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.: 13714
MEPA Analyst: NICK ZAVOLAS
Phone: 617-626- 1030

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: Relocation of Nantucket Shad Bush		
Street: 121 Eel Point Road		
Municipality: Nantucket	Watershed:	
Universal Transverse Mercator Coordinates: 1318041.124 E 15000067.70112 N	Latitude: 41° 17′ 37.458″ N Longitude: 70° 10′ 24.843″ W	
Estimated commencement date: March 2006	Estimated completion date: March 2006	
Approximate cost: ~ $20,000	Status of project design: 100 % complete	
Proponent: Beth Tractenberg, Eel Point Beach LLC		
Street: 121 Eel Point Road		
Municipality: Nantucket	State: MA	Zip Code: 02554
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Mark Rits		
Firm/Agency: Epsilon Associates	Street: 3 Clock Tower Place, Suite 250	
Municipality: Maynard	State: MA	Zip Code: 01754-0700
Phone: (978) 897- 7100 / Fax: (978) 897-0099	E-mail: mrits@epsilonassociates.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

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	3.97 acres		
New acres of land altered		0.064 acres	
Acres of impervious area	0.182 acres	0 acres	0.182 acres
Square feet of new bordering vegetated wetlands alteration		0 sf	
Square feet of new other wetland alteration		0 sf	
Acres of new non-water dependent use of tidelands or waterways		0 acres	
STRUCTURES			
Gross square footage	7,912 sf	0 sf	7,912 sf
Number of housing units	2	0	2
Maximum height (in feet / NGVD 1929)*	61 feet	0	61 feet
TRANSPORTATION			
Vehicle trips per day	0	0	0
Parking spaces	0	0	0
WASTEWATER			
Gallons/day (GPD) of water use	NA	NA	NA
GPD water withdrawal	NA	NA	NA
GPD wastewater generation/ treatment	NA	NA	NA
Length of water/sewer mains (in miles)	NA	NA	NA

State Permits & Approvals

- ☒ Order of Conditions
- ☐ Superseding Order of Conditions
- ☐ Chapter 91 License
- ☐ 401 Water Quality Certification
- ☐ MHD or MDC Access Permit (see footnote)
- ☐ 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 Priority Habitat of Rare Species) ☐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) Project Description

Existing Site Conditions and Precious Work

The subject property is located between Eel Point Road and Nantucket Sound. The subject property is situated between two developed properties (see Attachment A Figures 1 and 2). The northern portion of the property consists of a coastal beach backed by a small coastal dune and a coastal bank (see Attachment A Figure 3). The top of the coastal bank is the highest portion of the property. The remainder of the property slopes gently towards Eel Point Road. The coastal bank and the portion of the property to the south of the coastal bank are comprised entirely of glacially deposited material. No additional wetland resource areas are found on the property (see Attachment A Figure 3). The entire property is mapped as both estimated and priority habitat of rare and endangered species on the 2005 NHESP atlas (see Attachment A Figure 4). Twenty-four colonies of Nantucket Shad are located in a single area found in the center of the southern portion of the property (see Attachment A Figure 5). Additional colonies of Nantucket Shad are found in the southeast corner of the property immediately seaward of Eel Point Road and to the west of the existing driveway immediately seaward of Eel Point Road (see Attachment A Figure 5). A rare plant survey was conducted by Don Schall of ENSR International, Inc. in September 2005 and no additional rare plant

species were observed on the subject property at that time (see Attachment B).

A reconstructed beach access stairway and re-vegetation of the face of the coastal bank were approve by he Nantucket Conservation Commission under Notice of Intent Application SE48-1759 (NHESP File #04-16961) on December 15, 2004. Additional brush cutting activities in excess of 50-feet landward of the top of the coastal bank as well as pruning and removal of black pine within 50-feet landward of the top of the coastal bank were approved by the Nantucket Conservation Commission as part of an RDA issued on June 17, 2005. Additional clearing of vegetation occurred in excess of 100-feet landward of the top of the coastal bank. Excavation of a foundation and construction of a single family residence occurred in excess of 100-feet landward of the top of the coastal bank. An in ground pool and associated decks between 50 and 100-feet landward of the top of the coastal bank as well as landscaping between 25 and 100-feet landward of the top of the coastal bank were approved by the Nantucket Conservation Commission under Notice of Intent SE48-1827 (NHESP File #05-18404) on November 18, 2005. As a part of the review of this NOI a detailed Nantucket Shad survey was performed by Don Schall (see Attachment B). The survey was submitted to NHESP and the Nantucket Conservation Commission on September 22, 2005. NHESP determined that the project as proposed did not constitute a "take" of Nantucket Shadbush as stated in the review letter dated November 1, 2005 (see Attachment D).

Amenities associated with the construction of the single family residence as approved by NHESP on November 1, 2005 are shown in Attachment A Figure 5. The approved septic system leach field is located on the south western portion of the property and the approved tennis court is located on the southeastern portion of the property. The southeast corner of the property is the location of an old travel "Way" used to access the beach through the Applicant's property. This corner of the property includes a section of approximately 6,500 SF of land that is owned by the eastern abutters (Snowden et. al.). The resulting configuration of the southeast portion of the property forces the tennis court too close to the Snowden's guesthouse and primary residence. Negotiation with Snowden et. al. has required the Applicant to relocate the tennis court as far away from the common property line as possible. In addition to the concerns raised by abutters, the previously approved site plan (see Attachment A Figure 5) has raised the following concerns:

- The NSI site plan (Attachment A Figure 5) shows a large single septic system leach field. Upon closer review of site constraints, the Applicant's design team felt that the potable well location in the southwest would push a single large leach field (see Attachment A Figure 6) too close to the eastern and southern setback limits as well as the existing Nantucket Shad colonies found in the southeastern corner of the property.

- As noted, overlaying the private well zones of contribution and the Applicant's own potable well location (see Attachment A Figure 6) defines the area available for the property's wastewater treatment system. By overlapping the non-impacting uses of the tennis court and he zone of contribution for the potable well in the southwest corner of the property, additional useable lot area is made available for a properly sized multiple septic/leach field system designed to best accommodate the wastewater needs of both the main and guest residence structures.

- The Nantucket Historic District Commission (NHDC) is very sensitive to the placement of tennis courts and related ancillary structures (Fencing and Pergolas) close to public roads that are not screened by native vegetation. The Southwest corner has an existing mature evergreen buffer whereas the southeast corner of the Applicant's property does not have an east facing vegetative buffer. The previously approved tennis court location (see Attachment A Figure 5) would not allow sufficient room to plant an adequate east facing buffer between the subject property and the abutter to the east.

Proposed Site Modifications

In order to relocate the tennis court to the southwestern portion of the property, it will be necessary to transplant the 24 colonies of Nantucket Shad currently located in the proposed tennis court location (see Attachment A Figures 7 and 8). The 24 colonies will be transplanted to the southeast corner of the property and will be used to enhance the Nantucket Shad already found at that location (see Attachment A Figures 7 and 8). In order to facilitate transplanting, an existing well point, previously used as a potable water source will be used as a source of irrigation water. During construction of the guest house irrigation lines will be installed that will provide an ample water source for the transplanting of the Nantucket Shad. The proposed relocation of the 24 Nantucket Shad colonies will act to consolidate all but the small Nantucket Shad colony found to the west of the existing driveway to one location (see Attachment A, Figures 7 and 8). This location will be in an isolated portion of the property and will have the added benefit of removing the 24 colonies of Nantucket Shad from the central portion of the property where they are more likely to be inadvertently disturbed by activities on the property.

The Applicant is aware of the 2 narrow calendar 'windows' available to transplant Nantucket Shad. The development team is prepared to transplant in March 2006 as outlined in Mr. Schall's Draft Protocol (see Attachment C). The on-site work for the Applicant is being coordinated by Ernst Land Design Inc. (ELD) which has 20 years of professional performance as a Nantucket landscape contractor. With the oversight of Donald Schall, the transplant activity will be as follows:

1. The team of Schall and ELD will survey the specific transplant location to remove any seedling trees in the area that would adversely impact shade/sun and nutrient needs of the specimen colonies to be moved. Specific patterns for transplanted 'squares' will be defined to eliminate unnecessary disturbance and impacts from subsequent placement of transplanted plots.

2. ELD will cut the approximate 2,800 SF of existing Nantucket Shad into 4'x4' squares or plots to enable the roots, plant stems and fibrous root zone to be moved without ripping apart the mat structure of the 24 specimen colonies.

3. Before actual moving of plots, ELD will water the existing and proposed Shad locations so that the soil profiles will be more receptive to transplanting and the vital soils will move as a unit. At the proposed sites of the transplanted Shad, ELD will remove the existing herbaceous layer so that transplanted Shad will be set on natural and moist Nantucket soil.

4. ELD will provide a large bucket piece of equipment that will left up 'squares' of the specimen plots, root zone and soil profile to immediately transport each 'square' less than 200 feet to add to the existing Nantucket Shad locations (see Attachment A Figures 7 and 8).

5. After hand placement of plots, manual labor will knit the plots together and hand sprinkle native soil onto all the seams between the moved materials. With the labor force avail through ELD, the transplanting will take one day to complete.

6. Upon completion of all transplant activities, the transplant area will be fenced off using orange construction fencing to prevent access to the transplant area wile the Nantucket Shad is taking root.

7. In keeping with the a November 1, 2005 Letter (see Attachment D) from NHESP Assistant Director Thomas French, the Applicant's development team is prepared to install a split rail perimeter fence to have all the Nantucket Shad colonies "delineate on the ground" as well as include in the permanent deed description the NSI Final survey of all Nantucket Shad colonies.

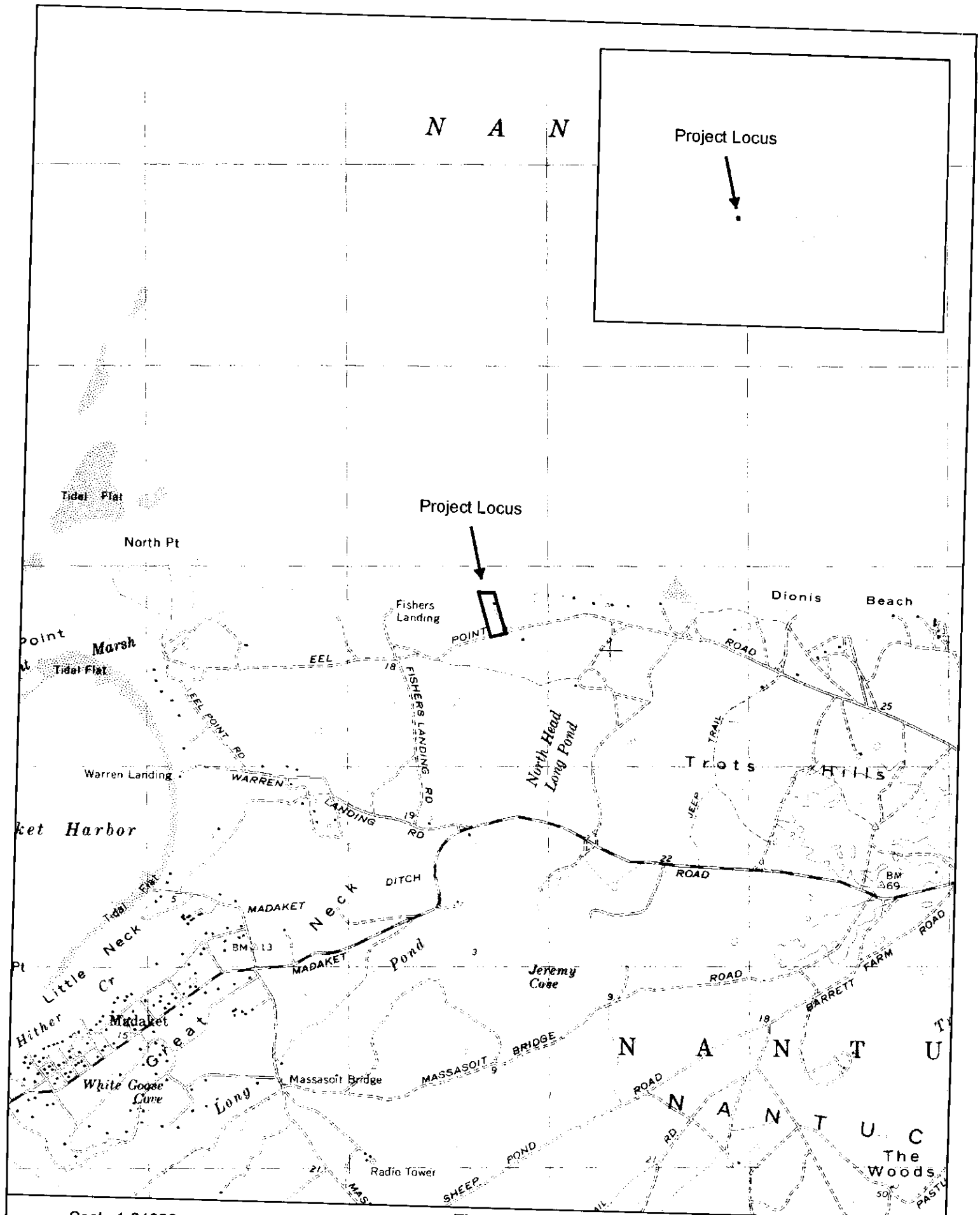
The Applicant has retained Mr. Schall as well as William Burbank (MA Reg. # 624), the landscape architect employed by ELD, to facilitate and coordinate all transplanting and monitoring activities associated with the relocation of the 24 colonies of Nantucket Shad. The Applicant has also retained Mr. Schall and ELD to perform all monitoring activities of the transplanted Nantucket Shad as outlined in the draft protocol prepared by Mr. Schall (see Attachment C). Monitoring reports will be submitted by Mr. Schall and ELD at the intervals indicated in the draft protocol.

B) Alternatives

The only alternative to the proposed project is the no-build alternative which will not allow the applicant to distribute the septic leach field across a larger portion of the property. The proposed replanting will act to consolidate all of the Nantucket Shad on the property and to remove it from a high traffic area to an isolate portion of the lot.

C) On-Site Mitigation

The draft protocol (see Attachment C) prepared by Mr. Schall outlines procedures that will minimize any impacts to the 24 colonies of Nantucket Shad that ill be transplanted as well as minimizing impacts to existing Nantucket Shad in the transplant area. All Nantucket Shad will be monitored and maintained. Any plants that perish as a result of transplanting will be re-propagated using cuttings as outlined in the draft protocol. All coastal wetland areas are located up gradient from both the existing and proposed locations of the Nantucket Shad and will not be adversely affected by the transplanting of the Nantucket Shad. The remainder of the site is cleared and currently being developed. The transplanting of the 24 colonies of the Nantucket Shad will not have any adverse impacts on the remainder of the site.


N A N
Project Locus
Project Locus
Tidal Flat
North Pt
Fishers Landing
POINT
Dionis Beach
ROAD
Point Marsh
Tidal Flat
EEL
18
FISHERS LANDING RD
EEL POINT RD
North Head Long Pond
TRAIL
25
Warren Landing
WARREN
LANDING
RD
19
Trots Hills
JEEP
ket Harbor
22
ROAD
BM 69
DITCH
Tidal Flat
5
MADAKET
Neck
BM L3
MADAKET
Pond
3
Jeremy Cove
ROAD
BARRETT FARM ROAD
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15
Great
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BRIDGE
19
N A N T U
White Goose Cove
Long
Massasoit Bridge
MASSASOIT
ROAD
N A N T U C
Radio Tower
SHEEP POND
RD
The Woods
PASTU
Scale 1:24000
1 inch = 2000 feet
1,000 0 1,000 2,000
Feet
Figure 1
USGS Locus Map
121 Eel Point Road
Nantucket Island, Massachusetts
Basemap: 1977 USGS, MassGIS
Epsilon
ASSOCIATES INC.
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