

# ENF Notification Form

*For Office Use Only*  
 Executive Office of Environmental Affairs

EOEA No.: 13879  
 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: Eagle Point		
Street: 29 Clarks Road		
Municipality: Amesbury	Watershed: Merrimack River	
Universal Transverse Mercator Coordinates:	Latitude: 42 degrees, 50' 40"	
	Longitude: 070 degrees, 54', 26"	
Estimated commencement date: April 2007	Estimated completion date: October 2010	
Approximate cost: \$8.5 million	Status of project design: 100 %complete	
Proponent: Roger LeBlanc		
Street: 41 Rosewood Drive		
Municipality: Ipswich	State: MA	Zip Code: 01938
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Michael Seekamp		
Firm/Agency: Seekamp Environmental Consulting, Inc.	Street: 129 Route 125	
Municipality: Kingston	State: NH	Zip Code: 03848
Phone: 603-642-8300	Fax: 603-642-8500	E-mail: seekampm.sec@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): NA

Are you requesting coordinated review with any other federal, state, regional, or local agency?

Yes (Specify 401 WQC / 404 ACOE)  No

List Local or Federal Permits and Approvals: Order of Conditions (applied for)

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
<b>LAND</b>				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input checked="" 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 checked="" type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:  <b>404 Army Corps</b> _____ permit  _____ _____ _____ _____
Total site acreage	10.03			
New acres of land altered		7.5		
Acres of impervious area	<1	+3.35	3.35	
Square feet of new bordering vegetated wetlands alteration		6,500		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
<b>STRUCTURES</b>				
Gross square footage	2,000	+40,800	42,800	
Number of housing units	1	+55	56	
Maximum height (in feet)	25	+8	33	
<b>TRANSPORTATION</b>				
Vehicle trips per day	0	+392	392	
Parking spaces	4	+141	145	
<b>WASTEWATER</b>				
Gallons/day (GPD) of water use	330	+16,830	17,160	
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	330	+16,830	17,160	
Length of water/sewer mains (in miles)	0	+0.32	+0.32	

**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

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.*)

**Project Overview:**

The applicant proposes to construct a residential development, which includes attached single-family units with associated drives, roadway, roof recharge areas, stormwater management structures (infiltration basins, vegetated swale, and recharge areas), and clearing and grading activities within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW). The roadway will cross a portion of the BVW in order to gain access to a significant area of developable upland (~ 3.7 acres or 46% of available upland area). This ENF application is being filed in conjunction with a Comprehensive Permit application submitted to the City of Amesbury Board of Appeals under MGL Chapter 40B Sections 20 through 23 as amended, as well as a Notice of Intent under the MA Wetlands Protection Act (310 CMR 10.00 – 10.60). In addition, applications for a 401 Water Quality Certification has been submitted for the project, and a 404 Dredge and Fill permit will be submitted within the next few weeks.

**Existing Conditions:**

The overall project site covers an area of approximately 10.03 acres, with frontage on Clarks Road, Amesbury, MA. The site is located south of Route 110, west of Interstate 95, north of Main Street, and east of Camelot Village Condominiums. The site's BVW were delineated by Seekamp Environmental Consulting, Inc. (SEC) on September 12, 2002, and approved by the Amesbury Conservation Commission (ACC) through the issuance of an Order of Resource Area Delineation (ORAD), dated July 1, 2004. Additional, Federally-jurisdictional wetlands were identified in the field in June 2006. The wetlands are located within the central portion of the original parcel, thereby bisecting the upland areas of the project site. Currently the property contains a single family house with associated lawn, driveway, and detached garage. The remainder of the property consists of undeveloped upland forest and wetland.

**Impacts to Jurisdictional Wetland Resources / Mitigation Efforts:**

Construction of the proposed wetland crossing will impact approximately 6,500 sq. ft. of BVW. In order to minimize impacts associated with the proposed wetland crossing, the applicant has selected the area that represents the narrowest section of BVW on site. The design also incorporates concrete retaining walls, to eliminate impacts associated with side slope grading. Several box culverts will be installed to accommodate existing hydrologic connections within the BVW. These culverts have been designed to meet the MA DEP and ACOE standards for stream crossings. Mitigation for wetland impacts associated with the proposed limited project crossing will provide approximately 7,200 sq. ft. of replication, which represents a mitigation to impact ratio of approximately 1.10 : 1. Mitigation efforts are described in the attached Wetland Replication Planting Plan prepared by SEC, dated April 4, 2005, with revisions through June 26, 2006.

**Alternatives:**

Given the configuration of the parcel, including the presence of significant developable upland area on the southwestern section of the site, and the location of BVW within the center of the lot, the applicant must construct a wetland crossing to obtain access to this developable upland area. As stated above, this upland area represents approximately 3.8 acres or 46% of the value of the overall lot. The site abuts Interstate 95 to the southeast; there are no adjacent parcels currently or formerly owned by the applicant which would provide access to the rear portion of the lot through uplands; the property lacks frontage along another public way that might reduce or avoid a crossing; and there are no feasible design alternatives that would avoid a wetland crossing. Given these conditions, the proposed wetland crossing qualifies as a limited project under 310 CMR 10.53(3)(e). For additional information, please refer to the attached Alternatives Analysis prepared by SEC and dated May 11, 2006.