

For Office Use Only
Executive Office of Environmental Affairs
EOEA No.: 13669
MEPA Analyst: Briony Angus
Phone: 617-626-1029

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.

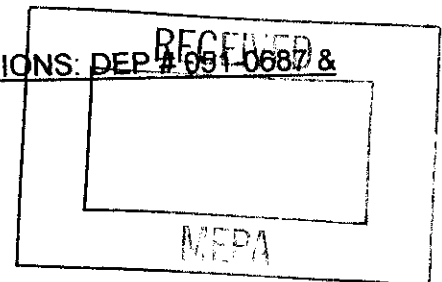
Project Name: LAWRENCE DWELLING		
Street: 12 L STREET		
Municipality: NEWBURYPORT	Watershed: MERRIMAC RIVER	
Universal Tranverse Mercator Coordinates:	Latitude: N 42° 48.55	
	Longitude: W 70° 49.22	
Estimated commencement date: MAY 2006	Estimated completion date: APRIL 2007	
Approximate cost: \$ 250,000	Status of project design:	90 %complete
Proponent: TOM LAWRENCE		
Street: P.O. BOX 491		
Municipality: NEWBURYPORT	State: MA	Zip Code: 01950
Name of Contact Person From Whom Copies of this ENF May Be Obtained: BILL DECIE		
Firm/Agency: KAIROS ENVIRONMENTAL	Street: P.O. 1088	
Municipality: NEWBURYPORT	State: MA	Zip Code: 01950
Phone: 978 388 6566	Fax: 978 388 3626	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 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 DEP - WETLANDS) No

List Local or Federal Permits and Approvals: ORDER OF CONDITIONS: DEP # 091-0687 & APPROVAL PER CITY NEWBURYPORT PIOD BYLAW



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: CITY BYLAW - PIOD
Total site acreage	0.844			
New acres of land altered		0.08		
Acres of impervious area	0	0.042	0.042	
Square feet of new bordering vegetated wetlands alteration		0		
Square feet of new other wetland alteration		3694		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				
Gross square footage	0	1868	1868	
Number of housing units	0	1	1	
Maximum height (in feet)		29	29	
TRANSPORTATION				
Vehicle trips per day	0	4	4	
Parking spaces	0	2	2	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	0	300	300	
GPD water withdrawal	0	0	0	
GPD wastewater generation/treatment	0	220	220	
Length of water/sewer mains (in miles)	N/A		N/A	

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.)

(a) The proposed work area consists of seven residential lots that are to be combined into one property for the eventual construction of a single family home. The site is bounded by L Street to the south and M Street to the north. Two of the lots adjoin L Street and have 140 linear feet of frontage. Of the four lots abutting M Street, three have frontage on the asphalt surface of M Street with over 150 linear feet of frontage. L and M Streets are accessed to the west directly from Old Point Road in the City of Newburyport. The seven lots have a combined area of 36,750 square feet (SF) and have been deemed buildable by the City of Newburyport [Attachment B & C]. The south side of L Street which extends over 200 feet west of the proposed driveway for the *Lawrence Dwelling* is presently occupied by existing year round homes. To the east and north of the proposed building site are other existing single family homes. All the existing structures, and the proposed dwelling for # 12 L Street lie within an area classified as "barrier beach" by Coastal Zone Management and as administered to be the Department of Environmental Protection (DEP).

On-site elevations vary from the highest (10/11 NGVD) at the southeast corner along L Street to 5 along M Street (a linear depression running east to west). From Lots 142 [SE corner] and 150 [NE corner], the lots are basically undulating as one proceeds from east to west. At the approximate property lines of lots 146 and 147, there appears to be the remnants of a man made berm that extends along the coastal beach in a northerly direction. West of the berm, topography decreases in elevation to a *coastal beach* [tidal flat], from which a gentle slope from MHHW leads to vegetation, consisting primarily of *Spartina patens*. The salt marsh grasses extend several hundred feet to the west where they meet the Plum Island River.

Vegetation on the seven lots consists mostly of American beach grass and poison ivy in varying densities. Basically, the density of the beach grass increases from the L Street knoll to the north and west. Also noted within the seven lots were individual Sumac and Beach plum shrubs. All vegetation to be effected by the construction process is to be removed and transplanted prior to any construction [see Attach. D – Planting Schedule from NOI].

(b) Alternatives considered for the site were, as follows:

- 1) The "no build" alternative was not seriously considered. The lots consisting of 142, 143, 146, 147, 148 and 149 have been deemed buildable by the City of Newburyport [Attach. B] and therefore have significant economical value to the owners. The project proposes the construction of one single family home of 1800 +/- SF on the seven lots. The proposed building will be constructed on pilings a minimum of three feet above the existing ground surface with the lowest horizontal member at 11 [Attach. E – Order of Conditions, page 8]. The building has been located to comply with the City of Newburyport Plum Island By-law (PIOD) and existing zoning regulations. It has also been set to minimize effects on nearby dwellings.

- 2) There are no off-site alternatives for the project. Buildable lots on Plum Island have very high values, presently selling in the hundreds of thousands; therefore, it is economically unfeasible for the owners to consider construction elsewhere on the island.
- 3) On site alternatives consist of two possibilities. (i) *Downsize the proposed dwelling*: the PIOD allows for 20% lot occupancy. The designed dwelling, including decks, will have a site occupancy of approximately 7% and will leave over 30,000 square feet of undisturbed area on the property. Given that the project more than complies with existing zoning, it is the opinion of the proponent that a 1800+ SF dwelling is not unreasonable. Additional downsizing will not significantly decrease the proposed alteration.
- (ii) *Alternative on-site locations*: A review of the site plan does reveal possible alternative locations. The house could be located to face either M or L Street and meet the minimum twenty foot zoning setback. In both cases, the building would comply with zoning setbacks; however, referencing existing nearby house positions, it is noted that four are orientated similar to the proposed. By facing the building to M or L Street, additional view blockage to the south and east abutters will result. The building has been set to be landward of the 100-foot Riverfront setback, and to allow existing structures to maintain a continuous view of the marsh and distant river. Riverward is not an alternative due to the 100-foot riverfront setback and the need for a greater site alteration: vegetation density increases to the west. Proposed location maintains the 100-foot undisturbed vegetation corridor.
- (c) Mitigation is proposed on the property. The project has been designed to comply with 310 CMR 10.28. During the construction process, snow or similar fencing shall completely enclose the work area [Reference Order Conditions, special condition # 23]. All existing vegetation to be effected by the project is to be removed and transplanted [Reference Attach F "Construction Schedule"].

