

Commonwealth of Massachusetts

Executive Office of Environmental Affairs ■ MEPA Office

<i>For Office Use Only</i>	
<i>Executive Office of Environmental Affairs</i>	
EOEA No.:	<u>13141</u>
MEPA Analyst:	<u>DEIRDRE BUCKLEY</u>
Phone: 617-626-	<u>1044</u>

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: James and Stephen Long	
Street: 14 Uncle Freeman's Road	
Municipality: Dennis	Watershed:
Universal Transverse Mercator Coordinates:	Latitude: 70° 11' 09" W Longitude: 41° 39' 41" N
Estimated commencement date: 10-2003	Estimated completion date: 12-2004
Approximate cost: \$50,000 +/-	Status of project design: 100 %complete
Proponent: James and Stephen Long	
Street: 14 Uncle Freeman's Road	
Municipality: Dennis	State: MA Zip Code:
Name of Contact Person From Whom Copies of this ENF May Be Obtained: Matthew T. Farrell, EIT	
Firm/Agency: Bennett & O'Reilly, Inc.	Street: 1573 Main Street
Municipality: Brewster	State: MA Zip Code: 02631
Phone: 508-896-6630	Fax: 508-896-4687
E-mail: mfarrell@benett-orielly.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: No
- 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 (Ch 91 License, Dennis Conservation Commission Approval) No

List Local or Federal Permits and Approvals: Dennis Conservation Commission approval. See Order of Conditions enclosed (DEP 16-1555)

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

- Land
- Water
- Energy
- ACEC

- Rare Species
- Wastewater
- Air
- Regulations

- Wetlands, Waterways, & Tidelands
- Transportation
- Solid & Hazardous Waste
- 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 checked="" 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	1.12			
New acres of land altered				
Acres of impervious area	0.10		0.0	
Square feet of new bordering vegetated wetlands alteration		N/A		
Square feet of new other wetland alteration		30 S.F.		
Acres of new non-water dependent use of tidelands or waterways		N/A		
STRUCTURES				
Gross square footage	<u>3,875</u>	<u>924</u>	<u>4,799</u>	
Number of housing units	<u>1</u>	<u>0</u>	<u>1</u>	
Maximum height (in feet)	<u>30</u>	<u>N/A</u>	<u>N/A</u>	
TRANSPORTATION				
Vehicle trips per day				
Parking spaces				
WASTEWATER				
Gallons/day (GPD) of water use	440	0	440	
GPD water withdrawal				
GPD wastewater generation/ treatment	440		440	
Length of water/sewer mains (in miles)	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 _____) X 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 _____) X 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 _____) X No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) X No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) X 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.*)

SEE PROJECT NARRATIVE

BENNETT & O'REILLY, Inc.

Engineering, Environmental & Surveying Services

Sanitary	21E/Site Remediation	Property Line
Site Development	Hydrogeologic Survey	Subdivision
Waste Water Treatment	Water Quality Monitoring	Land Court
Water Supply	Licensed Site Professional	Trial Court Witness



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October 20, 2003

MEMORANDUM

TO: Massachusetts Environmental Policy Act (MEPA)

FROM: Matthew T. Farrell, EIT
BENNETT & O'REILLY, INC.

RE: Project Description and Project Mitigation in conjunction with the Environmental Notification Form (ENF: MEPA, 301 CMR 11:00)
Mr. James and Stephen Long
14 Uncle Freemans Road
Dennis, MA

Project Description

The subject property, owned by, Mr. James and Stephen Long consists of a residential property located on Bass River, Dennis, Massachusetts. The residence is currently under construction under an Amended Order of Conditions issued by the Dennis Conservation Commission (DEP SE16-1323).

Mr. James and Stephen Long, the applicants, wish to construct an elevated walkway, permanent pier and seasonal float system into the waters of Bass River. The structure will provide boating access and temporary boat storage (summers) to navigable waters of Bass River. The Dennis Conservation Commission issued an Order of Conditions for the proposed dock on June 24, 2003 (DEP SE16-1555). MEPA Thresholds are triggered under Section 11.03: Review Thresholds, 3a5. A Chapter 91 License is required.

Wetland Resources

The property borders on Bass River, a tidal river from the waters of Nantucket Sound. The site is located on the East side of the river approximately 0.42 Miles South of State Highway, Route 28, Dennis, MA. The proposed elevated walkway begins in a Salt Marsh on the seaward side of a coastal bank, this area is also considered Land Subject to Coastal Storm Flowage and is proposed seaward though the following resources Coastal Beach, Land Containing Shellfish and Land under the Ocean. The entire private property is located in the 200 foot riparian zone to the river. Performance standards for tidal rivers including other coastal resources have been addressed

through local Conservation Commission approval.

No work is proposed within the Coastal Bank. The bank does not at this time act as a sediment source to the river and there is a preexisting path through the bank to access the walkway.

The property and proposed project does not lie within rare wildlife habitat or a priority rare species habitat.

MEPA Thresholds and Mitigation

The MEPA Environmental Notification Form is being required due the need for a Chapter 91 license for the elevated walkway, permanent pier, and seasonal float system. Mitigation measures, were dictated by the Dennis Conservation Commission and comply with Coastal Zone Management (CZM) Policies.

The impacts to these resources will be minimal, and will consist of round wood piles, 6-8 inch diameter, hand set (above mean high water) and 10 inch (driven piles) below mean high water both used to support the elevated walk. A total of approximately 30 s.f. including all piles will be the permanent impact to the above noted resources.

In the salt marsh area, a limit of work is proposed approximately 3 feet from either side of the walkway. This consists of a row of double staked hay bales (silt fence) and will help to keep the construction limited to seven feet wide.

The elevated structure is proposed five feet above the salt marsh, in an effort to allow sunlight to penetrate below the structure so as not to affect any existing vegetation. Two weeks prior to the start of construction a preconstruction meeting will be held with the contractor, the owner, the conservation agent and the shellfish constable so that protocols of construction, can be reviewed and approved.

During construction and specifically the time that piles are driven into the Land Containing Shellfish, the Shellfish Constable shall be present to dictate the relocation of any existing animals that reside in the areas where the piles are to be set.

Other mitigation measures as outlined in the Dennis Conservation Commissions Order of Conditions are 1. All pier, ramp and float materials shall not be treated with creosote, CCA or other leaching preservatives. 2. Storage of seasonal floats to be in upland areas. 3. All construction materials to be cut to size in upland areas.

Alternatives

Boating access to Bass river with deep water seasonal storage from the residential property only

has one other option. A mooring for a boat may be possible with dinghy access from the coastal beach. This option will require human foot traffic over the salt marsh, the coastal beach and land containing shellfish. The mooring would require storage of a smaller vessel (dinghy) on the coastal beach and would require the proponent to access the waters of Bass river over Land subject to Coastal Storm Flowage, The Coastal Beach and Land containing Shellfish each time the moored vessel is to be used.

Off site boat slip or a boat on a trailer would require the proponent to travel each time he wished to use his vessel. This would be a costly exercise for a homeowner, would create more vehicular traffic in busy summer months and does not make any common sense for a site located directly on the river.

Performance Provisions

As outlined above, this elevated walkway is being constructed over and through the following wetland resources, land subject to coastal storm flowage, salt marsh, coastal beach, land containing shellfish, land under the ocean and a tidal river front. To help meet performance standards for salt marshes, 310 CMR 10.32, the wooden piles shall be spaced to avoid the salt marsh (see order of conditions #20).

Performance standards for coastal beaches, 310 CMR 10.27(3) thru (7): The project will not change the shape of the beach. The project is not a solid fill project. No beach nourishment is proposed. Water circulation, grain size of existing soil, or water quality will be minimized by the installation of at most ten 10" piles with a total square footage of approximately 8.33 s.f.. The surrounding waters and wave action will easily move around the supports for the elevated walkway. The supports and the wood used in construction will not be treated, see Order of Conditions # 18 and # 22.

Land Containing Shellfish, Section 310 CMR 10.34 (6): It is proposed to relocate any shellfish in the area of the proposed piles with methods and procedures outlined by the shellfish constable and the Conservation Commission, at the pre- construction hearing.

Land under the Ocean, Section 310 CMR 10.35 (3) thru (5): The project is not located in or near a fish run. No dredging is proposed.

The entire project site is not located in an area known to have rare vertebrate or invertebrate species as outlined by most recent Habitat and Rare Species Maps (see enclosed Habitat Map).

Conclusions

It is the opinion of BENNETT & O'REILLY, INC. that the proposed elevated walkway, permanent pier and seasonal float system will not have any adverse impact to the wetland resources outlined as they relate to the performance standards above. Most of the abutting

properties have a permanent piers without any major impacts to the area. We feel this project does not warrant an Environmental Impact Report.