

Commonwealth of Massachusetts

Executive Office of Environmental Affairs ■ MEPA Office

ENF

Environmental Notification Form

<i>For Office Use Only</i> Executive Office of Environmental Affairs
EOEA No.: 14060 MEPA Analyst: Bill GAGE Phone: 617-626- 1025

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: Black Cow Restaurant		
Street: 1 Water Street		
Municipality: Beverly	Watershed: Atlantic Ocean	
Universal Transverse Mercator Coordinates:	Latitude: 42 -32'-27"N	Longitude: 70-53'-8" W
Estimated commencement date: Fall 2007	Estimated completion date: Spring 2008	
Approximate cost: \$2.5 million dollars	Status of project design: 25 % complete	
Proponent: Joseph A. Leone, c/o Black Cow Restaurant		
Street: P. O. Box 2490		
Municipality: South Hamilton	State: MA	Zip Code: 01982
Name of Contact Person From Whom Copies of this ENF May Be Obtained: William R. Bergeron, P.E.		
Firm/Agency: Hayes Engineering Inc.	Street: 603 Salem Street	
Municipality: Wakefield	State: MA	Zip Code: 01880
Phone: 1-781-246-2800	Fax: 1-781-246-7596	Email: bbergeron@hayeseng.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:
- a Single EIR? (see 301 CMR 11.06(8)) Yes No
 - a Special Review Procedure? (see 301CMR 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):

Lease from the City of Beverly.

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (**Chapter 91 License & Wetlands filing with Beverly Conservation**) No

List Local or Federal Permits and Approvals:

Site Plan Review with Beverly Planning Board

Order of Conditions from Beverly Conservation Commission

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
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 checked="" 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 checked="" type="checkbox"/> Other Permits <i>(including Legislative Approvals) -- Specify:</i> <u>Approval in accordance with Article 97 provisions.</u>
Total site acreage	0.96			
New acres of land altered		0.0		
Acres of impervious area	0.94	- 0.16	0.78	
Square feet of new bordering vegetated wetlands alteration		0.0		
Square feet of new other wetland alteration				
Acres of new non-water dependent use of tidelands or waterways		0.27		
STRUCTURES				
Gross square footage	9,216	- 332	8,884	
Number of housing units	-	-	-	
Maximum height (in feet)	30 +/-	Less than 35	Less than 35	
TRANSPORTATION				
Vehicle trips per day	77	598	675	
Parking spaces	44	22	66	
WATER/WASTEWATER				
Gallons/day (GPD) of water use	0	6,393	6,393	
GPD water withdrawal	-	-	-	
GPD wastewater generation/treatment	0	6,393	6,393	
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

It is not believed to be necessary, but the issue is being clarified by the City of Beverly through its Planning and Development Department and EOEA Department of Conservation and Recreation.

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 - based on July 14, 2006 Maps

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 - Not a listed ACEC area

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.)

The existing site consists of approximately 41,668 square feet. The prior use was for a McDonalds' fast food restaurant with a drive through window. The use was terminated in 1995 and has been basically vacant since. The entire site, as shown on the attached photo, shows the existing conditions. The entire site, except for some foundation plantings at the building, is impervious. The proposed Black Cow Restaurant will revitalize the area and provide an economic benefit to the City of Beverly while enhancing the waterfront area. The current parking and pavement areas on the existing pier and adjacent land area will be made available for public use and will extend the existing park area. There will be an increase of the site parking and six spaces will be set aside for DPA exclusive use. The proposed building will be located away from the existing coastal bank and will result in no resource area disturbance. The proposed new use will have minimal off-site impacts relative to traffic and utilities, and will be significantly less than the prior McDonalds' use. The retention of the existing no-build condition will result in the continued decay of the structure and result in a negative impact to this gateway site and the existing park. The structure will also continue to be an economic drain to the City of Beverly as well as a potential fire hazard. The proposed redevelopment of the site will provide the City of Beverly with a positive economic benefit as well as an enhanced public open area. The reuse of the site will result in less impervious area and the proposed improvements will incorporate enhanced stormwater treatment prior to connecting to the existing drain line.