

For Office Use Only
 Executive Office of Environmental Affairs
 EOEA No.: 12976
 MEPA Analyst: DEIDRE BUCKLEY
 Phone: 617-626-1044

ENF Environmental Notification Form

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:LEPORE REPLACEMENT HOUSE CONSTRUCTION		
Street:18 TEMPLE BOULEVARD		
Municipality:NEWBURY	Watershed:PARKER RIVER/MERRIMACK R	
Universal Transverse Mercator Coordinates:	Latitude:N 42, 47.5' Longitude:W 70, 48.6'	
Estimated commencement date:OCT. 2003	Estimated completion date:MARCH 2004	
Approximate cost: 225,000	Status of project design:	80 %complete
Proponent:SANDRA LEPORE		
Street:18 TEMPLE BOULEVARD		
Municipality:NEWBURY	State:MA	Zip Code:01951
Name of Contact Person From Whom Copies of this ENF May Be Obtained: WILLIAM DECIE		
Firm/Agency:KAIROS ENVIRONMENTAL	Street:PO BOX 1088	
Municipality:NEWBURYPORT	State:MA	Zip Code:01950
Phone:978 3886566	Fax:978 3883626	E-mail:kairosinc@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 310 CMR 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 DEP-Wetlands) No

List Local or Federal Permits and Approvals: ORDER OF CONDITIONS DEP# 50-0645 [Attach. A]
 Order includes approval under Town Wetland Bylaw Zoning Board Approval [Attach. B]

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 checked="" 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 checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify: <u>TOWN BYLAW: APPROVAL</u> <u>ZONING BOARD: APPROVED</u> _____ _____ _____ _____ _____
Total site acreage	0.281			
New acres of land altered		0.009		
Acres of impervious area	0.027	- 0.001	0.026	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		416 barrier beach		
Acres of new non-water dependent use of tidelands or waterways		N/A		
STRUCTURES				
Gross square footage	1719	-93	1626	
Number of housing units	1	0	1	
Maximum height (in feet)	15 EST.	20	35	
TRANSPORTATION				
Vehicle trips per day	8	0	8	
Parking spaces	3	0	3	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	300	0	300	
GPD water withdrawal	300	0	300	
GPD wastewater generation/ treatment	220	0	220	
Length of water/sewer mains (in miles)				

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 WITHIN PRIORITY AREA—MA PROGRAM ATLAS, 2000 EDITION) 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 PARKER RIVER/ESSEX BAY ACEC____) 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 site consists of two residential lots located to the North side of Temple Boulevard on Plum Island in the Town of Newbury. The two lots have a combined area of slightly over 12,000 square feet (SF) and are in an area classified as a "barrier beach" by Coastal Zone Management (CZM) and as administered to by the department of Environmental Protection (DEP). Both lots have frontage on the unimproved street known as Temple Boulevard, West. Lot 16 (the eastern lot) is presently occupied by one single family home with an existing footprint of 1163 SF; not including attached decks. In addition, on and adjoining the property is a walkway and deck located to the South of the structure. The topography consists of a comparatively level area along the Street and house location. North of the building, the elevation decreases and reaches it's lowest point forty feet to the northwest at elevation 6+. Thirty to forty feet south of the house, elevations increase into the twenties where a partially vegetated dune slope exists. Paralleling the walkway on either side are several conifer type trees of varying species with others scattered throughout the site. The existing dwelling is surrounded on three sides by American beachgrass of varying densities. The coastal beach is located over five hundred feet distant from the eastern property lot line. [Attach. II & C, D]

(b) Alternatives considered for the site were, as follows: 1) The "no build" alternative was not seriously considered. The present owner wishes to expand and improve the property in all aspects. A structural review of the existing house found the foundation and support beams were inadequate. In addition, it was noted that the building does not comply with present building and zoning codes; plus has other structural deficiencies: a) depth of footings are less than required; b) roof line sagging and not square; c) sheathing is minimal and below Commonwealth requirements. In consideration of the structural report and Town Wetland By-law, rehabilitation of the existing dwelling, with or without an addition, is economically and environmentally unfeasible. Per the Town of Newbury By-law, proposed work costs which exceed 50% of the assessed value require that the building be placed on raised pilings and meet all present building codes. The existing dwelling has an assessed value of eighty four thousand dollars and the projected expenditures to rehabilitate without external changes would exceed the 50% rule. Therefore, a new foundation, etc. will be required to bring the house into compliance with the existing by-law and building codes.

2) Foundation repair with/without addition: In order to repair (upgrade) the foundation, the existing structure would need to be elevated and relocated off the footprint to allow for access. The house movement would result in an alteration of existing vegetation and dune surface away from the existing footprint of an estimated 1800+ SF. Blocking would be required to be placed on the dune and the house temporarily moved onto the blocks. After which, all of the existing foundation could be removed, new piles placed and house returned to original position. Besides causing the temporary dune alteration, existing trees would be removed to allow for house movement. The cost for this alternative, including structural repairs would also exceed the 50% improvement clause of the Town By-law. In addition, in an attempt to meet the Performance Standards as

applied to a dune (310 CMR 10.28), it would be necessary to replace any lost vegetation, regrade the dune, etc. The combination of these costs would exceed the estimated price of razing the building, placing new piles and removal of the house debris from the site. Also considered was the existing poor condition of the structure (probable need for significant structural reinforcement before movement). Therefore, this alternative was discarded because it will be more economical to raze the existing and replace it with a new structure on the identical or similar footprint. Rehabilitation and possible addition rejected due to economic, environmental and building code considerations.

3) Raze existing structure and construct replacement with conformance to zoning. The existing lot is of sufficient size to accept this option; however, the existing building is surrounded on three sides by a dense growth of American beachgrass. The construction of a new dwelling in compliance with zoning would necessitate the permanent removal/alteration of over 1600 SF of beachgrass and several trees. In addition to the permanent alteration, temporary alterations would be required for construction access (1500+/- SF estimated) and for water and septic connections to the existing systems (3-400+/- SF). Also noted was that the construction of a replacement structure in compliance with zoning would place a large part of the structure into an area classified as Zone B as shown on the FIRM Map 250096 0005 [Attach. E]. Given that this option would create significant alterations on the dune, option 3 was rejected.

4) Raze existing structure and construct replacement dwelling on piles in compliance with existing Commonwealth Building Codes. As previously noted, the building does not comply with zoning setbacks. In consideration of this fact, the applicant appeared before the Town of Newbury Zoning Board for a Special Permit that was granted in April 2002 [Attach. B]. The Permit was granted for a three story building on a 34' by 34' footprint to be built on piles in compliance with the Town Wetland by-law and existing policies of the Department of Environmental Protection [Attach. F]. This option will result in a decrease of occupied ground area of approximately 100 SF; however, the construction process could cause the temporary alteration of up to 800+/- SF for access around the building area. This alternative would not require additional excavation and/or alterations for the connection of the water and septic systems. Per the Order of Conditions, the existing ground level boardwalk is to be removed and a new raised entrance boardwalk to be built off the Town ROW. The existing building with boardwalk, decks, etc. has ground occupancy of over 1700 SF. The proposed replacement dwelling with deck, boardwalk, etc. will have a house footprint of 1156, south entrance walkway of 54 +/-SF, deck of 150SF and a boardwalk of 266 SF: total of 1626 SF -- decrease of 93 SF. In addition, it is noted that the boardwalk will be raised a minimum of three feet from the ground for fifty feet of its length, thereby, further decreasing ground occupancy of 175 SF. Therefore, the project will result in a net gain of an unoccupied ground surface of almost 270SF. The razing of the existing and construction of a new dwelling on the existing footprint is determined to be the best option economically and environmentally; and will comply with existing regulations, State and local.

(c) Mitigation is proposed on site. The project will comply with 310 CMR 10.28. During the construction process, snow or similar fencing shall completely enclose the work area. Access shall be through a twelve-foot wide corridor using the existing and a temporary boardwalk to be placed. Fencing will be also placed around the south deck to protect against dune penetration. On the completion of work, the applicant shall remove the existing boardwalk and deck; after which, all unvegetated areas will be planted in compliance with the existing Order of Conditions. Per the Order of Conditions, the applicant shall deposit funds with the Conservation Commission to guarantee that the site shall be planted, as specified in the Order. An estimated minimum new area of vegetation of 500+/- SF is anticipated for the boardwalk and deck area. Additional plantings are proposed to the south of the existing deck, at the base of the sparsely vegetated dune, and any other unvegetated area in proximity to the work zone. As previously stated, the house shall be constructed on a portion of the existing footprint. The replacement house will comply with the Special Permit on a 34' by 34' footprint with two bedrooms: a decrease in length from the existing by three feet. [Attach. D & F]. The present structure is supported by fourteen cinder block columns set on four by four footings (not to code); all of which will be removed and replaced with a maximum of twenty two pilings (type to be determined). The present two-bedroom house is connected to an existing septic system and well. The replacement house will connect to the existing lines and use them until the Town proposed sewer and water lines are installed. For the proposed Schedule of Work - see Attach. G (PART IV from NOI Narrative of 20 September 2002).