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June 22, 2007

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : 126 Warren Ave. Proposed Condominiums
PROJECT MUNICIPALITY : Plymouth
PROJECT WATERSHED : Eel River
EOEA NUMBER : 14035
PROJECT PROPONENT : Goscon, Inc.
DATE NOTICED IN MONITOR : May 23, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

The proposed project involves construction of the construction of a four-unit condominium development. The project also includes a new septic system and associated site work including parking areas, driveways, utilities, roof drains, and drainage structures within the 200 foot riparian zone of Eel River, within the 100 foot buffer to the associated bordering vegetated wetland, and within the coastal bank.

The project is undergoing review pursuant to Section 11.03(3)(b)1.a. and 11.03(3)(b)1.b of the MEPA regulations because it involves alteration of coastal bank and alteration of 500 or more linear feet of bank along a fish run or inland bank. The proposed project will impact approximately 150 linear feet (lf) of coastal bank, 2,700 square feet (sf) of temporary impact to Land Subject to Coastal storm Flowage (wetland replication), 8,817 sf of Riverfront Area, and 2,177 sf of Bordering Vegetated Wetlands (BVW) (permanent wetland enhancement). It was also noted at the MEPA site visit that the project may entail the reconstruction of a pedestrian footbridge between the proponent's property and Plymouth Long Beach which will span the Eel River.

The proposed project will require a Superseding Order of Conditions from the Department of Environmental Protection (MassDEP) and an Access Permit from the

Massachusetts Highway Department (MHD). The proponent is not seeking financial assistance from the Commonwealth. The project may be subject to the Office of Coastal Zone Management (CZM) federal consistency review, in which case the project must be found consistent with CZM's enforceable program policies. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause damage to the environment. In this case, MEPA jurisdiction extends to wetlands, water quality, tidelands and traffic.

MassDEP is currently reviewing the proposed project for the issuance of a Superseding Order of Conditions. MassDEP is examining project information on resource area boundaries and potential project impacts to those resource areas. MassDEP has stated in their comment letter that sufficient information has been developed to allow MassDEP to evaluate if the project meets the performance standards of the Wetlands Protection Act Regulations. I note that although the project design plans included in the ENF provide several delineations for flood zones, it appears that the proponent is using FEMA National Flood Insurance Program (NFIP) flood zone delineations from an outdated version (1992) of the Flood Insurance Rate Map (FIRM) series. The proponent should provide MassDEP with revised plans that reflect the most recent version of the FEMA flood data, map revision date of December 19, 2006. In addition, information provided by an abutter indicates that a portion of the existing structure along the northwest corner of the property may need reinforcement to avoid flooding. Site specific patterns of flooding may also need to be considered when determining design elements and susceptibility to storm and flood damage.

The proponent must ensure that the proposed project does not have any adverse impacts to the Coastal Bank. CZM recommends in their comment letter that the overflow parking design elements located in the Coastal Bank be removed to avoid impacts. If the overflow parking is necessary architectural pavers should be used. In addition, a proposed 4-foot high vertical fitted block retaining wall is located partially in the Coastal Bank. The proponent should consider alternative designs to minimize redirection of stormwater flows and potential erosion at the base and end of the retaining wall.

The Massachusetts Historical Commission (MHC) has stated in a comment letter that the project site at 126 Warren Avenue is located within both the Warren Avenue-Manter;s Point Area (MHC # PLY.R) and the Chiltonville Area (PLY.O), which are included in MHC's Inventory of Historic and Archaeological Assets of the Commonwealth and may be eligible for listing in the National Register of Historic Places (36 CFR 60). I strongly encourage the proponent to consult with MHC to determine the effects of the project on the historic properties and provide MHC with the items required in their comment letter.

The proponent has also committed to erosion controls and revegetation of disturbed areas with native plantings. To the maximum extent feasible, the proponent should incorporate alternative design features that eliminate the need for rip-rap and employ non-structural methods for capturing roof drainage. The proponent should ensure that construction activities conform to solid waste regulations as further detailed in MassDEP's comment letter. The proponent should also ensure that the project meets MassDEP's Stormwater Management Policy for implementation of best management practices (BMPs).

I encourage the proponent to explore, and implement to the extent feasible, sustainable design elements that can provide environmental benefits as well as economic benefits for the proponent and future residents. The basic elements of a sustainable design program may include, but not be limited to, the following measures:

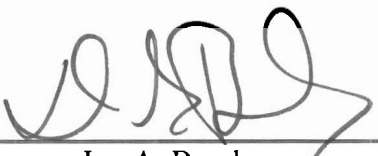
- Leadership in Energy and Environmental Design (LEED) certification;
- water conservation and reuse of wastewater and stormwater;
- ecological landscaping;
- use of Low Impact Development (LID) techniques (the proponent may find the following web sites useful www.mass.gov/envir/lid and www.lid-stormwater.net);
- optimization of natural day lighting, passive solar gain, and natural cooling;
- use of energy efficient HVAC and lighting systems, appliances and other equipment, and use of solar preheating of makeup air;
- favoring building supplies and materials that are non-toxic, made from recycled materials, and made with low embodied energy;
- provision of easily accessible and user-friendly recycling system infrastructure.

It was also noted at the MEPA site visit that the project may entail the reconstruction of a pedestrian footbridge between the proponent's property and Plymouth Long Beach which will span the Eel River. I remind the proponent that any changes to the project as proposed in the ENF will require a Notice of Project Change pursuant to Section 11.10 of the MEPA regulations. CZM has made specific recommendations in their comment letter regarding the removal of the present footbridge and revegetation. I note that the section of the footbridge to be located on the landward side of Plymouth Beach appears to be mapped as a Zone AO, is just landward of a Zone VE, and is within a Coastal Barrier Resource System.

I have determined that the ENF has sufficiently defined the nature and general elements of the project and proposed measures to avoid and mitigate environmental impacts. I am satisfied that any remaining issues can be adequately addressed during the state and local permitting and review process. The proposed project, as described in the ENF, requires no further review under MEPA.

June 22, 2007

Date



Ian A. Bowles

Comments received:

05/24/07	Massachusetts Historical Commission
06/07/07	Robert Sullivan
06/07/07	The Plymouth Planning Board
06/07/07	Office of Coastal Zone Management
06/08/07	Patricia Funder
06/08/07	Yvonne and Bill Carney

Comments received (continued):

06/11/07 Virginia Davis
06/12/07 **Carol Gaudreau** (1st comment letter)
06/12/07 Department of Environmental Protection – South Eastern Regional Office
06/07/07 Executive Office of Transportation, MassHighway
06/20/07 Carol Gaudreau (2nd comment letter)

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