

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.: 13552
 MEPA Analyst: Beiony Angus
 Phone: 617-626-1029

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: Canal Crossing		
Street: 42 Old Bridge Road		
Municipality: Bourne	Watershed: Buzzards Bay	
Universal Transverse Mercator Coordinates:	Latitude: 41.7474486324564 Longitude: -70.5959947797769	
Estimated commencement date: Fall '05	Estimated completion date: unknown	
Approximate cost: 5.6 million	Status of project design: 100 %complete	
Proponent: Jay McLaughlin c/o Arthur Shea, Esq.		
Street: 156 State Street, 5 th floor		
Municipality: Boston	State: MA	Zip Code: 02109
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Barbara Frappier		
Firm/Agency: Warwick & Associates, Inc.	Street: P.O.Box 801	
Municipality: North Falmouth	State: MA	Zip Code: 02556
Phone: (508) 563-7777	Fax: (508) 563-2638	E-mail: warwick@adelphia.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 301 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): N/A

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 Bourne Conservation Commission SE7- 1529 issued 3/21/05

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

ENF is required due to request for departmental action [appeal to DEP by an abutter of the Order of Conditions issued by the Bourne Conservation Commission] and the site is located within an AE flood zone.

- | | | |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Rare Species | <input 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 <i>ISSUED</i> <input checked="" type="checkbox"/> Superseding Order of Conditions <i>PENDING</i> <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	2.55			
New acres of land altered		< 1		
Acres of impervious area	< 1	< 1	< 1	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland [AE flood zone] alteration		18,000		
Acres of new non-water dependent use of tidelands or waterways		N/A		
STRUCTURES				
Gross square footage	1,500+-	9,603	11,103	
Number of housing units	1	15	16	
Maximum height (in feet)	22'	11'	33'	
TRANSPORTATION				
Vehicle trips per day	N/A			
Parking spaces			48	
WATER/WASTEWATER				
(GPD) of water use	330	4,620	4,950	
GPD water withdrawal	N/A	N/A	N/A	
GPD wastewater generation/ treatment	330	4,620	4,950	

Length of water/sewer mains (in miles)	0	< 1	< 1
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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 See attached letter.

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 See attached letter.

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.)

Project Site: This is a 2.5 acre site located entirely within an AE flood zone. The lot is presently developed with a single family dwelling and is covered by approx. 66% natural vegetation. Resource areas on or immediately adjacent to the site consist of Coastal Bank, Bordering Vegetated Wetland, Salt Marsh, and Riverfront Area. The proposed project is a 16 unit 40B LIP which has received approvals from MHCD [Mass. Dept. of Housing & Community Development], Town of Bourne Affordable Housing Committee, and Bourne Board of Selectmen. An Order of Conditions by the Bourne Conservation Commission permitting the work. The project is currently before the Bourne Zoning Board of Appeals and an application is pending for

connection to town sewer. The project does not meet or exceed any of the MEPA thresholds. This ENF is being prepared only as it is within an AE flood zone and the Order of Conditions issued by the Conservation Commission has been appealed to DEP by an abutter.

Alternatives: The proponent's family has owned this property for decades. All attempts to acquire adjoining land were unsuccessful. To purchase another property within the community upon which to build these 16 units is not realistic and is cost prohibitive. A reduction in the number of units is not feasible economically. A 40B project requires that 25% of units be affordable. For a 13 - 16 unit project that means 4 affordable. The plan approved by the Bourne Conservation Commission is the result of significant re-design from that which was originally submitted. The original submission [copy of early plan included herein] called for more than 5,000 sq. ft. of clearing within the outer 100 - 200' riparian zone to accommodate buildings, parking and other appurtenances. The footprint of the building units was larger and the square footage of impervious surface greater. During the course of the Conservation Commission review the applicant agreed to pull back all construction outside the 200' Riverfront Area. This shifting of the buildings outside the Riverfront resulted in a decrease in overall footprint from 15% to 10% of the site. These smaller building necessitated a cut in the total number of bedrooms. There was also a reduction in the total square footage of paved surfaces from 22% to 20%. Accordingly the drainage was re-designed to address the final, more compact site layout.

Drainage: Run-off from impervious surfaces utilizes best management practices and meets or exceeds minimum requirements. The drainage structures also exceed the target minimum of 2' for separation from groundwater. This minimum is adhered to by the Town of Bourne and is the Cape Cod Commission's established guideline. Separation has been confirmed by water monitoring conducted over an extended period of time including spring moon tide. [See attached drainage data and calculations and water level monitoring report.]

The site and surrounding areas are relatively flat. In order to maintain current surface water flow patterns through the property the drainage design as shown was developed. An integral part of this design includes a drainage feature which extends into the Riverfront Area. The elongation of this swale-like feature from the original site layout was necessitated by the confinement of the approved project area to a smaller portion of the parcel. The path will be cleared for construction of this component avoiding the removal of larger trees where possible. Once created the "swale" will be replanted with appropriate indigenous woody species. It is a permissible activity within the Riverfront Area. There is no point source discharge. In fact there is no real discharge at all. Instead this feature acts like a wick drawing surface water through the property eliminating any potential for back up either on or off site.

Land Subject to Coastal Storm Flowage: None of the work will have any impact on the site's current ability to accept a rise in stillwater flood elevation.

Excepting the AE flood zone there is no activity or alteration to any of the other resource areas on or adjacent to the site [salt marsh, coastal bank, BVW]. There are only two activities proposed within the Riverfront Area and the 100' resource area buffer. The first is the drainage feature. As previously stated the length of this feature is a function of the topography of the property and surrounding area, the amount of impervious cover, and the requirement to keep surface drainage moving through the site. The second is the significant planting of an area that had been unlawfully cleared by other than the applicant. All new plantings within the Riverfront Area will consist of indigenous woody shrubs, groundcover, and trees. The plantings will be in improvement over existing site conditions increasing the amount of naturally or augmented vegetated cover by 2% and providing a vegetated buffer along the top of coastal bank where none currently exists. For all other activities the limit of work is outside the 100' buffer to any wetland resource area and beyond the 200' Riverfront Area.