Commonwealth of Massachusetts
Executive Office of Environmental Affairs ■ MEPA Office

ENF Environmental Notification Form

For Office Use Only
Executive Office of Environmental Affairs
EOEA No.: 14285
MEPA Analyst: Bill Gage
Phone: 617-626-1025

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: Spalaris Residence		
Street: 78 Squibnocket Drive		
Municipality: East Falmouth	Watershed: Cape and Islands	
Universal Tranverse Mercator Coordinates:	Latitude: 41° 34' 30" N Longitude: 70° 32' 45" W	
Estimated commencement date: 9/15/08	Estimated completion date: 5/15/08	
Approximate cost: $400,000	Status of project design: 95% complete	
Proponent: Andreas and Joan Spalaris		
Street: 1077 Broadway		
Municipality: Somerville	State: MA	Zip Code: 02144-1815
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Jack Vaccaro		
Firm/Agency: Vaccaro Environmental Consulting	Street: 137 Route 6A, P.O. Box 955	
Municipality: Sandwich	State: MA	Zip Code: 02563
Phone: (508) 888-5855	Fax: (508) 888-0564	E-mail: jackvaccaro@msn.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):

Are you requesting coordinated review with any other federal, state, regional, or local agency?
☐Yes(Specify_____) ☒No

List Local or Federal Permits and Approvals:
Special Permit (Falmouth Zoning Board of Appeals)
Variance for Septic System (Falmouth Board of Health)

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- ☐ Land
- ☐ Water
- ☐ Energy
- ☐ ACEC
- ☐ Rare Species
- ☐ Wastewater
- ☐ Air
- ☐ Regulations
- ☒ Wetlands, Waterways, & Tidelands
- ☐ Transportation
- ☐ Solid & Hazardous Waste
- ☐ Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	Existing	Change	Total
LAND			
Total site acreage	0.27 acres		
New acres of land altered		0.12 acres	
Acres of impervious area	0	0.04 acres	0.04 acres
Square feet of new bordering vegetated wetlands alteration		0	
Square feet of new other wetland alteration		600 s.f. (coastal bank)	
Acres of new non-water dependent use of tidelands or waterways		0	
STRUCTURES			
Gross square footage	0	2000	2000
Number of housing units	0	1	1
Maximum height (in feet)	0	25'	25'
TRANSPORTATION			
Vehicle trips per day	0	4	4
Parking spaces	0	2	2
WATER/WASTEWATER			
Gallons/day (GPD) of water use	0	330	330
GPD water withdrawal	0	N/A	N/A
GPD wastewater generation/ treatment	0	330	330
Length of water/sewer mains (in miles)	0	0	0

State Permits & Approvals

- ☐ Order of Conditions
- ☒ Superseding Order of Conditions
- ☐ Chapter 91 License
- ☐ 401 Water Quality Certification
- ☐ MHD or MDC Access Permit
- ☐ Water Management Act Permit
- ☐ New Source Approval
- ☐ DEP or MWRA Sewer Connection/ Extension Permit
- ☐ Other Permits (*including Legislative Approvals*) – Specify:

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.*)

This Environmental Notification Form has been submitted by Vaccaro Environmental Consulting on behalf of Andreas and Joan Spalaris, who plan to construct of a single family residence with driveway and appurtenant utilities at 78 Squibnockett Drive in East Falmouth. The project will involve construction within the buffer zone of wetland resource areas, and will require direct alteration of a coastal bank. The Falmouth Conservation Commission has reviewed a Notice of Intent application, and has denied issuance of a permit for the project. A request for a superseding order of conditions is currently being reviewed by the DEP.

The site is located along the east facing shore of a man-made canal that extends from the northern part of Eel Pond (refer to Figure 1-Site Location Map). It consists of approximately 11,800 square feet of undeveloped land in an otherwise densely developed residential section of Falmouth. The property slopes steeply toward the canal with the gradient generally exceeding 20% throughout most of the western portion of the site. A small terrace is located at the rear of the site, closest to the canal. The actual bank of the man-made canal is abrupt with a nearly vertical 3-foot bank height. Site elevations range from approximately 22 feet NGVD along the Squibnockett Drive frontage to approximately zero along the bank of the canal. The eastern portion of the property is located within the 100-year floodplain as determined by the Federal Emergency Management Agency.

The majority of the site is forested uplands of mostly oaks and pines with an understory of lowbush blueberry and northern arrowwood.. The property is flanked to the north and south by other developed parcels, and some encroachment onto the site from these adjacent properties has taken place, including a steel shed. The site also features two coastal banks as defined under the Massachusetts Wetlands Protection Act Regulations. The lower of the two, which borders the canal, is an eroding coastal bank generally two to three feet high and nearly vertical. The upper bank is fragmented and non-eroding. It is generally one foot high, and its upper boundary coincides with the 11-foot contour or 100-year base flood elevation. Of these two coastal banks, only the lower one meets the local definition for coastal bank as applied under the Falmouth Wetland Regulations.

The proposed house is designed as a 3-bedroom residence with a denitrifying septic system that will have a soil absorption system that is located as far from the canal as the site will allow. This septic system design has been approved by the Falmouth Board of Health. A series of retaining walls will be installed to accommodate a terraced front yard and off-street parking for two vehicles. A plan depicting the proposed construction activities is provided as an attachment to this ENF.

There are no off-site alternatives for this project, and given that there are no practicable alternatives that can avoid alteration of the coastal bank, the applicant has presented a site development plan that provides for the maximum possible setback from other resource areas. The house has been sited on the lot with the minimum front yard setback as allowed under the Falmouth Zoning Bylaw, and designed as narrow as possible to maximize the separation from the canal and associated wetland resource areas. An earlier alternative design with less separation had been considered, but was subsequently abandoned and replaced by the current design by the applicant at the recommendation of the project team.

The house has also been designed at the lowest possible elevation to reduce impacts to the area of the site closest to the canal, while satisfying state building code requirements for construction within a flood hazard zone. In addition, the septic system has been placed as far from the resource area as possible, providing over 75 feet of separation provided between the bank and the soil absorption system (SAS). Despite these measures, which provide protection to other more sensitive wetland resource areas near the canal, the building site lacks sufficient depth to provide separation from the fragmented coastal bank.

Construction at the site will require approximately 1,200 square feet of disturbance within land subject to coastal storm flowage and will permanently alter approximately 600 square feet of coastal bank. The work will involve extensive clearing, grading, and other soil disturbances. As such, appropriate measures are proposed to provide protection to wetland resource areas. Prior to the commencement of any of the construction activities, erosion and sedimentation controls (e.g. staked haybales) will be installed along the work limits as shown on the attached site plan. The erosion and sedimentation controls will function to keep sediment within the limits of work. They will also serve to clearly define the limit of construction, thereby reducing the likelihood of unnecessary incursions beyond the work limit. Erosion and sedimentation controls will be maintained until disturbed areas have been restored.

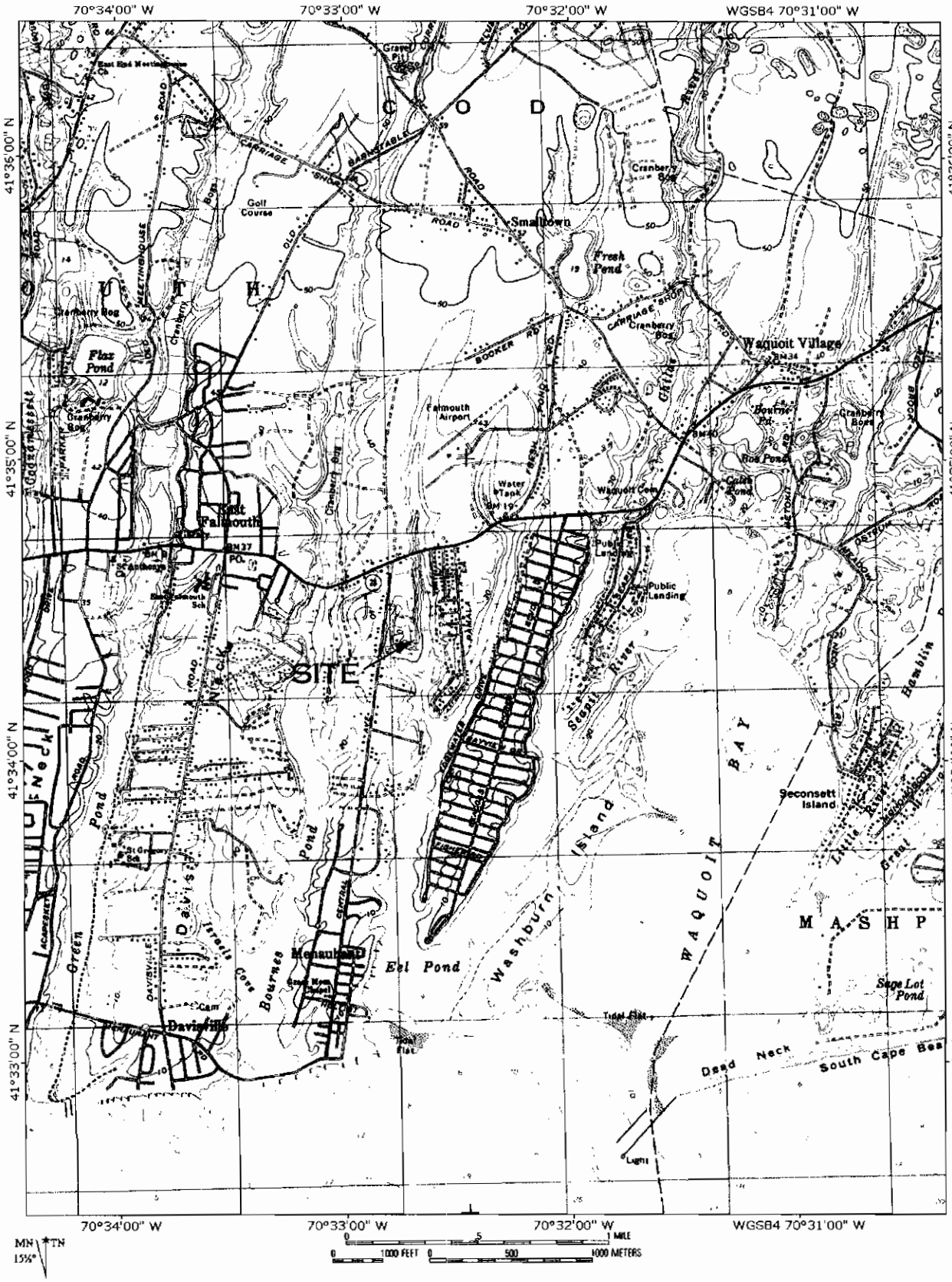

FIGURE 1-SITE LOCATION MAP

78 SQUIBNOCKETT DRIVE
EAST FALMOUTH, MASS