

ENF Environmental Notification Form

For Office Use Only
 Executive Office of Environmental Affairs

EOEA No.: 13657
 MEPA Analyst Anne Canaday
 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: Michael Gaspard Home addition		
Street: 356 Bay Lane		
Municipality: Centerville	Watershed: Cape Cod	
Universal Transverse Mercator Coordinates:	Latitude: N 41° 38' 28" " Longitude: 70° 21' 36" W	
Estimated commencement date: Jan. '06	Estimated completion date: June '06	
Approximate cost: \$80,000	Status of project design: complete %complete	
Proponent: Michael Gaspard		
Street: 225 Gosnold St.		
Municipality: Hyannis	State: MA	Zip Code: 02601
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Robert Perry		
Firm/Agency: Cape Cod Engineering, Inc.	Street: 50 Leland Rd	
Municipality: Brewster	State: MA	Zip Code: 02631
Phone: 508-896-4861	Fax: 508-896-4861	E-mail: bobperry@capecod.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): none

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify _____) No

List Local or Federal Permits and Approvals: Barnstable Conservation Order of Cond.
 Mass DEP Superceding Order of Conditions
 Town of Barnstable Building permit

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 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: * All floors w/in house plus garage
Total site acreage	4.5 ac.			
New acres of land altered		0.1 ac		
Acres of impervious area	0.1	0		
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 *	2,970	1,335	4,305*	
Number of housing units	1	0	1	
Maximum height (in feet)	24	9	33	
TRANSPORTATION				
Vehicle trips per day				
Parking spaces				
WATER/WASTEWATER				
Gallons/day (GPD) of water use	330	0	330 *	Design
GPD water withdrawal				
GPD wastewater generation/treatment	330	0	330	Design
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 _____)

No See attached Near, not within.

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.*)

Please see attached.

PROJECT NARRATIVE (NA-1)

The area subject to this notice is land in Centerville, MA off of Bay Lane. Please see the locus maps for the exact location. The specific site is directly adjacent to an extensive marsh system that was formerly a cranberry growing land area now overgrown with a thick common reed community. The work site is a residential dwelling site with open lawn areas and semi-formal landscaping. The driveway is partially paved and otherwise stone surfaced. The old ditches within this wetland are still visible and appear on the USGS map for the area but are not rivers due to the straight line manmade appearance, historical agricultural function and low – to – nil flow characteristics. No flow was observed in the ditches during the very wet spring of 2005. Tidal flow is severely restricted from passing beneath Bay Lane from the Bumps River into the embayment south of locus. The 100 year coastal flood plain with base flood elev. = 11 surrounds and includes portions of the project area.

The Request for Departmental Action (Superceding Order of Conditions) for which the ENF is required relates heavily to the appellants declaration that the project site lies within a Riverfront Area. As mentioned above, the old, straight-line irrigation ditches were not found to be rivers by this office nor by the Barnstable Conservation Commission due to the uniform shape, former agricultural function and no observed flow during the spring of 2005. The larger water body to the south was not found to be a river by the Barnstable Conservation Commission nor by this office during the formulation and review of the Notice of Intent primarily due to shape and flow characteristics. Due to the appellant's declaration that the subject waterbody is a river we undertook a study of the mean high water line along the shore along the property boundary with this main waterbody that more resembles an embayment or pond. Rather than debate the identity of the resource area that may or may not have relevant jurisdiction to the project area, we conclude that the presumed 200 ft. Riverfront Area (RA) does not intersect with the land area proposed for the dwelling addition construction. The proposed mitigation program will lie within the RA but the proposed mitigation activity is exempt from Rivers Act performance standards: planting of native shrubs in an existing lawn area greater than 50 ft. from the riverbank (MHW). The presumed RA is delineated on the site plan and stems from the observed MHW line of the embayment.

The bog and ditch wetland is distinctly defined and also incorporates a minor coastal bank (below the BFE) formation along the marsh edge on the lawn. The general land area of this neighborhood portion includes what may be considered discontinuous coastal bank segments nearer to the dwelling due to the past alterations relating to the driveway and house construction. The primary resource areas of note are the expansive, phragmites – populated bog (BVW) area to the south and west, the 100 year flood plain and the minor coastal bank near the existing lawn edge. A series of flagged stations, 1 thru 7, delineate the edge of the top of the bank of a small edge ditch and the minor coastal bank adjacent to and within the existing lawn area. With exception of the flood plain and any perceived, discontinuous coastal bank segments, the bog and the minor coastal bank represents the closest clearly defined wetland resources to the dwelling.

The proposed project involves work on the dwelling.

The Proposed Project.

The specific work on the dwelling is listed on the plan and involves minimum excavation. The excavation is required for post support footings for the porch and the added deck supports. The support locations are shown on the plan. A short foundation wall is proposed on the driveway side of the existing garage. Minimal equipment is needed and, if necessary the post supports on the work limit side of the project can be dug by hand. The bulk of the project-related activity occurring at the site will be foot traffic and related construction efforts around the building. Minimal vegetation will be disturbed in the course of the activity. All areas disturbed shall be restored to a pre-construction condition. An approximate 170 s.f. aluminum framed greenhouse adjacent to the existing dwelling is proposed for removal with the resulting land area restored with native shrubs and ground cover.

A work limit is shown on the plan. The work limit is designated and established with a silt fence or other guard as dictated by the Conservation Commission. We propose a properly dug in, staked, woven vinyl sheet silt fence. Straw bales are a suggested buttress for the fabric.

Our conclusion is that with work limits in place and properly maintained, the work proposed at the property as outlined in this notice will have no adverse impact upon the relevant wetland interests.

Alternatives discussion follows:

- Alternatives discussion is limited to the prospect of adding to the existing dwelling in a practical manner. Upland is limited on the lot, restricting the alteration of the dwelling to the area of the dwelling itself as well as the subject lot.
 - Alternatives considered are 'substantially equivalent economic alternatives' involving approximately equal floor area improvement for the existing dwelling.
1. Expand the dwelling footprint to gain the additional space. Primary impact would be the direct disruption and occupation of land area within the wetland buffer zone. Construction impact will be outward of the newly occupied footprint further expanding the temporary ground alteration. The consequential impact would be a loss of buffer zone ground area outward from the dwelling. Building addition portions within the flood zone area of the lot will require post supports or other elevated type of foundation to be elevated sufficiently to become habitable space.
 2. Expand the 'walkout' portions of the existing dwelling. No habitable space is permitted for residential dwellings below the base flood elevation within which lies the existing cellar walkout area. Additional space at this walkout level will not meet Mass. Building Code regulations for habitable space.
 3. Add the second floor to the dwelling. This alternative offered a practical way of gaining useable space within the dwelling footprint without the accompanying permanent land alteration within the buffer. The associated deck and porch supports are of a minimum size, proposed within currently altered land areas. The alternative results in a means of getting the older, non-code, habitable space out of the older, flood susceptible dwelling portions (walkout cellar) and replacing it on the proposed second floor.