

ENF

**Environmental
Notification Form**

For Office Use Only
Executive Office of Environmental Affairs
EOEA No.: 13974
MEPA Analyst: Deirdre Buckley
Phone: 617-626-1035

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: 7 67 th Street, Newburyport – Single Family Home		
Street: 67 th		
Municipality: Newburyport	Watershed: Merrimac	
Universal Transverse Mercator Coordinates: x:256134 y:951655	Latitude: 42.48.43	Longitude: 70.48.45
Estimated commencement date: April 2007	Estimated completion date: October 2007	
Approximate cost: \$200,000	Status of project design:	100 %complete
Proponent: Scott E. Morrow		
Street: 191 Crane Neck Street		
Municipality: West Newbury	State: MA	Zip Code: 01985
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Mary Rimmer		
Firm/Agency: Rimmer Environmental Consulting, LLC	Street: 30 Green Street	
Municipality: Newburyport	State: MA	Zip Code: 01950
Phone: 978-463-9226	Fax: 978-463-8716	E-mail: rimmerenv@verizon.net

- 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: Order of Conditions issued 1/10/07

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

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input 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 type="checkbox"/> Order of Conditions <input checked="" type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input type="checkbox"/> 401 Water Quality Certification <input 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 (including Legislative Approvals) – Specify:
Total site acreage	0.19 acres)			
New acres of land altered		.06 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		0		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	0	2,118 sf	2,118 sf	
Number of housing units	0	1	1	
Maximum height (in feet)	0	27.5	27.5	
TRANSPORTATION				
Vehicle trips per day	0	4	4	
Parking spaces	0	2	2	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	0	330 GPD	330 GPD	
GPD water withdrawal	0	330 GPD	330 GPD	
GPD wastewater generation/treatment	0	330 GPD	330 GPD	
Length of water/sewer mains (in miles)	0	0	0	

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.)

The project site consists of an 8,399 square foot parcel located in the northeastern portion of Plum Island, a designated barrier beach pursuant to 310 CMR 10.29. It currently consists of a relatively flat, sandy lot approximately 80% of which is estimated to be vegetated. The remaining 20% along the frontage is essentially devoid of vegetation. The site is surrounded by residences to the east, north and west and by 67th Street to the south. It is located more than 1,000 feet from a coastal beach and is not located on a primary or frontal dune. It is separated from primary dunes by a timber retaining wall, roads and several residences (refer to Figure 2).

The proposed project includes the construction of a 1,680 square foot single family home to be supported a minimum of two feet above existing grade by pilings. It will be served by municipal sewer and water within 67th Street. Impacts to vegetation due to construction or long-term shading under the building are proposed to be mitigated by planting of additional dune grass within unvegetated portions of the site. The applicant has also offered to provide additional off-site plantings to provide improved stability of dunes on a publicly owned parcel at the north end of the island. This off-site mitigation is offered above any on-site mitigation required by the project and has been supported Mayor Moak and the Newburyport Conservation Commission in its issuance of an Order of Conditions for this project. The Order of Conditions was appealed by a neighbor; therefore this Environmental Notification Form is required since it involves work within a barrier beach that requires a state permit. Please refer to attached narrative for further description of work and mitigation measures.

**ENVIRONMENTAL NOTIFICATION FORM
SUPPLEMENTAL INFORMATION**

Location: 7 67th Street, Newburyport, MA

Proponent: Scott E. Morrow

LAND SECTION and
WETLANDS, WATERWAYS & TIDELANDS
II A and B:

Project Description:

The proposed project includes the construction of a 1,680 square foot single family home to be supported a minimum of two feet above existing grade by pilings. It will be served by municipal sewer and water soon to be under construction within 67th Street. The total development area includes approximately 2,650 square feet, which includes the driveway, decks and stairs as well as the house itself. A total of 1,200 square feet of unvegetated area on the site is proposed to be restored and revegetated on site as mitigation for project related impacts. An additional area of 1,450 square feet of unvegetated dune area located off-site will also be restored and revegetated which will provide additional mitigation.

Site Description:

The project site consists of two lots containing a combined 8,399 square feet located in the northeastern portion of Plum Island, a designated barrier beach pursuant to 310 CMR 10.29, hereafter referred to as the project site. It currently consists of a relatively flat, sandy area approximately 80% of which is moderately vegetated with dune grass (*Ammophila breviligulata*), quack grass (*Elytrigia sp.*), poison ivy (*Toxicodendron radicans*) and other upland grasses and forbs. The remaining 20% along the frontage of 67th Street is essentially devoid of vegetation. The project site is surrounded by residences to the east, north and west and by 67th Street to the south. It is located more than 1,000 feet from a coastal beach and is not located on a primary or frontal dune (refer to Figure 2).

Wetland Impacts:

The site is gently sloping and forms a shallow depression approximately 2-3 feet deep in its center. The topography is not suggestive of a, "hill, ridge or mound of sediment..." described under the definition of a coastal dune under 310 CMR 10.28. The site is also not located immediately landward of a coastal beach, but is separated from the beach by primary dunes, a timber retaining wall, a paved road and several houses. The site is not subject to deposition by wave or wind action, nor does it provide sediment to beaches. The vegetation on the site serves to hold the existing sand, but the seaward houses, roadways and retaining wall prevent significant accretion. Therefore, the landform on the site is not growing and does not have the potential to grow significantly in size in the future. The landform also has no opportunity to migrate landward due to the presence of houses and roads landward of the site.

Due to the location of this lot in the interior portion of a developed barrier beach and due to its specific topographic features, whether or not the property actually meets the regulatory definition of dune, the site does not provide significant dune functions for which this resource is protected, including storm damage protection, flood control and wildlife habitat. This conclusion was supported by the Newburyport Conservation Commission in its Reasons for Decision included with the Order of Conditions approving the project, which stated:

The Commission believes that the project location on Plum Island is unique in that it does not appear to reflect the definition of coastal dune, and it does not exhibit the majority of coastal dune characteristics that are critical to storm damage prevention, flood control or the protection of wildlife habitat as defined in 310 CMR 10.28. The Commission finds that the proposed alteration of the site by the construction of the single family house will not have any adverse effects on the coastal dune, as defined in 310 CMR 10.28(3)(a) through(f).

Impacts to vegetation due to construction or long-term shading under the building are proposed to be mitigated by planting of additional dune grass within unvegetated portions of the site. The applicant has also offered to provide additional off-site plantings to provide improved stability of dunes on a publicly owned parcel at the north end of the island. This off-site mitigation is offered above any on-site mitigation required by the project and has been supported Mayor Moak and the Newburyport Conservation Commission in its issuance of an Order of Conditions for this project. The Order of Conditions was appealed by a neighbor; therefore this Environmental Notification Form is required since it involves work within a barrier beach that requires a state permit.

CONSISTENCY:

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

The general project area is not mentioned in either the current comprehensive land use plan or open space plan. The Plum Island Overlay District (PIOD) ordinance governs land use and new construction requirements for the subject property. The proposed single family dwelling is consistent with local zoning and in compliance with the PIOD. The proposed project meets PIOD requirements for: lot coverage, floor area, building height, frontage, and all setbacks (front, side, & rear). The subject parcel is identified in an August 7, 2000 memorandum from John Donovan of Camp, Dresser & McKee and the Environmental Impact Report for the Plum Island Water and Sewer Project as a buildable lot. The proposed project will meet FEMA and State building code regulations for elevated structures in a flood zone further promoting the interests of the PIOD.

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:

Due to the small scale nature of the project, it has insignificant effect on the regional planning goals of the Merrimack Valley Planning Commission as part of either its Comprehensive Conservation and Management Plan for Massachusetts Bay or the FY 2007-2010 Transportation Improvement Plan.

Describe the project's consistency with policies of the Office of Coastal Zone Management:

The project will comply with all Program Policies of Massachusetts Coastal Zone Management. Specifically, this project is located on a barrier beach. CZM's Habitat Policy#1 and #2 identifies the protection of natural habitat and restoration of degraded habitat within barrier beaches as important goals. The project site is located in a previously developed area, a significant distance from undeveloped areas of the barrier beach that provide important habitat. The project proposes full restoration of unvegetated portions of the site (1,680 square feet), as well as additional off-site mitigation (1,450 square feet) to enhance habitat within publicly controlled land within and adjacent to undeveloped areas with significant habitat.

The project is also consistent with Water Quality Policies to ensure point and non-point sources of pollution are controlled and that projects meet applicable federal and state requirements for wastewater disposal.

The site is not within an Area of Critical Environmental Concern or designated historic sites.

The project is consistent with Federal Emergency Management Agency regulations and guidance regarding construction within flood zones and will not exacerbate existing hazards or damage natural buffers.

The project is also consistent with the Growth Management Principals, including ensuring that wastewater projects, such as that currently being installed on Plum Island,

serve existing developed areas. As stated above, this project site was identified and anticipated in an August 7, 2000 memorandum from John Donovan of Camp, Dresser & McKee and the Environmental Impact Report for the Plum Island Water and Sewer Project to be a potentially developable lot.