

# ENF Environmental Notification Form

*For Office Use Only*  
Executive Office of Environmental Affairs  
BOEA No.: 14359  
MEPA Analyst: Anne Canaday  
Phone: 617-626-1035

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: LICENSE TWO EXISTING DECKS AND THE CONSTRUCTION OF A PROPOSED ADDITION		
Street: 31 DOCK STREET		
Municipality: EDGARTOWN	Watershed:	
Universal Transverse Mercator Coordinates:	Latitude: 41-23-34 N Longitude: 70-30-64 W	
Estimated commencement date: 3-01-09	Estimated completion date: 6-15-09	
Approximate cost: \$175,000.00	Status of project design: 100 %complete	
Proponent: FRANK J. PELLEGRINO, TSTE SEAFOOD SHANTY REALTY TRUST		
Street: P O BOX 3450, 31 DOCK STREET		
Municipality: EDGARTOWN	State: MA	Zip Code: 02539
Name of Contact Person From Whom Copies of this ENF May Be Obtained: GEORGE SOURATI, P.E.		
Firm/Agency: SOURATI ENGINEERING	Street: 107 BEACH ROAD, P O BOX 4458	
Municipality: TISBURY	State: MA	Zip Code: 02568
Phone: 508-693-9933	Fax: 508-693-4933	E-mail: GSOURATI@SOURATIGROUP.COM

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?

Yes 11.03(3)(b)(e)  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(B))  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):

Are you requesting coordinated review with any other federal, state, regional, or local agency?

Yes (Specify)  No

List Local or Federal Permits and Approvals: TOWN OF EDGARTOWN ZONING BOARD OF APPEALS. CASE # 44-2007, SPECIAL PERMIT GRANTED; TOWN OF EDGARTOWN CONSERVATION COMMISSION, NEGATIVE DETERMINATION OF APPLICABILITY ISSUED.

EDGARTOWN HISTORIC COMMISSION CERTIFICATE OF APPROPRIATENESS ISSUED.

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
<b>LAND</b>				<input type="checkbox"/> Order of Conditions <input 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 type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:  <input checked="" type="checkbox"/> Negative Determination
Total site acreage	0.24 +/-			
New acres of land altered		0.02 +/-		
Acres of impervious area	0.17 +/-	0.01 +/-	0.18 +/-	
Square feet of new bordering vegetated wetlands alteration		Zero		
Square feet of new other wetland alteration		Zero		
Acres of new non-water dependent use of tidelands or waterways		Zero		
<b>STRUCTURES</b>				
Gross square footage	9,540 +/-	1,890 +/-	11,430 +/-	
Number of housing units	n/a	n/a	n/a	
Maximum height (in feet)	35.5	None	35.5	
<b>TRANSPORTATION</b>				
Vehicle trips per day				
Parking spaces				
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use	3595*	Zero*	3595*	
GPD water withdrawal				
GPD wastewater generation/ treatment	26 outlets to drain**	Zero**	26 outlets to drain**	
Length of water/sewer mains (in miles)				

**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 project site consists of filled tidelands adjacent to Edgartown Harbor, pursuant to permissions originally granted more than 100 years ago. The project site is a non water dependent site. The structure on site contains a restaurant/bar facility. Currently, a delivery deck and waste management and storage are performed at the proposed addition area. The plan is to enclose the waste management and outside storage areas to improve the vistas from a public way, and to enlarge existing restaurant office space on the second floor. The licensing of two decks constructed earlier to provide outside seating is also part of the project and this Environmental Notification Form.

(b) The project goal is to provide outside seating and provide a more sightly and manageable waste processing area, and increase the restaurant office space. Alternatives to outside seating goals included extending the decks out towards abutting properties. Impacts would have included obstruction of existing view channels both for abutters and for the public. Moving waste processing and management off site is not an option. No alternative areas exist for waste management on the property. An alternatives analysis included review of off site alternatives, however no suitable location was found and therefore (c) potential mitigation measures were not evaluated. The project itself is anticipated to mitigate existing waste management impacts to the public enjoyment of the streetscape and the vistas enjoyed by the public of the historic Edgartown Harbor.