

<p style="text-align: center;"><i>For Office Use Only</i> Executive Office of Environmental Affairs</p> <p>MEPA Analyst: <i>Deirdre Buckley</i></p> <p>Phone: 617-626-1044</p>
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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: Trout Residential Home		EOEA #: 13622	
Street: 35-37 Fordham Way			
Municipality: Newbury		Watershed: Merrimack River	
Universal Transverse Mercator Coordinates:		Latitude: N42 47.6' Longitude: W70 48.4'	
Status of project construction: Not started %complete 0			
Proponent: Harry Trout			
Street: 36 Fordham Way			
Municipality: Newbury		State: MA	Zip Code: 01951
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Mary Rimmer			
Firm/Agency: Rimmer Environmental Conslt.		Street: 30 Green Street	
Municipality: Newburyport		State: MA	Zip Code: 01950
Phone: 978-463-9226	Fax: 978-463-8716	E-mail: rimmerenv@verizon.net	

In 25 words or less, what is the project change? The project change involves . . .

Relocation and redesign of proposed house and elimination of garage to reduce impacts to coastal dune.

See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: **August 2005**

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:

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Are you requesting that a Scope in a previously issued Certificate be rescinded?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	0.34	0	0.34
Acres of land altered	.04	-.015	.025
Acres of impervious area	.07	-.022	.048
Square feet of bordering vegetated wetlands alteration	0	0	0
Square feet of other wetland alteration	2087	-970	1117
Acres of non-water dependent use of tidelands or waterways	0	0	0
STRUCTURES			
Gross square footage	2721	-621	2100
Number of housing units	1	0	1
Maximum height (in feet)	32	0	32
TRANSPORTATION			
Vehicle trips per day	4	0	4
Parking spaces	2	0	2
WATER/WASTEWATER			
Gallons/day (GPD) of water use	300	0	300
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	220	0	220
Length of water/sewer mains (in miles)	N/A	0	N/A

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).

1.0 Project as Reviewed in the Environmental Notification Form

The project site consists of two residential lots located on the west side of Fordham Way on Plum Island, identified as a barrier beach. The two lots have a combined area of 15,086 square feet. The southerly lot contains an existing 634 square foot garage on a concrete slab foundation with an asphalt driveway constructed in the 1960's. The rear or west side of this lot is mostly undisturbed coastal vegetation. The northern lot consists of mowed lawn near the frontage with Fordham Way, a shrub hedge along the northern property boundary, and the rear of the lot undisturbed coastal vegetation. The area immediately surrounding these lots consists of single family homes to the south and west and east, and vacant land on the lot abutting to the north. The site is currently served by municipal sewer and water. The site received a Letter of Map Amendment (LOMA) in 2004 from FEMA indicating it is in a Flood Zone C.

The project as proposed in the ENF involved the construction of a single family home in the northern portion of the lot with a proposed building footprint of 1,709 square feet, a 194 square foot deck and 184 square foot breezeway connecting from the house to the existing garage. This project was approved by the Town of Newbury Conservation Commission ((DEP#50-785), but was appealed to the Department of Environmental Protection. DEP has not issued a Superseding Order of Conditions since the project required MEPA review as it is proposed on a barrier beach. It was for this project that MEPA issued the Certificate on the ENF on October 2005 requiring an Environmental Impact Report. A copy of this plan is attached.

The applicant filed a second Notice of Intent in 2006, which contained a similar building plan, but reversed the location of the house and garage, so that house was proposed over the existing garage and a new garage was proposed to the north. This was also approved by the Newbury Conservation Commission (DEP #50-837) and

subsequently appealed to DEP. DEP required that the applicant withdraw one of the plans, so the applicant withdrew this second Notice of Intent with the intention of pursuing approval for the original plan. It is this original plan for which the Secretary issued the Certificate on the ENF.

2.0 Current Proposed Plan

The currently proposed plan differs substantially from either of the previous plans and has been designed to address comments raised by DEP in their review of the previous plan. The building footprint is now located over the existing developed portion of the lot and within the footprint of the existing garage, paved driveway and mowed lawn area. The garage has been eliminated. As with previous filings, the structure is proposed to be elevated so that the lowest horizontal member of the structure is at least three feet above grade as required for construction on a coastal dune. All existing lawn areas are proposed to be restored to native coastal dune vegetation as indicated in the attached planting plan. The proposed construction will require the removal of three pitch pine trees which can be replaced elsewhere on site if so required under any Final Order of Conditions issued by DEP. The paved driveway is proposed to be replaced with crushed stone and the existing concrete retaining walls are proposed to be removed. No work will extend into the undisturbed natural portions of the dune. A detailed architectural design has not yet been prepared, but the applicant intends to construct the proposed structure within the proposed building footprint as indicated on the attached plan. Such plans can be prepared and submitted to DEP for review prior to issuance of any Superseding Order of Conditions if so requested.

3.0 Significance of the Changes and Proposed Mitigation Measures

The resulting project will eliminate the existing at-grade garage to be replaced with a pile supported structure consistent with current regulatory requirements. It will restore all existing lawn to native coastal vegetation and eliminate pavement within the driveway. The overall project will result in a net increase in impervious area of 508 square feet over existing conditions, but also a 28% (4,224 square foot) increase in native coastal dune vegetation. The area of impervious surface under this current plan is approximately 1,500 square feet less than proposed in the Environmental Notification Form and DEP File 50-785.

	Impervious Area (SF)	Lawn Area (SF)	Pervious Driveway	% Site in Natural Vegetation (not lawn)
Existing	1,592*	5,200	0	55%
Original Plan (#50-785)	3,600*	4,300	0	48%
Current Plan	2,100	0	488	83%

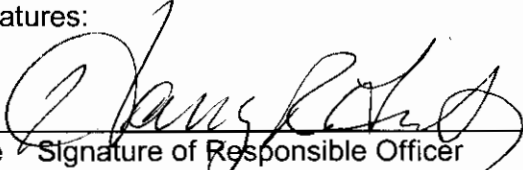

*The table on page 2 of the ENF incorrectly stated that the existing impervious area was .03 acres (1306 square feet) and the proposed impervious area as .07 acres (3,049 square feet).

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:

		2/15/08	
Date	Signature of Responsible Officer or Proponent	Date	Signature of person preparing NPC (if different from above)

HARRY TROUT	MARY RIMMER
Name (print or type)	Name (print or type)

RIMMER ENVIRONMENTAL CONSULTING	RIMMER ENVIRONMENTAL CONSULTING
Firm/Agency	Firm/Agency

36 FORDHAM WAY	30 GREEN ST.
Street	Street

NEWBURY, MA 01951	NEWBURYPORT, MA 01950
Municipality/State/Zip	Municipality/State/Zip

978-462-3811	978-463-9226
Phone	Phone

Trout Residence
36 Fordham Way
Newbury, MA

