



Gas Main Installation Project
145 High Street, Newburyport, Massachusetts

REQUEST FOR DETERMINATION OF APPLICABILITY

Boston Gas Company
d/b/a National Grid

July 2020

Tighe&Bond

WO# 1328131
N5068-006
June 26, 2020

Julia Godtfredsen, Conservation Administrator
Newburyport Conservation Commission
60 Pleasant Street
Newburyport, MA 01950

Re: **Request for Determination of Applicability
Gas Main Installation Project, Boston Gas Company d/b/a National Grid
145 High Street, Newburyport, Massachusetts**

Dear Ms. Godtfredsen and Members of the Newburyport Conservation Commission:

On behalf of the Boston Gas Company d/b/a National Grid, Tighe & Bond respectfully submits this Request for Determination of Applicability (RDA) for a proposed gas service line installation at 145 High Street in Newburyport, Massachusetts. The proposed gas service line will be installed for approximately 159 linear feet (lf) from the existing gas main within High Street to the Essex County Superior Courthouse, located at 145 High Street. High Street is a paved two-way road that serves commercial and residential areas. The project area is located approximately 2,000 lf south of the Merrimack River.

This RDA is being filed because the proposed work will occur within the 100-foot Buffer Zone to inland Bank. In addition, work will occur within the locally-regulated 25-foot No Disturbance Zone. These areas are regulated under the Massachusetts Wetlands Protection Act (WPA, M.G.L. c. 131 § 40) and the City of Newburyport Wetlands Protection Ordinance (Article II) and implementing regulations. All of the proposed work will occur in previously disturbed areas with no anticipated impacts to the surrounding wetland resources.

Please note, a portion of the proposed work is considered an exempt buffer zone minor activity under 310 CMR 10.02(2)(b)(2)(i), as it consists of "*Installation of underground utilities (e.g., electric, gas, water) within existing paved or unpaved roadways and private roadways/driveways, provided that all work is conducted within the roadway or driveway and that all trenches are closed at the completion of each workday.*" These activities are not afforded exemptions under Article II.

Tighe & Bond respectfully requests that the Newburyport Conservation Commission make a Negative Determination confirming that the proposed work does not require the filing of a Notice of Intent under the WPA or the Newburyport Wetlands Protection Ordinance and Regulations.

This RDA application includes the following items:

- Attachment A – WPA Form 1 and Copy of Check for Filing Fee
- Attachment B – Figures
- Attachment C – Site Photographs
- Attachment D – National Grid Best Management Practice Details

The following text discusses the wetland resource areas, proposed activities, and proposed protective measures.



Wetland Resource Areas

Site reconnaissance and wetland resource area investigations of the project area were conducted on June 18, 2020. The reconnaissance was conducted in accordance with the Massachusetts Department of Environmental Protection (MassDEP) guidelines, 310 CMR 10.00, and Article II. The resource area boundaries were surveyed using a Global Positioning System (GPS) unit with sub-meter accuracy. Wetland resource areas are depicted on Figure 4 in Attachment B.

Inland Bank

Frog Pond is a manmade pond located south of High Street, behind the Essex County Superior Courthouse. Regulatory inland Bank confines Frog Pond. The Bank is vegetated with maintained grasses and occurs along the edge of an unpaved foot path.

Land Subject to Flooding

The Federal Emergency Management Agency (FEMA) flood map (Panel No. 25009C0136G, effective July 16, 2014) was consulted to evaluate the presence of jurisdictional Land Subject to Flooding on the property. The project area does not fall within an area subject to flooding and/or inundation by the 100-year flood and therefore is not regulated as Land subject to Flooding.

Rare Species

The Massachusetts Natural Heritage and Endangered Species Program (NHESP) Atlas (14th edition, effective August 2017) and MassGIS online mapping data (August 2017), were reviewed during the preparation of this RDA. According to these sources, the project area does not fall within Priority Habitats of Rare Species or Estimated Habitats of Rare Wildlife (Figure 2).

Proposed Activities

The proposed project consists of the installation of a new gas service line from the existing gas main within High Street for approximately 159 lf to the Essex County Superior Courthouse. The gas service line will consist of a four-inch diameter plastic pipe.

Construction of the new gas line will require the excavation of an approximately two-foot wide trench for safe installation. The trench bottom will be excavated and graded so that the pipe will be supported for its entire length on undisturbed bottom at a depth of approximately three feet below surface grade. The trench will be excavated within the existing paved roadway, maintained lawn, and paved sidewalk. Upon the completion of work, the trench will be backfilled and the site will be restored to pre-existing conditions. Work will be conducted by conventional construction equipment mobilized on the existing roadway and lawn.

The proposed work will result in approximately 248 square feet (sf) of temporary impacts to the 100-foot Buffer Zone to inland Bank. Of these buffer zone impacts, 78 sf occur within the locally-regulated 25-foot No Disturbance Zone. The areas where the work is proposed consist of existing paved roadway, lawn, and sidewalk. The proposed work will not change the general characteristics of the area, as the entire project is contained within previously disturbed areas.

Protective Measures

Prior to the commencement of work, appropriate erosion control measures will be installed at the downgradient limit-of-work as deemed necessary. The erosion controls will be maintained throughout the duration of work and will be removed after disturbed areas have been stabilized. Where access is required on the existing maintained lawn, prefabricated mats will be used to minimize vegetation and soil disturbance. Following the completion of construction activities, any disturbed areas will be restored to pre-existing conditions. Attachment D of this submittal includes details of standard Best Management Practices that have been used in past projects of similar scope.

Application Requirements

As required under Article II, a check made payable to the City of Newburyport for the application filing fee (\$100) and the legal advertisement fee (\$150) has been enclosed. A copy of the check has been included in Attachment A.

Summary

We look forward to having the opportunity to discuss this project with the Newburyport Conservation Commission at the public hearing on July 21, 2020. We anticipate these materials are sufficient for the Commission to issue a Negative Determination confirming the proposed project may proceed without the filing of a Notice of Intent. Should you have any questions regarding this application or require any additional information, please do not hesitate to contact me at (508) 304-6354 or via email at AJHoule@tighebond.com.

Thank you in advance for your attention to this matter.

Respectfully,



Amanda J. Houle, PWS, CERP
Senior Environmental Scientist

Enclosures

Copy: MassDEP NERO
Andrew Shelby, National Grid
City of Newburyport, property owner

ATTACHMENT A

WPA FORM 1

COPY OF CHECK FOR FILING FEE



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Boston Gas Company d/b/a National Grid
(c/o Andrew Shelby)

Drew.Shelby@nationalgrid.com
E-Mail Address

40 Sylvan Road

Mailing Address

Waltham

MA

02451

City/Town

State

Zip Code

(781) 907-1867

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Tighe & Bond, Inc.

Firm

Amanda J. Houle, PWS

AJHoule@tighebond.com

Contact Name

E-Mail Address

4 Barlows Landing Road, Unit #15

Mailing Address

Pocasset

MA

02559

City/Town

State

Zip Code

(508) 304-6354

Phone Number

(508) 564-4298

Fax Number (if applicable)

B. Determinations

1. I request the Newburyport make the following determination(s). Check any that apply:
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Newburyport

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

145 High Street

Street Address

35

Assessors Map/Plat Number

Newburyport

City/Town

160

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

High Street is a paved two-way road that serves commercial and residential areas. The project area is located approximately 2,000 ft south of the Merrimack River. Please refer to the attached cover letter and figures for more information.

- c. Plan and/or Map Reference(s):

Figure 4 - Site Plan (Tighe & Bond, Inc.)

Title

June 2020

Date

Title

Date

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The proposed project consists of the installation of a new gas service line from the existing gas main within High Street for approximately 159 linear feet to the Essex County Superior Courthouse, located at 145 High Street. The gas service line will consist of a four-inch diameter plastic pipe. Please refer to the attached cover letter for additional details.



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

310 CMR 10.02(2)(b)(2)(i): *“Installation of underground utilities (e.g., electric, gas, water) within existing paved or unpaved roadways and private roadways/driveways, provided that all work is conducted within the roadway or driveway and that all trenches are closed at the completion of each workday.”*

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

City of Newburyport
Name

145 High Street
Mailing Address


Newburyport
City/Town

MA
State

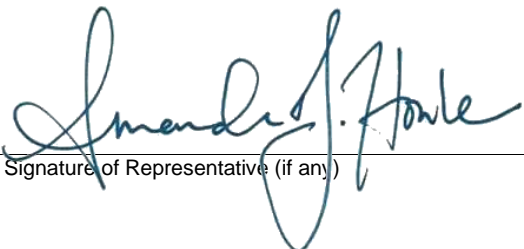
01950
Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.


Signature of Applicant

June 25, 2020
Date


Signature of Representative (if any)

June 25, 2020
Date

Tighe & Bond, Inc.
53 Southampton Road
Westfield, MA 01085

This is a Deluxe eCheck. The PAY TO THE ORDER OF line designates the Payee. For questions call Deluxe Payment Exchange customer support at 877-373-6964.

VV004

Date 06/18/2020
Void after 90 days

PAY TO THE ORDER OF City of Newburyport

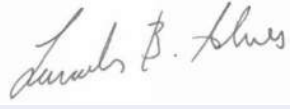
\$ 250.00

Two hundred fifty and 00/100

Dollars

TD Bank, NA

Memo RDA Filing Fee and Legal Ad



Verify check at <https://echecks.com/verify>

FILE COPY

Account numbers are concealed for your security

FILE COPY

ATTACHMENT B

FIGURES



Legend
- - - Proposed Gas Line

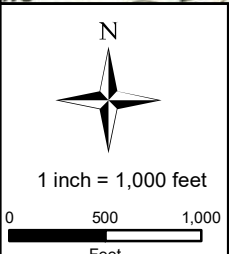


FIGURE 1
Site Location

Gas Line Installation Project
145 High Street
Newburyport, Massachusetts

Based on USGS Topographic Map for Newburyport East and West, MA revised 1985.

nationalgrid
Tighe&Bond

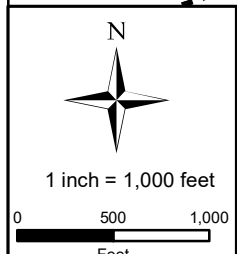
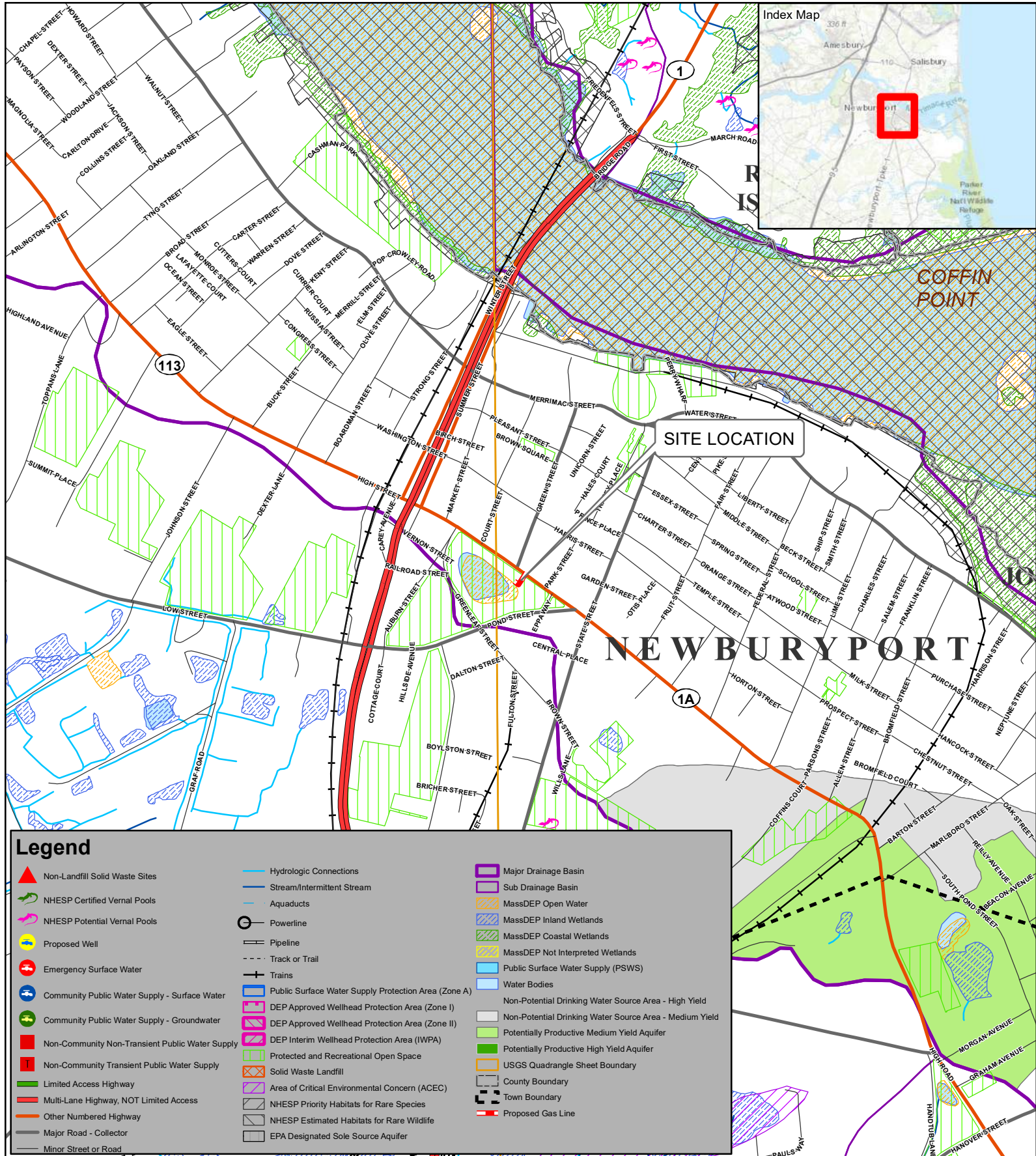



FIGURE 2
Priority Resources
 Gas Line Installation Project
 145 High Street
 Newburyport, Massachusetts

Data source: Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology, Circles indicate 500-foot and half-mile radii. Data valid as of June 2020.

nationalgrid
Tighe&Bond



Legend

 Proposed Gas Line



1 inch = 200 feet

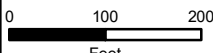


FIGURE 3

Orthophotograph

Gas Line Installation Project
145 High Street
Newburyport, Massachusetts

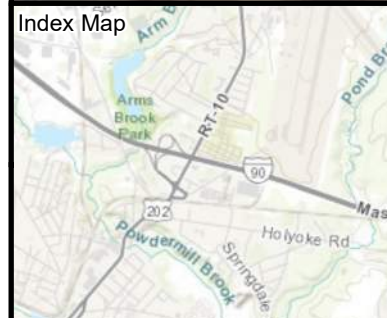
Based on MassGIS Color Orthophotography (2019).



Total Length of Proposed Gas Service: 159 linear feet
Total Trench Area: 318 square feet

Resource Area Impacts:

100-foot Buffer Zone to Inland Bank: 248 square feet
25-foot No Disturbance Zone: 78 square feet



Legend

- 25-foot No Disturbance Zone
- 100-foot Buffer Zone
- Inland Bank Boundary
- Proposed Gas Line

1 inch = 50 feet
0 25 50
Feet
*Indicates Layers Set to Transparency

FIGURE 4
Site Plan
Gas Line Installation Project
145 High Street
Newburyport, Massachusetts

Based on MassGIS Color Orthophotography (2019).

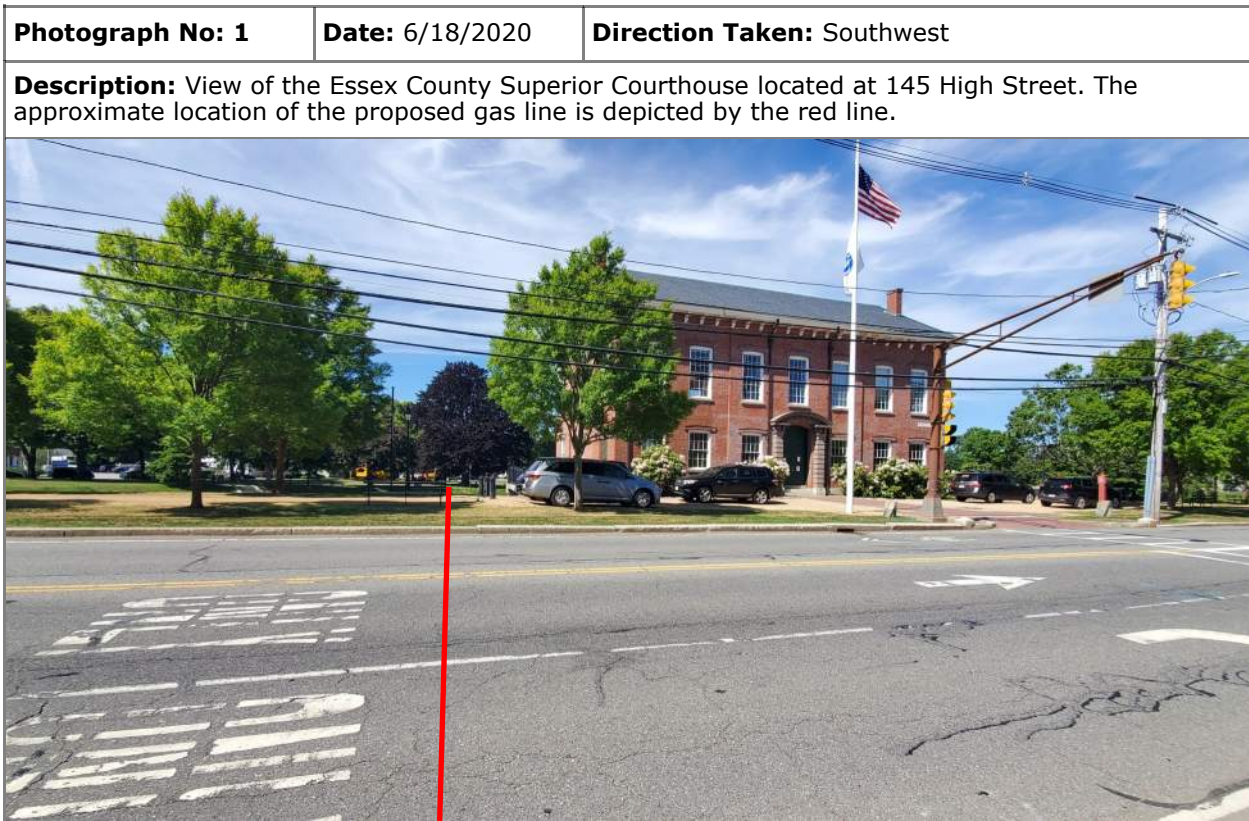
ATTACHMENT C
SITE PHOTOGRAPHS

Attachment C - Photographic Log

Client: National Grid

Job Number: N-5068-006

Site: 145 High Street, Newburyport, Massachusetts





Attachment C - Photographic Log

Client: National Grid

Job Number: N-5068-006

Site: 145 High Street, Newburyport, Massachusetts

Photograph No: 3	Date: 6/18/2020	Direction Taken: Northwest
Description: The approximate location of the gas line is depicted by the red line.		
		

Photograph No: 4	Date: 6/18/2020	Direction Taken: Northeast
Description: A view of Frog Pond and the Essex County Superior Courthouse.		
		

ATTACHMENT D

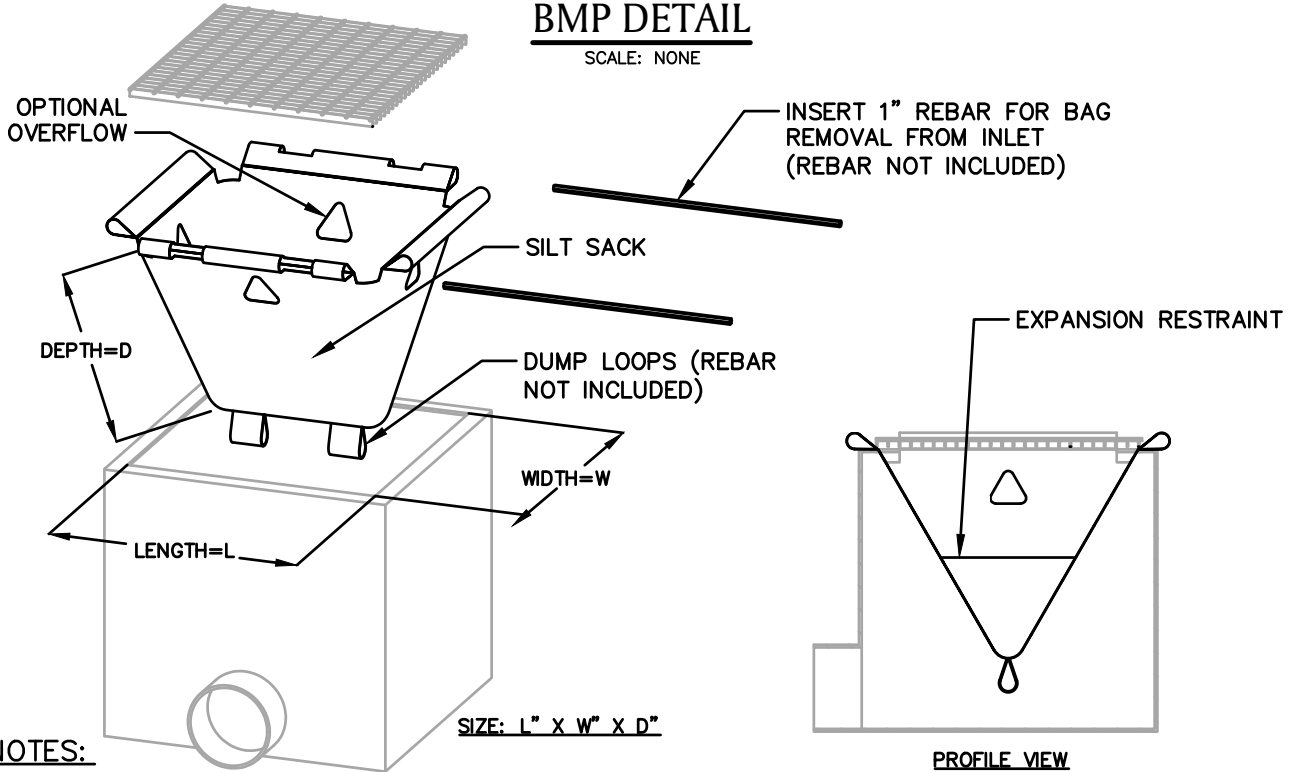
NATIONAL GRID BEST MANAGEMENT PRACTICES

SUBJECT
Access, Maintenance and Construction
Best Management Practices

Reference
EP No. 3 - Natural Resource
Protection (Chapter 6)

BMP DETAIL

SCALE: NONE



NOTES:

1. PRODUCT TO BE SILT SACK OR APPROVED EQUAL BY NATIONAL GRID ENVIRONMENTAL SCIENTIST.
2. THE USE OF A SILT SACK OPTIONAL OVERFLOW AND OVERALL DIMENSIONS ARE TO BE COORDINATED WITH A NATIONAL GRID ENVIRONMENTAL SCIENTIST.

BMP PICTURE



* DETAIL PROVIDED BY ACF ENVIRONMENTAL
APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES
 PRINTED COPIES ARE NOT DOCUMENT CONTROLLED. FOR LATEST AUTHORIZED
 VERSION PLEASE REFER TO THE NATIONAL GRID ENVIRONMENTAL INFONET SITE.

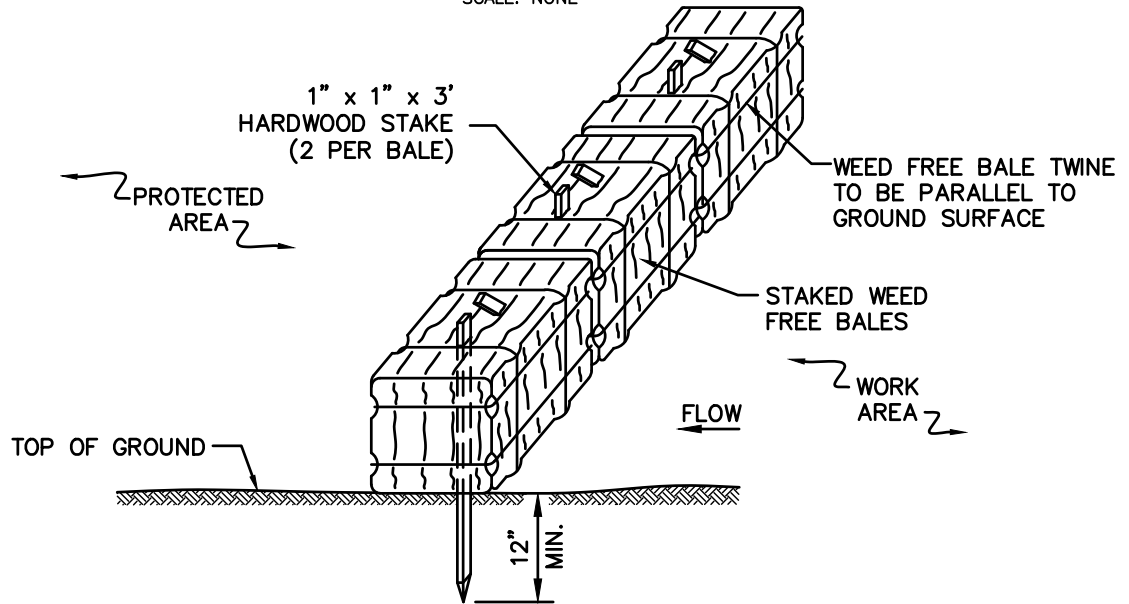
AA-20
 SILT SACK *

SUBJECT
Access, Maintenance and Construction
Best Management Practices

Reference
EP No. 3 - Natural Resource
Protection (Chapter 6)

BMP DETAIL

SCALE: NONE



NOTES:

1. THE GROUND SHALL BE PREPARED TO PROVIDE COMPLETE CONTACT WITH THE BALES.

BMP PICTURE



File: BALE_BARRIER.DWG

APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES
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VERSION PLEASE REFER TO THE NATIONAL GRID ENVIRONMENTAL INFONET SITE.

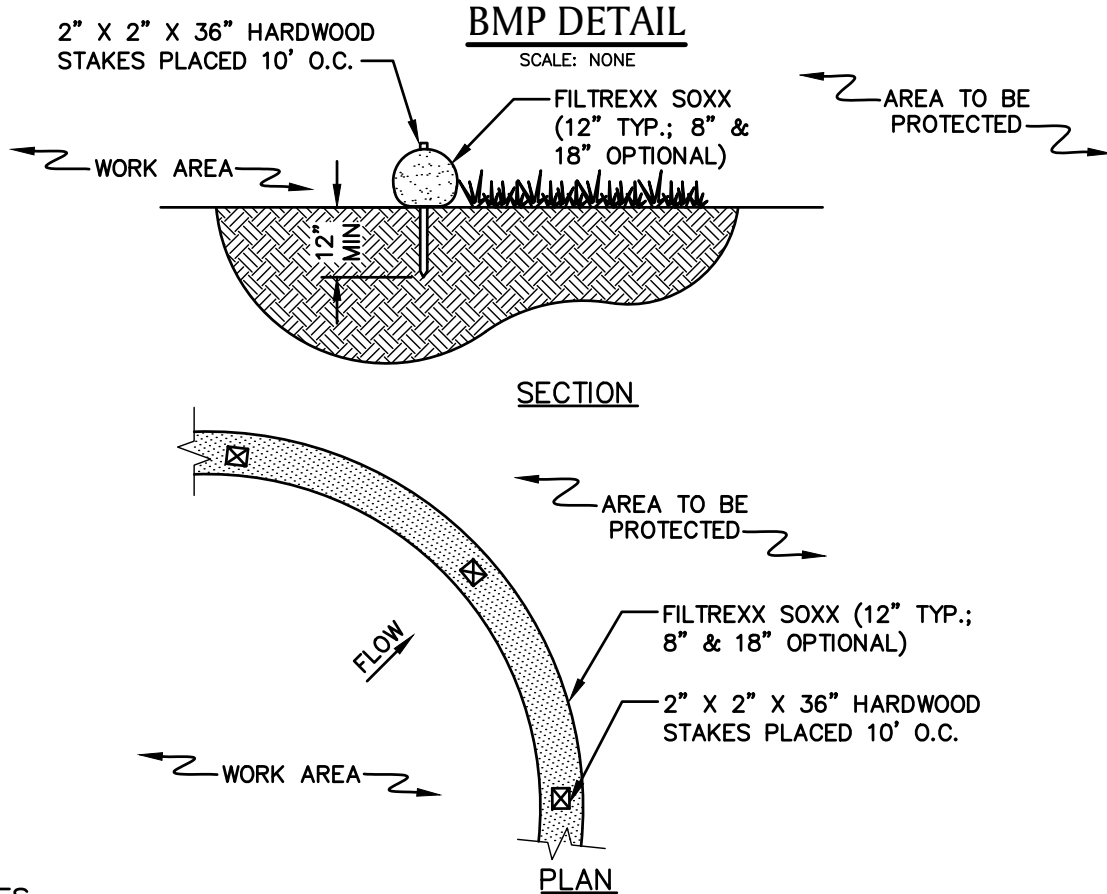
SEC-1
WEED FREE BALE BARRIER

SUBJECT

Access, Maintenance and Construction
Best Management Practices

Reference

EP No. 3 - Natural Resource
Protection (Chapter 6)



NOTES

1. PRODUCT TO BE FILTREXX SILT SOXX OR APPROVED EQUAL BY NATIONAL GRID ENVIRONMENTAL SCIENTIST.
2. ALL MATERIAL TO MEET FILTREXX SPECIFICATIONS.
3. FILTER MEDIA FILL TO MEET APPLICATION REQUIREMENTS.
4. MESH CONTAINMENT MATERIAL SHOULD BE KNITTED PHOTODEGRADABLE OR BIODEGRADABLE MATERIAL, WITH OPENING SIZES BETWEEN 1/8" - 3/8".
5. COMPOST MEDIA SHOULD HAVE PARTICLE SIZE WHERE 99% < 2", 50% > 1/2".
6. COMPOST MATERIAL TO BE DISPERSED ON SITE, AS DETERMINED BY NATIONAL GRID ENVIRONMENTAL SCIENTIST.

BMP PICTURE



* PICTURE AND DETAIL PROVIDED BY FILTREXX LAND IMPROVEMENT SYSTEMS
APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES
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 VERSION PLEASE REFER TO THE NATIONAL GRID ENVIRONMENTAL INFONET SITE.

SEC-4
SILT SOXX *

SUBJECT

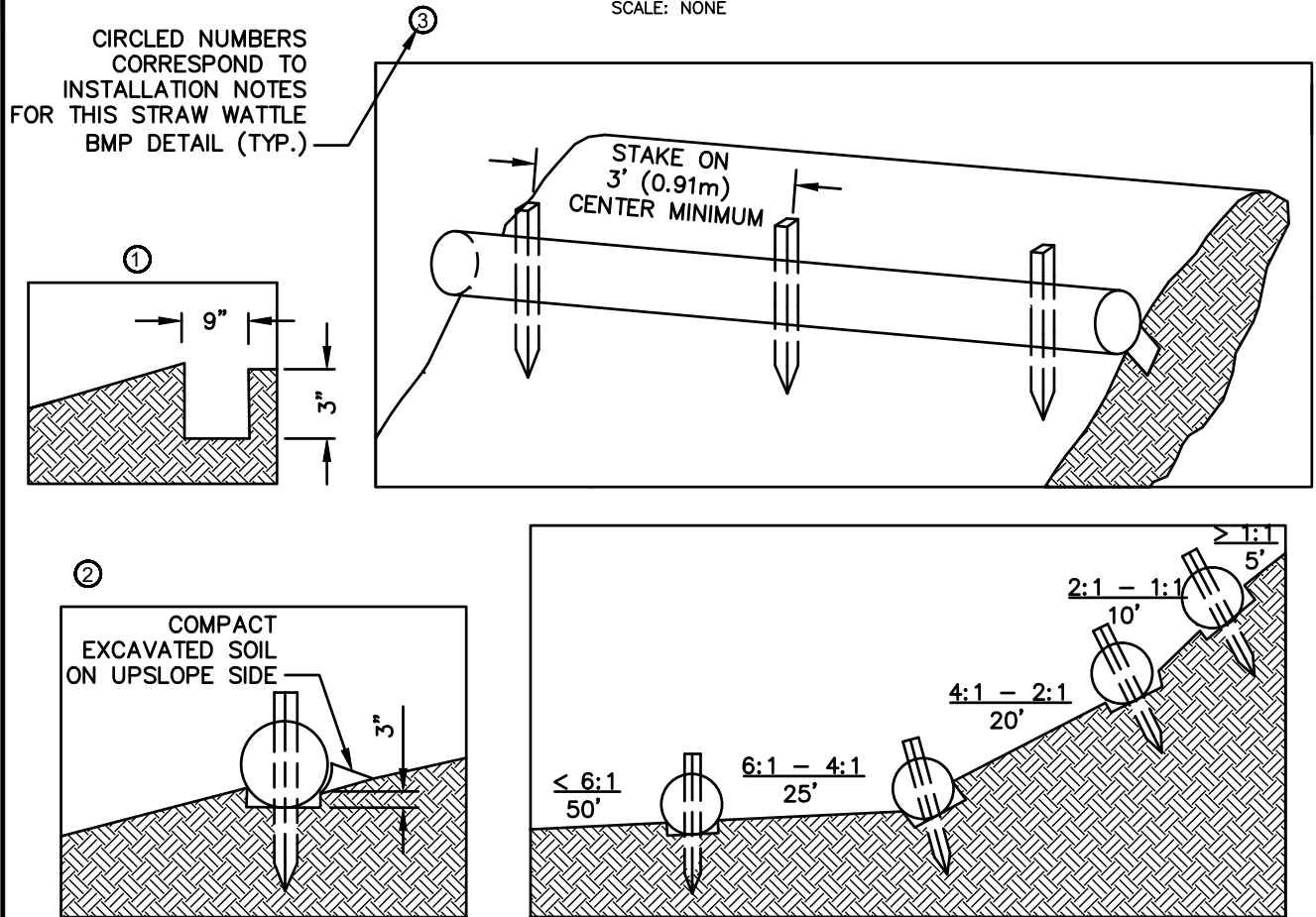
Access, Maintenance and Construction
Best Management Practices

Reference

EP No. 3 - Natural Resource
Protection (Chapter 6)

BMP DETAIL

SCALE: NONE



NOTES:

1. PRODUCT TO BE TENSAR NORTH AMERICAN GREEN STRAW WATTLE OR APPROVED EQUAL BY NATIONAL GRID ENVIRONMENTAL SCIENTIST.
2. TYPICAL WATTLE SPACING BASED ON SLOPE GRADIENT. COORDINATE SPACING AND LOCATION WITH NATIONAL GRID ENVIRONMENTAL SCIENTIST.
3. MINIMUM 12" DIAMETER WATTLES SHOULD BE USED FOR HIGHLY DISTURBED AREAS (I.E., HEAVILY USED ACCESS ROAD WITH ADJACENT WETLAND) AND MINIMUM 9-10" WATTLES SHOULD BE USED FOR LESS DISTURBED SOILS.

INSTALLATION NOTES:

1. BEGIN AT THE LOCATION WHERE THE WATTLE IS TO BE INSTALLED BY EXCAVATING A 2-3" DEEP X 9" WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHOULD BE PLACED UPSLOPE FROM THE ANCHOR TRENCH.
2. PLACE THE WATTLE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT SOIL FROM THE EXCAVATED TRENCH AGAINST THE WATTLE ON THE UPHILL SIDE. ADJACENT WATTLES SHOULD TIGHTLY ABUT.
3. SECURE THE WATTLE WITH 18-24" HARDWOOD STAKES EVERY 3-4' AND WITH A STAKE ON EACH END. STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE WATTLE LEAVING AT LEAST 2-3" OF STAKE EXTENDING ABOVE THE WATTLE. STAKES SHOULD BE DRIVEN PERPENDICULAR TO THE SLOPE FACE.

* DETAIL AND PICTURE PROVIDED BY TENSAR NORTH AMERICAN GREEN
APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES
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SEC-5
STRAW WATTLE * (1 OF 2)

SUBJECT

Access, Maintenance and Construction
Best Management Practices

Reference

EP No. 3 - Natural Resource
Protection (Chapter 6)

BMP PICTURE



**STRAW WATTLE – SHALLOW SLOPE ($\leq 4:1$)
(ALTERNATE STAKING)**

ALTERNATE STAKING INSTALLATION NOTES:

1. ON SHALLOW SLOPES ($\leq 4:1$), STRAW WATTLE MAY BE SECURED WITH 18–24” HARDWOOD STAKES DRIVEN AGAINST THE SIDES OF THE WATTLE INSTEAD OF THROUGH. STAKES SHALL ALTERNATE SIDES, AND BE SPACED 3–4’ MAX.
2. TWINE SHALL BE TIED FROM STAKE TO STAKE, CRISS–CROSSING THE STRAW WATTLE. TIE TWINE TO STAKES BELOW THE HEIGHT OF THE WATTLE.

*** DETAIL AND PICTURE PROVIDED BY TENSAR NORTH AMERICAN GREEN
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VERSION PLEASE REFER TO THE NATIONAL GRID ENVIRONMENTAL INFONET SITE.**

**SEC-5
STRAW WATTLE * (2 OF 2)**

SUBJECT
Access, Maintenance and Construction
Best Management Practices

Reference
EP No. 3 - Natural Resource
Protection (Chapter 6)

BMP PICTURE

SCALE: NONE



NOTES:

1. PRODUCT TO BE ALTURNAMATS' PREFABRICATED MATS OR APPROVED EQUAL BY NATIONAL GRID ENVIRONMENTAL SCIENTIST.
2. PRODUCT AVAILABLE IN 4X8' UNITS.
3. IF MATS ARE INSTALLED IN A WETLAND AREA, INSTALL EROSION CONTROLS TO CONTAIN MATERIAL UTILIZED IN THE MAT TRANSITIONS.

* PICTURE PROVIDED BY ALTURNAMATS
APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES
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CM-1
PREFABRICATED MATS *

SUBJECT
Access, Maintenance and Construction
Best Management Practices

Reference
EP No. 3 - Natural Resource
Protection (Chapter 6)

BMP

Definition

Applying coarse plant residue or chips, or other suitable materials, to cover the soil surface.

Purpose

The primary purpose is to provide initial erosion control while a seeding or shrub planting is establishing. Mulch will conserve moisture and modify the surface soil temperature and reduce fluctuation of both. Mulch will prevent soil surface crusting and aid in weed control. Mulch is also used alone for temporary stabilization in non-growing months.

Conditions Where Practice Applies

On soils subject to erosion and on new seedings and shrub plantings. Mulch is useful on soils with low infiltration rates by retarding runoff.

Criteria

Site preparation prior to mulching requires the installation of necessary erosion control or water management practices and drainage systems.

Slope, grade and smooth the site to fit needs of selected mulch products.

Remove all undesirable stones and other debris to meet the needs of the anticipated land use and maintenance required.

Apply mulch after soil amendments and planting is accomplished or simultaneously if hydroseeding is used.

Select appropriate mulch material and application rate or material needs. Determine local availability.

Select appropriate mulch anchoring material.

NOTE: The best combination for grass/legume establishment is straw (cereal grain) mulch applied at 2 ton/acre (90 lbs./1000sq.ft.) and anchored with wood fiber mulch (hydromulch) at 500 – 750 lbs./acre (11 – 17 lbs./1000 sq. ft.). The wood fiber mulch must be applied through a hydroseeder immediately after mulching.



NOTE:

1. PICTURE DEPICTS STRAW MULCH APPLICATION (FROM MULCH SPREADER) ON STEEP SLOPE WITH AN IMPROVED DRAINAGE SWALE.
2. COORDINATE MULCH MATERIALS AND RATES WITH NATIONAL GRID ENVIRONMENTAL SCIENTIST.

* BMP INFORMATION FROM "NEW YORK STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL (AUGUST, 2005)." INFORMATION OBTAINED VIA WEBSITE: <http://www.dec.ny.gov/chemical/29086.html>
APPROVED BY: VICE PRESIDENT, ENVIRONMENTAL SERVICES
PRINTED COPIES ARE NOT DOCUMENT CONTROLLED. FOR LATEST AUTHORIZED VERSION PLEASE REFER TO THE NATIONAL GRID ENVIRONMENTAL INFONET SITE.

SEC-9
MULCH MATERIALS, RATES AND USES (FROM NY) *



www.tigebond.com