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March 22, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Single Family Home - 7 67th Street
PROJECT MUNICIPALITY : Newburyport
PROJECT WATERSHED : Merrimack
EOEA NUMBER : 13974
PROJECT PROPONENT : **Scott E. Morrow**
DATE NOTICED IN MONITOR : February 20, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.03 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project consists of the construction of a 1,680 square foot (sf) single family home including decks, porches, a garage and gravel drive. It will be constructed on pilings at least two feet above existing grade. It will be served by municipal water and sewer.¹ The project will alter approximately 2,650 sf of coastal dune, barrier beach and Land Subject to Coastal Storm Flowage (LSCSF). To minimize and mitigate these impacts, the project will include 1,200 sf of restoration, including planting of dune grass, within the unvegetated area of the parcel. In addition, the proponent proposes to restore and re-vegetate approximately 1,450 sf of off-site dunes on a publicly owned parcel at the north end of Plum Island.

¹ The Utility Services to Plum Island Project (EOEA #12416) was reviewed by MEPA.

The 8,399 sf parcel, consisting of two lots, is located in the northeastern area of Plum Island in Newburyport, which is a designated barrier beach. It consists of a relatively flat, sandy lot, of which approximately 80 percent is vegetated. It is surrounded by houses to the east, north and west and by 67th Street to the South.

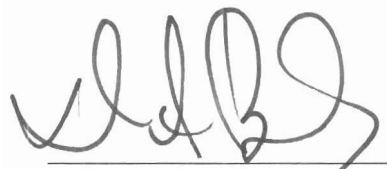
The project is undergoing MEPA review pursuant to 11.03 (3)(b)(1)(a) because it requires a state permit and includes alteration of a barrier beach. The project requires a Superseding Order of Conditions from the Department of Environmental Protection (MassDEP). The proponent is not seeking financial assistance from the Commonwealth for the project, therefore MEPA jurisdiction extends to those aspects of the project that may cause significant Damage to the Environment and that are within the subject matter of required or potentially required state permits. These include wetlands and coastal resources.

MassDEP has indicated that protecting the stability and volume of sand in coastal dunes on barrier beaches is critical to preserving their ability to provide storm damage protection and flood control. Development of solid structures, roadways, and paved parking on dunes interferes with and diminishes essential dune functions. MassDEP has expressed concern that construction activities, stormwater and long-term loss of vegetation associated with the proposed project may adversely impact the long-term stability of this coastal dune and reduce its ability to provide storm damage prevention and flood control.

MassDEP notes that the project, as proposed, does not appear to meet the performance standards of the wetlands regulations for barrier beach, coastal dunes and LSCSF (310 CMR 10.28 and 10.29). During permitting, the proponent will be required to consider alternatives that further minimize disturbance to vegetation, such as reducing the footprint of the project by eliminating the garage or deck areas and narrowing the driveway. MassDEP indicates that the proponent should provide most of the re-vegetation on site to retain the existing dune functions to the greatest extent feasible. MassDEP notes that additional information will be required during permitting including a revised site plan and a detailed planting plan. In addition, the proponent must demonstrate that off-site replication areas are appropriate, that the proponent is authorized to conduct the work and that the replication will be maintained.

The review of the ENF has served to adequately disclose the potential impacts and mitigation associated with this project. Based on the information in the ENF and after consultation with relevant public agencies, I find that the potential impacts of the project are not significant enough to warrant the preparation of an EIR. Outstanding issues regarding the project's consistency with the Wetlands Protection Act will be addressed through the permitting process. No further MEPA review is required.

March 22, 2007
Date



Ian A. Bowles

Comments received:

3/12/07 Department of Environmental Protection NERO
3/5/07 Howard J. Faigel and Margaret Leshen

IAB/CDB/cdb