

MEPA Analyst: *Bill GAGE*
 Phone: 617-626-*1025*

NPC Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: One North Shore Road		EOEA #: 13728R	
Street: 71 North Shore Road			
Municipality: Revere		Watershed: North Coastal	
Universal Transverse Mercator Coordinates: 243830.43, 910270.78 (NAD 83)		Latitude: 42° 26' 31" Longitude: -70° 58' 02"	
Status of project construction: 0 %complete			
Proponent: Jay Epsimos			
Street: 350 Revere Beach Boulevard			
Municipality: Revere		State: MA	Zip Code: 02151
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Heather Vaillant			
Firm/Agency: BSC Group, Inc.		Street: 15 Elkins Street	
Municipality: Boston		State: MA	Zip Code: 02127
Phone: 617-896-4351	Fax: 617-896-4301	E-mail: hvaillant@bscgroup.com	

In 25 words or less, what is the project change? The change involves revising the revetment repair to avoid additional fill in the Saugus River and to request a Phase 1 waiver for this work.
 See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: ENF published on February 8, 2006 and revised ENF published on February 6, 2007.

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date:) No
 was a Single EIR filed? Yes (Date:) No

Have other NPCs been filed? Yes (Date(s):) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed:

The Revere Conservation Commission issued an Order of Conditions (DEP File No. 61-0580) for the proposed revetment repairs. A separate Order of Conditions and subsequent Extension Permit have been issued for the upland redevelopment of the site.

An Army Corps of Engineers permit for the existing fill and proposed revetment repairs was issued on November 16, 2007.

A Chapter 91 Waterways License application and 401 Water Quality Certificate application will be submitted to DEP and the Army Corps.

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))

Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?

Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	2.387	0	2.387
Acres of land altered			
Acres of impervious area	1.05	0	1.05
Square feet of bordering vegetated wetlands alteration	0	0	0
Square feet of other wetland alteration	2,200	- 500	1,700
Acres of non-water dependent use of tidelands or waterways	0.94	0	0.94
STRUCTURES			
Gross square footage	164,407	0	164,407
Number of housing units	65	0	65
Maximum height (in feet)	97.5'	0	97.5'
TRANSPORTATION			
Vehicle trips per day	381 weekday 369 Saturday	0	381 weekday 369 Sat
Parking spaces	153	0	153
WATER/WASTEWATER			
Gallons/day (GPD) of water use	15,125	0	15,125
GPD water withdrawal	N/A	0	N/A
GPD wastewater generation/ treatment	13,750	0	13,750
Length of water/sewer mains (in miles)	0.52	0	0.52

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

4. impact on 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 No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No

5. impact upon an Area of Critical Environmental Concern? Yes No
If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

(a) Description of Project Previously Reviewed

An Environmental Notification Form (ENF) for redevelopment of 71 North Shore Road in Revere, MA was submitted on January 26, 2006 and noticed in the Environmental Monitor on February 8, 2006. The proposed project included the redevelopment of an existing 1-2 story building and the construction of a 10-story building with structured parking and 65 condominium units. The proposed redevelopment project also included the excavation of the upper section of the revetment and the placement of graded riprap, construction of a walkway, access roadways and parking spaces, improvements to stormwater management, utility services, and associated grading and landscaping. The ENF was withdrawn due to recognition that there may be unauthorized fill of tidelands at the site, and requests for more detailed information on the revetment repairs.

A revised ENF was filed on January 31, 2007 and noticed in the Environmental Monitor on February 6, 2007. The revised project identified alternatives for the revetment including (1) no build, (2) removal of the upper elements and placing new cap stones as proposed in the previously filed ENF, (3) removal as part of removal of unauthorized fill, which might be required under alternative one; and (4) renovate revetment with new toe stones, partial removal of concrete and re-bar and cover remaining wall with a formalized revetment. The proposed revetment repairs in the preferred alternative included an extension of 5-6 feet into the intertidal area to provide for the proper slope of the revetment and setting toe stones in the intertidal area to stabilize the slope. The placement of the toe stones seaward of the existing toe of slope would have resulted in 1,100 s.f. of additional permanent fill. There were no changes to the upland redevelopment proposed in the revised ENF.

(b) Description of Project Changes

This Notice of Project Change seeks review of the proposed revetment repairs as a separate phase from the upland development of the site. Due to the recent downturn in the residential market, the Proponent is proposing to construct the revetment repairs at this time in order to address the stability of the coastal bank and authorize historically unlicensed fill.

The existing shore protection on the site is made up of what appears to be a combination of demolition rubble, large cut granite stones, and placed concrete sections. In general, those areas that have some construction rubble do not appear to have a significant amount of metal debris or otherwise objectionable material contained within them. The areas of large cut stone appear to be relatively stable and would be consistent with other rip-rap, or vertical seawall constructions, found in the area. The variation in element size (i.e., some large stones vs. smaller concrete elements) may not be adequate to survive storm conditions which may reach this site.

The project currently proposed ("preferred alternative") includes repairs to the existing revetment in order to stabilize the shoreline and reduce erosion and the authorization of the existing fill. The revetment repair plans have been revised since the revised ENF to avoid expansion of the structure into the intertidal area and to maintain a proper slope of the revetment. The existing slope will be cut back to create a 1.5 vertical to 1 horizontal slope. A six-inch layer of crushed stone and a two-foot thick layer of armoring stone will cover the slope. Large stones will be placed at the toe of the existing seawall. The work will result in the removal of approximately 1,730 cubic yards of existing fill material located below the high tide line. In addition to the revetment repairs, approximately 2,650 s.f. of existing impervious surface landward of the revetment will be removed and loamed and seeded.

The impacts associated with the repairs include 285 linear feet of armored coastal bank, 1,700 s.f. in Land Subject to Coastal Storm Flowage and 4,200 s.f. of Riverfront Area. In addition to the repairs, the work will include the removal of the stone debris material that has fallen onto the intertidal area from failed sections of the revetment.

The proposed rehabilitation of the revetment has been designed to comply with the slope requirements of the existing Ch. 91 license for the site. The preferred alternative minimizes the environmental impacts and meets the regulatory standards with regards to the unauthorized fill on the site and the design of the revetment.

(c) Significance of Proposed Changes

The Proponent requests the Secretary deem the project change insignificant in terms of its environmental consequences in accordance with 301 CMR 11.10 (6).

The dimensions of the revetment repair work has been reduced since the filing of the revised ENF by eliminating the extension of the structure and by removing approximately 1,730 cubic yards of fill material. The environmental impacts associated with the revetment repairs have subsequently been reduced by eliminating the placement of additional fill in the intertidal area. There will not be any permanent impact to the Coastal Beach or the Barrier Beach as found by the Revere Conservation Commission in their Order of Conditions.

The revetment repairs will require a Chapter 91 Waterways License for a water-dependent structure. The license will also include the existing fill. The proposed revetment repairs will shift the existing high water mark on the site from which setbacks under the Waterways Regulations (e.g., water-dependent use zone, facilities of private tenancy restrictions, building height restrictions, etc.) are measured. BSC assumes that the high water mark, defined as “the present mean high tide line,” to be used in the future licensing of the upland redevelopment will be the current mean high tide line as shown on the attached “Revetment Replacement Plan” and not the post-revetment reconstruction mean high tide line.

An Army Corps of Engineers permit has been issued for the proposed work. A request for an Extension Permit was also filed with the Conservation Commission for the Order of Conditions previously issued for the redevelopment of the site. A 401 Water Quality Certificate application for minor dredging will be submitted to DEP and the Corps.

The proposed work will decrease the potential erosion and shoreline destabilization and reduce the amount of impervious surface in the riverfront area and buffer zone on the site. This project change will realize environmental quality and resource benefits earlier than originally proposed.

(d) Measures to Avoid Damage to the Environment

By revising the design of the revetment repair to avoid expansion of the structure beyond the existing footprint of the revetment, work within the coastal beach¹, barrier beach², and land containing shellfish wetland resource areas has been avoided. The revetment repairs will require work in riverfront area, coastal bank, and land subject to coastal storm flowage. In addition, clean up of the coastal beach is proposed under Phase 1. The work has been designed to meet the performance standards of the applicable resource areas. The repairs have been reviewed and approved by the Revere Conservation Commission.

The revetment portion of the site is located within an area mapped as Priority Habitat for the Common Tern (*Sterna hirundo*), a species of special concern. The Natural Heritage and Endangered Species Program (NHESP) previously reviewed the proposed revetment repairs under a MESA Information Request (Tracking No. 05-19040), the previous ENF filings, and the April 28, 2008 Notice of Intent. NHESP concluded there were no rare species concerns associated with the revetment repairs.

The Army Corps of Engineers consulted with the National Marine Fisheries Service (NMFS) regarding the effects of the proposed revetment repairs on Essential Fish Habitat during their review of the Sections 10 and 404 permit application. The NMFS recommended a time of year restriction between February 15th and June 30th for work below the high tide line to minimize adverse impacts to Winter Flounder. This recommendation has been incorporated into the Corps permit authorizing the revetment repairs and existing fill.

During construction, the work will be contained with the use of sand bags along the beach. The work will be performed during low tide and will be limited to that which can be performed within the tide cycle. Material will be excavated in the dry and segregated by material type (historic fill, rubble, stone) for proper disposal or reuse. Stockpiles will be properly contained and will not be located within 100 feet of the Saugus River.

¹ The boundary of coastal beach on the project site extends from the mean low water line landward to the seaward edge of the existing revetment (310 CMR 10.27 (2)). The revetment repairs will not extend beyond the current seaward edge of the revetment and therefore will not take place within the coastal beach.



² Barrier beach is defined in the Wetlands Protection Act Regulations (310 CMR 10.00) as a narrow low-lying strip of land generally consisting of coastal beaches and coastal dunes extending roughly parallel to the trend of the coast. The regulations further state that the performance standards for barrier beaches “apply to the coastal beaches and to all coastal dunes which make up a barrier beach.” The barrier beach performance standards therefore do not apply to the portion of the site located upland of the coastal beach, including the revetment repairs. Only minor restorative clean up is proposed on the coastal beach and this work meets the performance standards for coastal and barrier beaches.

ATTACHMENTS & SIGNATURES

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Signatures:

<p>3/2/2009</p> <hr/> <p>Date</p>	 <p>Signature of Responsible Officer or Proponent</p>	<p>For JAY EPSIMOS</p> <hr/> <p>Date</p>	 <p>Signature of person preparing NPC (if different from above)</p>
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<p><u>Jay Epsimos</u></p> <p>Name (print or type)</p> <hr/> <p><u>BSC Group, Inc.</u></p> <p>Firm/Agency</p> <hr/> <p><u>350 Revere Beach Blvd</u></p> <p>Street</p> <hr/> <p><u>Revere, MA 02151</u></p> <p>Municipality/State/Zip</p> <hr/> <p><u>617-230-0166</u></p> <p>Phone</p>	<p><u>Robert Ingram</u></p> <p>Name (print or type)</p> <hr/> <p><u>BSC Group, Inc.</u></p> <p>Firm/Agency</p> <hr/> <p><u>15 Elkins Street</u></p> <p>Street</p> <hr/> <p><u>Boston, MA 02127</u></p> <p>Municipality/State/Zip</p> <hr/> <p><u>617-896-4383</u></p> <p>Phone</p>
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