet of inland bank (301 CMR 11.03 (3) (b) 1 b).**

B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands, waterways, or tidelands**? X Yes ___ No; if yes, specify which permit: **The project will require an Order of Conditions from the Salem Conservation Commission.**

C. If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

II. Wetlands Impacts and Permits

A. Describe any wetland resource areas currently existing on the project site and indicate them on the site plan: **Wetland Resource Areas on the project site include Bordering Vegetated Wetland (Flags A1-A28 and B1-B20) and an intermittent stream which includes the resource areas Bank and Land under Water Bodies/Waterways.**

B. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

<u>Coastal Wetlands</u>	<u>Area (in square feet) or Length (in linear feet)</u>
Land Under the Ocean	_____
Designated Port Areas	_____
Coastal Beaches	_____
Coastal Dunes	_____
Barrier Beaches	_____
Coastal Banks	_____
Rocky Intertidal Shores	_____
Salt Marshes	_____
Land Under Salt Ponds	_____
Land Containing Shellfish	_____
Fish Runs	_____
Land Subject to Coastal Storm Flowage	_____
<u>Inland Wetlands</u>	
Bank	<u>633 linear feet</u>
Bordering Vegetated Wetlands	<u>4,585 square feet</u>
Land under Water	_____
Isolated Land Subject to Flooding	_____
Bordering Land Subject to Flooding	_____
Riverfront Area	_____

C. Is any part of the project

1. a limited project? ___ Yes X No
2. the construction or alteration of a dam? ___ Yes X No; if yes, describe:
3. fill or structure in a velocity zone or regulatory floodway? ___ Yes X No
4. dredging or disposal of dredged material? ___ Yes X No; if yes, describe the volume of dredged material and the proposed disposal site:
5. a discharge to Outstanding Resource Waters? ___ Yes X No
6. subject to a wetlands restriction order? ___ Yes X No; if yes, identify the area (in square feet):

D. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)? X Yes ___ No; if yes, has a Notice of Intent been filed or a local Order of Conditions issued? ___ Yes X No; if yes, list the date and DEP file number: _____.

Was the Order of Conditions appealed? ___ Yes ___ No. Will the project require a variance from

the Wetlands regulations? ___ Yes X No.

E. Will the project:

1. be subject to a local wetlands ordinance or bylaw? X Yes ___ No
2. alter any federally-protected wetlands not regulated under state or local law?
___ Yes X No; if yes, what is the area (in s.f.)?

F. Describe the project's other impacts on wetlands (including new shading of wetland areas or removal of tree canopy from forested wetlands): **The project will impact a shaded section of intermittent stream which will be replicated and will allow for native tree and shrub plantings to reestablish.**

III. Waterways and Tidelands Impacts and Permits

A. Is any part of the project site waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? ___ Yes X No; if yes, is there a current Chapter 91 license or permit affecting the project site? ___ Yes ___ No; if yes, list the date and number:

B. Does the project require a new or modified license under M.G.L.c.91? ___ Yes X No; if yes, how many acres of the project site subject to M.G.L.c.91 will be for non-water dependent use?
Current ___ Change ___ Total ___

C. Is any part of the project

1. a roadway, bridge, or utility line to or on a barrier beach? ___ Yes X No; if yes, describe:
2. dredging or disposal of dredged material? ___ Yes X No; if yes, volume of dredged material _____
3. a solid fill, pile-supported, or bottom-anchored structure in flowed tidelands or other waterways? ___ Yes X No; if yes, what is the base area? _____
4. within a Designated Port Area? ___ Yes X No

D. Describe the project's other impacts on waterways and tidelands:

N/A

IV. Consistency:

A. Is the project located within the Coastal Zone? ___ Yes X No; if yes, describe the project's consistency with policies of the Office of Coastal Zone Management:

B. Is the project located within an area subject to a Municipal Harbor Plan? ___ Yes X No; if yes, identify the Municipal Harbor Plan and describe the project's consistency with that plan:

WATER SUPPLY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? ___ Yes No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **water supply**? ___ Yes No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

II. Impacts and Permits

A. Describe, in gallons/day, the volume and source of water use for existing and proposed activities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Withdrawal from groundwater	_____	_____	_____
Withdrawal from surface water	_____	_____	_____
Interbasin transfer	_____	_____	_____
Municipal or regional water supply	_____	_____	_____

B. If the source is a municipal or regional supply, has the municipality or region indicated that there is adequate capacity in the system to accommodate the project? ___ Yes ___ No

C. If the project involves a new or expanded withdrawal from a groundwater or surface water source,
1. have you submitted a permit application? ___ Yes ___ No; if yes, attach the application
2. have you conducted a pump test? ___ Yes ___ No; if yes, attach the pump test report

D. What is the currently permitted withdrawal at the proposed water supply source (in gallons/day)?
_____ Will the project require an increase in that withdrawal? ___ Yes ___ No

E. Does the project site currently contain a water supply well, a drinking water treatment facility, water main, or other water supply facility, or will the project involve construction of a new facility?
___ Yes ___ No. If yes, describe existing and proposed water supply facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Water supply well(s) (capacity, in gpd)	_____	_____	_____
Drinking water treatment plant (capacity, in gpd)	_____	_____	_____
Water mains (length, in miles)	_____	_____	_____

F. If the project involves any interbasin transfer of water, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?

G. Does the project involve

1. new water service by a state agency to a municipality or water district? ___ Yes ___ No
2. a Watershed Protection Act variance? ___ Yes ___ No; if yes, how many acres of alteration?
3. a non-bridged stream crossing 1,000 or less feet upstream of a public surface drinking water supply for purpose of forest harvesting activities? ___ Yes ___ No

H. Describe the project's other impacts (including indirect impacts) on water resources, quality, facilities and services:

III. **Consistency** -- Describe the project's consistency with water conservation plans or other plans to *enhance* water resources, quality, facilities and services:

WASTEWATER SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to wastewater (see 301 CMR 11.03(5))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to wastewater? ___ Yes X No; if yes, specify which permit:

A one-time Sewer Connection Compliance Certification will be filed for the project for a new sanitary sewer connection from a facility not listed in 314 CMR 7.17(2)(c) that results in a discharge greater than 15,000 gallons per day and less than 50,000 gallons per day.

C. If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

II. Impacts and Permits

A. Describe, in gallons/day, the volume and disposal of wastewater generation for existing and proposed activities at the project site (calculate according to 310 CMR 15.00):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Discharge to groundwater (Title 5)	_____	_____	_____
Discharge to groundwater (non-Title 5)	_____	_____	_____
Discharge to outstanding resource water	_____	_____	_____
Discharge to surface water	_____	_____	_____
Municipal or regional wastewater facility	_____	_____	_____
TOTAL	_____	_____	_____

B. Is there sufficient capacity in the existing collection system to accommodate the project? ___ Yes ___ No; if no, describe where capacity will be found:

C. Is there sufficient existing capacity at the proposed wastewater disposal facility? ___ Yes ___ No; if no, describe how capacity will be increased:

D. Does the project site currently contain a wastewater treatment facility, sewer main, or other wastewater disposal facility, or will the project involve construction of a new facility? ___ Yes ___ No. If yes, describe as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Wastewater treatment plant (capacity, in gpd)	_____	_____	_____
Sewer mains (length, in miles)	_____	_____	_____
Title 5 systems (capacity, in gpd)	_____	_____	_____

E. If the project involves any interbasin transfer of wastewater, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?

F. Does the project involve new sewer service by an Agency of the Commonwealth to a municipality or sewer district? ___ Yes ___ No

G. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of sewage sludge, sludge ash, grit, screenings, or other sewage residual materials? ___ Yes ___ No; if yes, what is the capacity (in tons per day):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment, processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

state, and federal plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services:

MassDOT is currently improving the traffic signal system along Highland Avenue and the proposed roadway improvements will be designed in unison with the state project. The applicant will continue to work with the MBTA to maintain bus service for the site providing an alternative transportation source.

ROADWAYS AND OTHER TRANSPORTATION FACILITIES SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to roadways or other transportation facilities (see 301 CMR 11.03(6))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to roadways or other transportation facilities? X Yes ___ No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the Energy Section. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

II. Transportation Facility Impacts

A. Describe existing and proposed transportation facilities at the project site:

	Existing	Change	Total
Length (in linear feet) of new or widened roadway	<u>1,500±</u>	<u>0</u>	<u>1,500±</u>
Width (in feet) of new or widened roadway	<u>85±</u>	<u>11±</u>	<u>96±</u>

Other transportation facilities:

B. Will the project involve any

1. Alteration of bank or terrain (in linear feet)?	<u>1,200±</u>
2. Cutting of living public shade trees (number)?	<u>0</u>
3. Elimination of stone wall (in linear feet)?	<u>0</u>

III. Consistency -- Describe the project's consistency with other federal, state, regional, and local plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services, including consistency with the applicable regional transportation plan and the Transportation Improvements Plan (TIP), the State Bicycle Plan, and the State Pedestrian Plan:

MassDOT is currently improving the traffic signal system along Highland Avenue and the proposed roadway improvements will be designed in unison with the state project. The site driveway intersection improvements will include pedestrian and bicycle accommodations. The applicant will continue to work with the MBTA to maintain bus service for the site providing an alternative transportation source.

ENERGY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))?
___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **energy**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

II. Impacts and Permits

A. Describe existing and proposed energy generation and transmission facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Capacity of electric generating facility (megawatts)	_____	_____	_____
Length of fuel line (in miles)	_____	_____	_____
Length of transmission lines (in miles)	_____	_____	_____
Capacity of transmission lines (in kilovolts)	_____	_____	_____

B. If the project involves construction or expansion of an electric generating facility, what are

1. the facility's current and proposed fuel source(s)?
2. the facility's current and proposed cooling source(s)?

C. If the project involves construction of an electrical transmission line, will it be located on a new, unused, or abandoned right of way? ___ Yes ___ No; if yes, please describe:

D. Describe the project's other impacts on energy facilities and services:

III. Consistency -- Describe the project's consistency with state, municipal, regional, and federal plans and policies for enhancing energy facilities and services:

AIR QUALITY SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to air quality (see 301 CMR 11.03(8))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to air quality? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

II. Impacts and Permits

A. Does the project involve construction or modification of a major stationary source (see 310 CMR 7.00, Appendix A)? ___ Yes ___ No; if yes, describe existing and proposed emissions (in tons per day) of:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Particulate matter	_____	_____	_____
Carbon monoxide	_____	_____	_____
Sulfur dioxide	_____	_____	_____
Volatile organic compounds	_____	_____	_____
Oxides of nitrogen	_____	_____	_____
Lead	_____	_____	_____
Any hazardous air pollutant	_____	_____	_____
Carbon dioxide	_____	_____	_____

B. Describe the project's other impacts on air resources and air quality, including noise impacts:

III. Consistency

A. Describe the project's consistency with the State Implementation Plan:

B. Describe measures that the proponent will take to comply with other federal, state, regional, and local plans and policies related to air resources and air quality:

SOLID AND HAZARDOUS WASTE SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? ___ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **solid and hazardous waste**? ___ Yes X No; if yes, specify which permit:

C. If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

II. Impacts and Permits

A. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of solid waste? ___ Yes ___ No; if yes, what is the volume (in tons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment, processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

B. Is there any current or proposed facility at the project site for the storage, recycling, treatment or disposal of hazardous waste? ___ Yes ___ No; if yes, what is the volume (in tons or gallons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Recycling	_____	_____	_____
Treatment	_____	_____	_____
Disposal	_____	_____	_____

C. If the project will generate solid waste (for example, during demolition or construction), describe alternatives considered for re-use, recycling, and disposal:

D. If the project involves demolition, do any buildings to be demolished contain asbestos?

___ Yes ___ No

E. Describe the project's other solid and hazardous waste impacts (including indirect impacts):

III. Consistency--Describe measures that the proponent will take to comply with the State Solid Waste Master Plan:

HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION

I. Thresholds / Impacts

A. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes No; if yes, does the project involve the demolition of all or any exterior part of such historic structure? ___ Yes ___ No; if yes, please describe:

B. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? ___ Yes No; if yes, does the project involve the destruction of all or any part of such archaeological site? ___ Yes ___ No; if yes, please describe:

C. If you answered "No" to all parts of both questions A and B, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

D. Have you consulted with the Massachusetts Historical Commission? ___ Yes ___ No; if yes, attach correspondence

E. Describe and assess the project's other impacts, direct and indirect, on listed or inventoried historical and archaeological resources:

II. Consistency -- Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to preserving historical and archaeological resources:

ATTACHMENTS:

1. Plan, at an appropriate scale, of existing conditions of the project site and its immediate context, showing all known structures, roadways and parking lots, rail rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities.
2. Plan of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase).
3. Original U.S.G.S. map or good quality color copy (8-½ x 11 inches or larger) indicating the project location and boundaries **Figure 1 – Appendix B**
4. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2). **Appendix A**
5. Other:

CERTIFICATIONS:

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

(Name)	(Date)
<u>The Salem News</u>	<u>On or Before January 13, 2010</u>

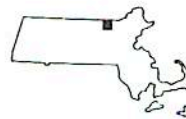
2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

Thomas Kennedy
Date Signature of Responsible Officer
 or Proponent

Thomas Kennedy
Name (print or type)
Firm/Agency Kennedy Development Group, Inc.
Street 500 Broadway
Municipality/State/Zip Everett, MA 02149
Phone (617) 387-1700

12/28/09 Edward T. Hutchinson
Date

Edward T. Hutchinson
Tetra Tech Rizzo
One Grant Street
Framingham, MA 01701



Base Map: MA USGS, 7/1/1988
Terra Server Topographic Maps

Low's and Walmart
Salem, MA

Site Location Map
Figure 1