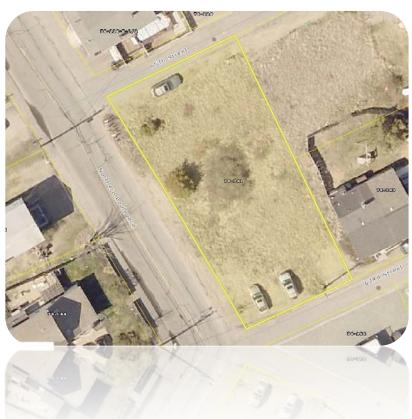
HUGHES ENVIRONMENTAL CONSULTING

44 MERRIMAC STREET, NEWBURYPORT, MA 01950 PHONE 978.465.5400 • FAX 978.465.8100 EMAIL THUGHES@HUGHESENVR.COM PO BOX 392, CONCORD, MA 01742 PHONE/FAX 978.369.2100

BRP WPA Form 3 – Notice of Intent

(M.G.L. c. 131, §40 and Newburyport Ordinance Chapter 6.5: Environment, Article II: Wetlands Protection Ordinance)

192 Northern Boulevard



Submitted to:

Newburyport Conservation Commission

Office of Planning and Development 60 Pleasant Street, 1st Floor Newburyport, MA 01950

Prepared by:

Hughes Environmental Consulting

44 Merrimac Street Newburyport, MA 01950

In Association with:

Winter GEC, LLC 44 Merrimac Street Newburyport, MA 01950

On behalf of:

Christopher Horan Seacoast Homes, LLC 11 Lunt Street Byfield, MA 01922 Copies to:
MassDEP NERO
205B Lowell Street
Wilmington, MA 01887

Application Contents:

- 1. Project Narrative
- 2. WPA Form 3 Notice of Intent
- 3. USGS Map
- 4. 2013 Orthophoto
- 5. FEMA Firmette
- 6. Site Photos
- 7. Abutters List and copy of Abutter Notice
- 8. DEP Fee Transmittal form with copy of checks
- 9. Architectural Plans (ledger size)
- 10. Notice of Intent Plan prepared by Winter GEC, LLC

HUGHES ENVIRONMENTAL CONSULTING

44 MERRIMAC STREET, NEWBURYPORT, MA 01950 PHONE 978.465.5400 ● FAX 978.465.8100 EMAIL THUGHES@HUGHESENVR.COM 18 Main Street, Concord, MA 01742 Phone/fax 978.369.2100

PROJECT NARRATIVE to accompany a NOTICE OF INTENT For Christopher Horan, Manager Seacoast Homes, LLC Newburyport May 29, 2020

Overview

Christopher Horan of Seacoast Homes, LLC is seeking to build a single family home on the grandfathered, undeveloped lot at 192 Northern Boulevard, located on Plum Island. The new home will be constructed on pilings and elevated above the floodplain. Areas of vegetation impacted by the project will be fully mitigated with plantings in areas currently not vegetated. The end result will be a new home that complies with the local and state regulations.

Current Site Conditions

The project site is a 9,800 square foot parcel of land, located between 65th and 63rd Streets along North End Boulevard. The property is largely vegetated, although has several areas that are not vegetated as a result of a driveway encroachment, street parking, and other ongoing impacts. The site is located within the AE flood zone, elevation 9, as mapped by FEMA and in the A0 Zone. The property is within a densely developed portion of Plum Island, a barrier beach.

Resource areas

The entire site is located on a coastal dune within a barrier beach, and is located within land subject to coastal storm flowage.

Project Proposal

The proposal is to construct a new single family home elevated on pilings with parking underneath, and a small utility chase. The new home will be located entirely within the AE zone portion of the site and constructed on open piles. Access to the home will be provided through a driveway off of 63rd Street. An encroaching driveway and other unvegetated portions of the site will be planted with native vegetation.

The total vegetation impact of the project will increase by 129 square feet. All areas not otherwise developed with house, parking, utilities and walkway and that are not vegetated planted with American Beach Grass, 1 foot on center.

Plantings

In the areas not otherwise developed as shown on the plan that are devoid of vegetation after construction of the new home, the proposal is to plant American beach grass, one foot on center. The applicant may seek the approval at a later date to plant additional shrubs or small trees that are native to Plum Island as well.

All areas not covered by the above proposed planting details will be restored as needed with clean sand and planted with American Beach Grass at a density of 1 foot on center.

Wetland Protection Act

The project site is located at Plum Island, a barrier beach, within a densely developed portion of the dune system and within Land Subject to Coastal Storm Flowage. Since the project is located on a barrier beach, landward of a coastal beach, it must meet the performance standards of the Wetland Protection Act as defined by the Wetland Protection Act Regulations, 310 CMR 10.28 and 10.29. There are no performance standards for Land Subject to Coastal Storm Flowage.

The project, including the mitigation areas, will not only have no adverse impact on the interests of the Wetlands Protection Act. The increase in vegetation on site by approximately 129 square feet will also increase the ability of the dune to function. The project as proposed will not adversely impact any of the interests as spelled out in 310 CMR 10.28 or 10.29.

The regulations are intended to preserve the following characteristics of barrier beaches and dune systems:

- (a) the ability of the dune to erode in response to coastal beach conditions;
- (b) dune volume;
- (c) dune form, which must be allowed to be changed by wind and natural water flow;
- (d) vegetative cover;
- (e) the ability of the dune to move landward or laterally; or
- (f) the ability of the dune to continue serving as bird nesting habitat.

310 CMR 10.28 - Coastal Dunes

The performance standards for Coastal Dunes are provided in 310 CMR 10.28, sections (3) through (6). These standards are addressed below:

- (3) Any alteration of, or structure on, a coastal dune or within 100 feet of a coastal dune shall not have an adverse effect on the coastal dune by:
 - (a) affecting the ability of waves to remove sand from the dune;

The home will be elevated above the flood plain and maintain the ability of the dune to function.

(b) disturbing the vegetative cover so as to destabilize the dune;

The project will mitigate for all impacts to vegetation.

(c) causing any modification of the dune form that would increase the potential for storm or flood damage;

The project will not change dune form.

(d) interfering with the landward or lateral movement of the dune;

The proposed project will result in a building supported by pilings that will not interfere with the movement of the dune.

(e) causing removal of sand from the dune artificially; or

There will be no removal of sand from the dune.

(f) interfering with mapped or otherwise identified bird nesting habitat.

The site is located outside the Estimated Habitat Map of State-Listed Rare Wildlife published by the Natural Heritage and Endangered Species Program and within a fairly densely developed neighborhood.

(4) Notwithstanding the provisions of 310 CMR 10.28(3), when a building already exists upon a coastal dune, a project accessory to the existing building may be permitted, provided that such work, using the best commercially available measures, minimizes the adverse effect on the coastal dune caused by the impacts listed in 310 CMR 10.28 (3)(b) through 10.28(3)(e). Such an accessory project may include, but is not limited to, a small shed or a small parking area for residences. It shall not include coastal engineering structures.

No accessory structures are proposed.

- (5): The following projects may be permitted, provided that they adhere to the provisions of 310 CMR 10.28(3):
 - (a) pedestrian walkways, designed to minimize the disturbance to the vegetative cover and traditional bird nesting habitat;
 - (b) fencing and other devices designed to increase dune development; and
 - (c) plantings compatible with the natural vegetative cover.

The applicant is proposing mitigative plantings for vegetation.

(6) Notwithstanding the provisions of 310 CMR 10.28(3) through (5), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37. The site is located outside the Estimated Habitat Map of State-Listed Rare Wildlife published by the Natural Heritage and Endangered Species Program.

Barrier Beach

310 CMR 10.29 (3) states that "when a Barrier Beach is Determined to be Significant to Storm Damage Prevention, Flood Control, Marine Fisheries or Protection of Wildlife Habitat, 310 CMR 10.28(3) through 10.28(5) apply." These sections are addressed above.

Land Subject to Coastal Storm Flowage

There are no performance standards for Land Subject to Coastal Storm Flowage, however the building has been designed to stay outside the floodplain. The home will be constructed on open pilings.

Newburyport Wetlands Ordinance

Since the project is located on Plum Island, the project falls under the Newburyport Wetlands Ordinance. The performance standards are addressed below:

6.5-28. Special Provisions for the Barrier Beach

- A. The Plum Island Barrier Beach received additional protection under the previous Newburyport Wetlands Ordinance (adopted October 9, 2001 and revised September 12, 2005) and therefore its provisions are included in this Ordinance. The additional protections afforded to the Plum Island Barrier Beach are for the following purposes:
 - 1. To minimize environmental damage, loss of life, and destruction of property inevitably resulting from storms, flooding and erosion;
 - 2. To prevent loss or diminution of the beneficial functions of storm and flood damage prevention or reduction and pollution prevention provided by wetlands, beaches, dunes, barrier beaches, and coastal banks;
 - 3. To maintain vegetative buffers to wetlands and waterbodies so as to reduce and/or eliminate runoff and other non-point discharges of pollutants to protect public health and preserve environmental resources; and

4. To maintain vegetative cover so that the integrity and stability of coastal dunes and banks are maintained and so that the coastal dunes and banks can fulfill their functions and promote the interests identified in the Ordinance.

Notwithstanding any additional requirements or exemptions, all activities on the Plum Island Barrier Beach shall be in accordance with 6.5-28, subsection B.

- B. Specific performance standards for the Barrier Beach are:
 - 1. No development or redevelopment shall be permitted within a FEMA V-Zone or AO-Zone. Notwithstanding the foregoing, structures damaged or destroyed from fire, storm, or similar disaster may be redeveloped/repaired only in accordance with current local, state and federal regulatory standards when damage to or loss of the structure is equal to or greater than 50% of the market value of the building. When damage to or loss of the structure is less than 50% of the market value of the building, redevelopment/repairs may be allowed to return the structure to predamaged conditions. In all instances, reconstruction, renovation or repairs to damaged structures may be authorized as stated herein, provided that there is no increase in floor area.

This section does not apply. The project is located outside these floodplains.

2. All new buildings or substantial improvements to existing buildings shall be built on open pilings and comply with FEMA National Flood Insurance Regulations and State Building Code Regulations for elevation and flood proofing. All development and redevelopment shall comply with G.L. c. 131, sec. 40, 310 CMR 10.00 and Section 744 of the Massachusetts State Building Code Design Requirements for Floodplain and Coastal High Hazard Areas.

The proposal will comply with the building code and this section of the Ordinance.

3. For the purposes of the Ordinance, the term "substantial improvement" shall mean an improvement that increases the market value of the building by an amount equal to or greater than 50% or an improvement that increases the square footage by an amount equal to or greater than 25%.

Note the answer to 2. above.

4. All new buildings, replacements, substantial improvements or expanded footprints less than 25% in square footage shall have their first floor built at least two feet above base flood elevation or the highest existing ground elevation whichever is higher.

The new home will meet this standard. The structure will be elevated so the bottom of the lowest horizontal structural member will be located significantly above the flood elevation.

5. Electrical, heating, ventilation, plumbing and air conditioning and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

The structure will comply with this section.

6. Development or redevelopment on or within 200 feet landward of the top of a coastal bank or dune shall have no adverse impact on the height, stability or function of the bank or dune to fulfill the purposes set forth in Section 6.5-28.A. above.

The project as proposed will not impact the height, stability or function of this back dune area.

7. In areas where there are coastal banks or primary or frontal dunes, all new buildings and structures shall be set back from the beach dune interface at a distance equal to thirty times the average yearly historical erosion as shown by the most current CZM shoreline change map.

The project is located outside the frontal dune and significantly far from the beach dune interface.

- 8. No activity shall increase the elevation or velocity of flows in a floodplain. The project will not impare the elevation or velocity of floodwater flow.
- 9. Within the FEMA V Zone, A Zone, or AO Zone or their equivalent, new or reconstructed structures or development on the barrier beach that alters vegetation, interrupts sediment supply and/or changes the form or volume of a dune or beach must comply with the specific performance standards in the Ordinance and in the regulations promulgated pursuant hereto.

The project will increase native vegetation and not result in any change in dune form or interruption of sediment supply.

10. In all other areas of the Plum Island Barrier Beach outside of the V-Zone and AO-Zone, all new Buildings shall be built on open pilings and shall comply with FEMA National Flood Insurance Regulations and State Building Code Regulations for elevation and flood proofing. All existing Buildings with Substantial Improvements, and all horizontal expansions of the existing footprint, shall be built on open pilings and shall comply with FEMA National Flood Insurance Regulations and State Building Code Regulations for elevation and flood proofing. If a Licensed Engineer certifies that an existing portion of the solid foundation will not require modifications to support the proposed building (other than new pilings exterior to the existing footprint), the existing portion of the solid foundation may remain.

The structure will comply with these standards.

11. Notwithstanding the previous sentence, the existing solid foundation of a Building shall be replaced with pilings, if, 50% or more of the exterior walls have been removed, are proposed to be removed, or will not be used as exterior walls (i.e. including but not limited to encasing an existing wall within a new exterior wall) and a new roof will be constructed, or is proposed to be constructed.

The proposal is for an entirely new structure.

12. Construction or alteration of any coastal engineering structures shall require review and approval by the Conservation Commission.

The project does not include any coastal engineering structures.

Conclusion

The proposed project is a relatively simple one that fully complies with the Wetland Protection Act and Newburyport Wetlands Ordinance.



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Provided by MassDEP:

MassDEP File Number

Document Transaction Number
Newburyport

City/Town

Important:

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





Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

a. Street Address Latitude and Longitude: 76	b. City/Town 42° 48' 44.9784"	c. Zip Code			
-					
-		-70° 48' 46.6992''			
/ĥ	d. Latitude	e. Longitude			
	241				
. Assessors Map/Plat Number	g. Parcel /Lot Number				
Applicant:					
Christopher	Horan				
a. First Name	b. Last Name				
Seacoast Homes LLC.					
c. Organization					
11 Lunt Street					
d. Street Address					
Byfield	MA	01922			
e. City/Town	f. State	g. Zip Code			
n. Phone Number i. Fax Number	j. Email Address				
	<u>_</u>				
roperty owner (required if different from applicant):					
James	Lagoulis				
a. First Name	b. Last Name				
Vacant Lot Realty Trust					
c. Organization					
79 State Street					
d. Street Address					
Newburyport	MA	01950			
e. City/Town	f. State	g. Zip Code			
n. Phone Number i. Fax Number	j. Email address				
	,				
Representative (if any):					
Thomas	Hughes				
a. First Name	b. Last Name				
Hughes Environmental Consulting					
• •					
44 Merrimac Street					
		04050			
d. Street Address	N A A				
d. Street Address Newburyport	MA f State	01950			
d. Street Address Newburyport e. City/Town	f. State	g. Zip Code			
d. Street Address Newburyport		g. Zip Code			



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Provided by MassDEP:

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Newburyport

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A. General Information (continued)

6.	General Project Description:		
	Construct new single family home elevated on pilings.		
7a.	Project Type Checklist: (Limited Project Types see	Section A. 7b.)	
	1. Single Family Home	2. Residential Subdivision	
	3. Commercial/Industrial	4. Dock/Pier	
	5. Utilities	6. Coastal engineering Structure	
	7. Agriculture (e.g., cranberries, forestry)	8. Transportation	
	9. Other		
7b.			
	2. Limited Project Type		
	If the proposed activity is eligible to be treated as at CMR10.24(8), 310 CMR 10.53(4)), complete and at Project Checklist and Signed Certification.		
8.	Property recorded at the Registry of Deeds for:		
	Essex South		
	a. County	b. Certificate # (if registered land)	
	06844 c. Book	d. Page Number	
	-*		
D.	Buffer Zone & Resource Area Impa	acts (temporary & permanent)	
1.	Buffer Zone Only – Check if the project is locate		
2	Vegetated Wetland, Inland Bank, or Coastal Re		
2.	Inland Resource Areas (see 310 CMR 10.54-10 Coastal Resource Areas).	J.56, II HOL APPLICABLE, GO TO SECTION B.3,	
	Check all that apply below. Attach narrative and any project will meet all performance standards for each standards requiring consideration of alternative project.	of the resource areas altered, including	



For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Massachusetts Department of Environmental ProtectionBureau of Resource Protection - Wetlands

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Resource Area		ce Area	Size of Proposed Alteration	Proposed Replacement (if any)	
	a. 🗌	Bank	1. linear feet	2. linear feet	
	b	Bordering Vegetated Wetland	1. square feet	2. square feet	
	с. 🗌	Land Under Waterbodies and	1. square feet	2. square feet	
		Waterways	3. cubic yards dredged		
	Resource	ce Area	Size of Proposed Alteration	Proposed Replacement (if any)	
	d. 🗌	Bordering Land Subject to Flooding	1. square feet	2. square feet	
			3. cubic feet of flood storage lost	4. cubic feet replaced	
	e. 🗌	Isolated Land Subject to Flooding	1. square feet		
			2. cubic feet of flood storage lost	3. cubic feet replaced	
	f. 🗌	Riverfront Area	1. Name of Waterway (if available) - spec	ify coastal or inland	
	2.	Width of Riverfront Area (d	check one):		
		25 ft Designated De	nsely Developed Areas only		
		☐ 100 ft New agricultu	ral projects only		
		200 ft All other proje	ects		
	3. Total area of Riverfront Area on the site of the proposed project:				
	4. F	Proposed alteration of the R	iverfront Area:	0400.0	
	a. to	otal square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.	
	5. l	las an alternatives analysis	been done and is it attached to this	s NOI? Yes No	
	6. V	Vas the lot where the activity	ty is proposed created prior to Augu	st 1, 1996?	
3.	⊠ Coa	astal Resource Areas: (See	310 CMR 10.25-10.35)		

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your
document
transaction
number
(provided on your
receipt page)
with all
supplementary
information you
submit to the
Department.

4.

5.

Resou	rce Area	Size of Proposed Alteration	Proposed Replacement (if any)
а. 🗌	Designated Port Areas	Indicate size under Land Unde	er the Ocean, below
b. 🗌	Land Under the Ocean	square feet cubic yards dredged	
с. 🛚	Barrier Beach		ches and/or Coastal Dunes below
d. 🗌	Coastal Beaches	A covere feet	O cubic varde beeck requisible and
e. 🔀	Coastal Dunes	1. square feet 2,172+/- 1. square feet	cubic yards beach nourishment 0 cubic yards dune nourishment
		Size of Proposed Alteration	Proposed Replacement (if any)
f g	Coastal Banks Rocky Intertidal	1. linear feet	
h. 🗌	Shores Salt Marshes	square feet square feet	2. sq ft restoration, rehab., creation
i. 🗌	Land Under Salt Ponds	1. square feet	
		2. cubic yards dredged	
j. 🗌	Land Containing Shellfish	1. square feet	
k. 🗌	Fish Runs		ks, inland Bank, Land Under the er Waterbodies and Waterways,
I. 🔀	Land Subject to	1. cubic yards dredged 2172+/- 1. square feet	
Coastal Storm Flowage 1. square feet Restoration/Enhancement If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.			
a. squar	e feet of BVW	b. square feet of S	Salt Marsh
☐ Pro	oject Involves Stream Cross	sings	
a. numb	er of new stream crossings	b. number of repla	acement stream crossings



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	City/Town				
C.	Other Applicable Standards and Requirements				
	This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).				
Str	eamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review				
1.	Is any portion of the proposed project located in Estimated Habitat of Rare Wildlife as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the <i>Massachusetts Natural Heritage Atlas</i> or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm .				
	a. Yes No If yes, include proof of mailing or hand delivery of NOI to:				
	August 1, 2017 b. Date of map Natural Heritage and Endangered Species Program Division of Fisheries and Wildlife 1 Rabbit Hill Road Westborough, MA 01581				
If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. If MESA supplemental information is not included with the N by completing Section 1 of this form, the NHESP will require a separate MESA filing which may taup to 90 days to review (unless noted exceptions in Section 2 apply, see below).					
	c. Submit Supplemental Information for Endangered Species Review*				
1. Percentage/acreage of property to be altered:					
	(a) within wetland Resource Area percentage/acreage				
	(b) outside Resource Area percentage/acreage				
2. Assessor's Map or right-of-way plan of site					

tree/vegetation clearing line, and clearly demarcated limits of work **

Photographs representative of the site

(a)

buffer zone)

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed

Project description (including description of impacts outside of wetland resource area &

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^{*} Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

^{**} MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

	(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and <i>mail to NHESP</i> at above address					
	Projects	s altering 10 or more acres of land, also sub	mit:			
	(d) Vegetation cover type map of site					
	(e)	Project plans showing Priority & Estima	ted Habitat boundaries			
	(f) OF	R Check One of the Following				
	Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm ; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)					
	2. Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NH					
	3. Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.					
3.	For coastal	projects only, is any portion of the proportion fish run?	osed project located belo	w the mean high water		
	a. Not a	applicable – project is in inland resource	area only b. Yes	⊠ No		
	If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:					
	South Shore - Cohasset to Rhode Island border, and North Shore - Hull to New Hampshire border: the Cape & Islands:					
	Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 836 South Rodney French Blvd. New Bedford, MA 02744 Email: DMF.EnvReview-South@state.ma.us Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 Email: DMF.EnvReview-North@state.ma.us					

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

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C. Other Applicable Standards and Requirements (cont'd)

	4	Is any partian of the proposed project within an Area of Critical Environmental Concern (ACEC)?
	4.	Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
Online Users: Include your document		a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). Note: electronic filers click on Website.
transaction number		b. ACEC
(provided on your receipt page) with all	5.	Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
supplementary information you		a. 🗌 Yes 🗵 No
submit to the Department.	6.	Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
		a. 🗌 Yes 🗵 No
	7.	Is this project subject to provisions of the MassDEP Stormwater Management Standards?
		a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
		 Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
		2. A portion of the site constitutes redevelopment
		3. Proprietary BMPs are included in the Stormwater Management System.
		b. No. Check why the project is exempt:
		1. Single-family house
		2. Emergency road repair
		3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.
	D.	Additional Information
		This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).
		Applicants must include the following with this Notice of Intent (NOI). See instructions for details.
		Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.
		1. Subject to the street of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)

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to the boundaries of each affected resource area.

Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative

2. 🛛



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	Newburyport
	City/Town

D. Add	ditional Information (cont'd)				
3. 🔀	Identify the method for BVW and other re Field Data Form(s), Determination of App and attach documentation of the met	olicability, Order of Resource			
4. 🛛	List the titles and dates for all plans and	other materials submitted wit	h this NOI.		
N	otice of Intent Plan - 192 Northern Bouleval	rd			
	Plan Title				
	/Inter GEC, LLC	Everett J. Chandler, PLS	3		
	Prepared By	c. Signed and Stamped by			
	uly 1, 2019 Final Revision Date	1" = 10' e. Scale			
u.	Final Revision Date	e. Scale			
f.	Additional Plan or Document Title		g. Date		
5. 🗌	If there is more than one property owner, listed on this form.	, please attach a list of these	property owners not		
6.	Attach proof of mailing for Natural Herita	ge and Endangered Species	Program, if needed.		
7.	Attach proof of mailing for Massachusetts	s Division of Marine Fisherie	s, if needed.		
8. 🛛	Attach NOI Wetland Fee Transmittal For	m			
9.	Attach Stormwater Report, if needed.				
E. Fee	 \$				
1.	Fee Exempt: No filing fee shall be assess of the Commonwealth, federally recogniz authority, or the Massachusetts Bay Trans	zed Indian tribe housing auth			
	Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:				
3944		5/29/2020			
2. Mun	icipal Check Number	3. Check date			
3945		5/29/2020			
	e Check Number	5. Check date			
	es Environmental Consulting				
6. Payor name on check: First Name 7. Payor name on check: Last Name					

wpaform3.doc • rev. 2/8/2018 Page 8 of 9



WPA Form 3 – Notice of Intent

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

Prov	ided by MassDEP:
	MassDEP File Number
	Document Transaction Number
	Newburyport
	City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
31 _ # //2 /	5/29/2020
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

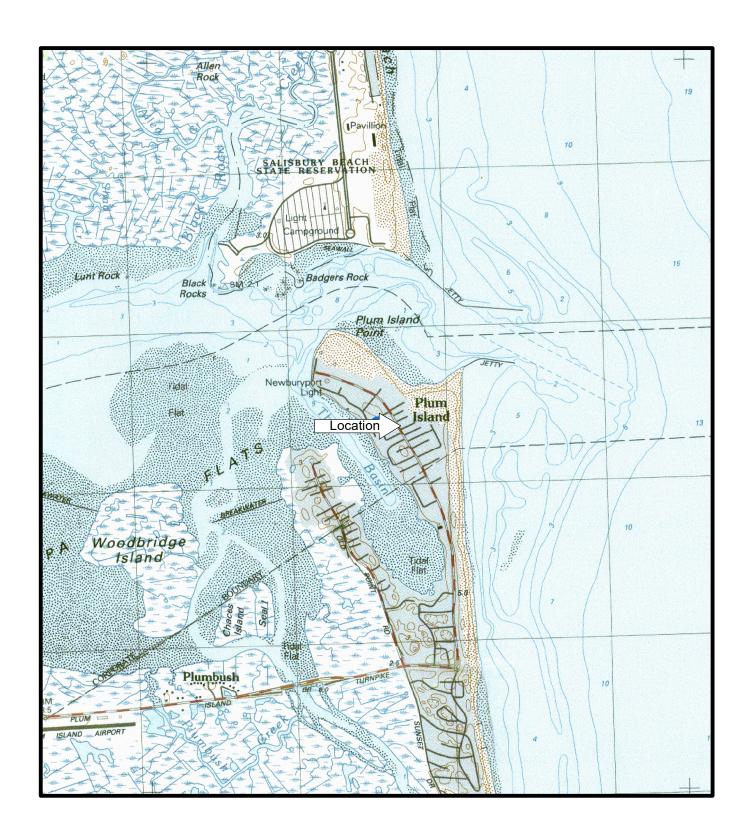
Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

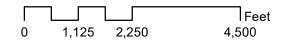
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

wpaform3.doc • rev. 2/8/2018 Page 9 of 9

192 Northern Boulevard, Newburyport MA USGS Location Map



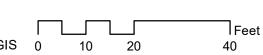




192 Northern Boulevard, Newburyport MA 2019 15cm Orthophoto







National Flood Hazard Layer FIRMette **FEMA** Zone AE (EL9 Feet) Zone VE Zone VE (EL 17 Feet) (EL23 Feet) CITY OF NEWBURYPORT (EL 23 Feet) Zone VE Zone AE (EL 18 Feet) Zone VE (EL 17 Feet) (EL 9 Feet) (DEPTH 2 Feet) (VEL 0.22 Feet / Second) AEEL 14 Feet) 11 Feet) TOWN OF NEWBURY 250096 25009 C0141 G 25009 C0137 G eff.7/16/2014 eff.7/16/2014 Zone VE Zone AE (EL 16 Feet) (EL9 Feet) (EL 10 Feet)

Zone AE

2,000

250

500

1,000

1,500

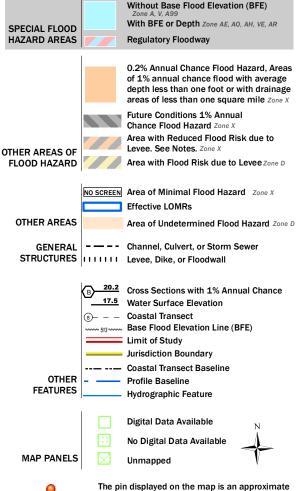
EL USGS The National Map: Orthoimagery. Data refreshed October, 2017.

1:6,000

42°48'31.74"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

point selected by the user and does not represent

an authoritative property location.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/27/2019 at 11:38:45 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

192 Northern Boulevard - Site Photos



Existing house from 63rd Street



Gravel area



Lot from 63rd Street



Old driveway from neighboring house



Area along 65th Street



Corner at 63rd Street



City of Newburyport Office of the Assessor 60 Pleasant Street / P.O. Box 550 Newburyport, MA 01950 Ph 978-465-4403 / Fax 978-462-8495

July 8, 2019

To:

Newburyport Conservation Commission

From:

Newburyport Board of Assessors

Re:

Abutters List: 192 NORTHERN BLVD

Newbury Map: 76 Lot: 241

The following are the abutters of the above mentioned property:

Board of Assessors

gill Brenner

The Assessors Office is certifying that the persons listed in the foregoing list of abutters are the owners of record of the foregoing properties as of January 1st, 2019. The city Assessor is not certifying that the persons so listed are the persons who are required to receive notification under applicable law.

76/ 137/ / / VANAMBURGH RICHARD E MARGARET A J/T 40 ELMIRA AVE NEWBURYPORT, MA 01950

76/ 144/ / /
SADOWSKI ROBERT S & SANDRA R TRS
SADOWSKI REALTY TRUST
8 66TH ST
NEWBURYPORT, MA 01950

76/ 145/ / /
CLARKE ANNE MARIE & PAUL MICHAEL
C/O VANAMBURGH
38 ELMIRA AVE
NEWBURYPORT, MA 01950

76/ 146/ / /
MOORE VIRGINIA TRUSTEE
VIRGINIA MOORE TRUST
8 FORDHAM WAY
NEWBURY, MA 01951

76/ 153/ / /
KELLEY KEVIN C
193 NORTHERN BLVD
NEWBURYPORT, MA 01950

76/ 225/ / /
BEAN ROBERT F
SUZAN G KIFFNEY T/E
8 67TH ST
NEWBURYPORT, MA 01950

76/ 226/ / /
BARRY JAMES P
JANET M T/E
196 NORTHERN BLVD
NEWBURYPORT, MA 01950

76/ 228/B 1/ 194 NORTHERN LLC 288 LOWELL ST LEXINGTON, MA 02420

76/ 228/B 2/ /
GOVOTSKI RICHARD & KATHLEEN T/E
194 NORTHERN BLVD UNIT 2
NEWBURYPORT, MA 01950

76/ 229/ / / MARTIN KEVIN NICOLE DAGOSTINO T/E 19 BEECHING AVE WILMINGTON, MA 01887 76/ 230/ / /
SMITH JOSEPH E
LYNN D T/E
30 PENNI LANE
NORTH ANDOVER, MA 01845

76/ 239/ / /
LAGOULIS JAMES TRS
63RD ST RLTY TRUST
79 STATE ST
NEWBURYPORT, MA 01950

76/ 241/ / /
LAGOULIS JAMES TRUSTEE
VACANT LOT REALTY TRUST
79 STATE ST
NEWBURYPORT, MA 01950

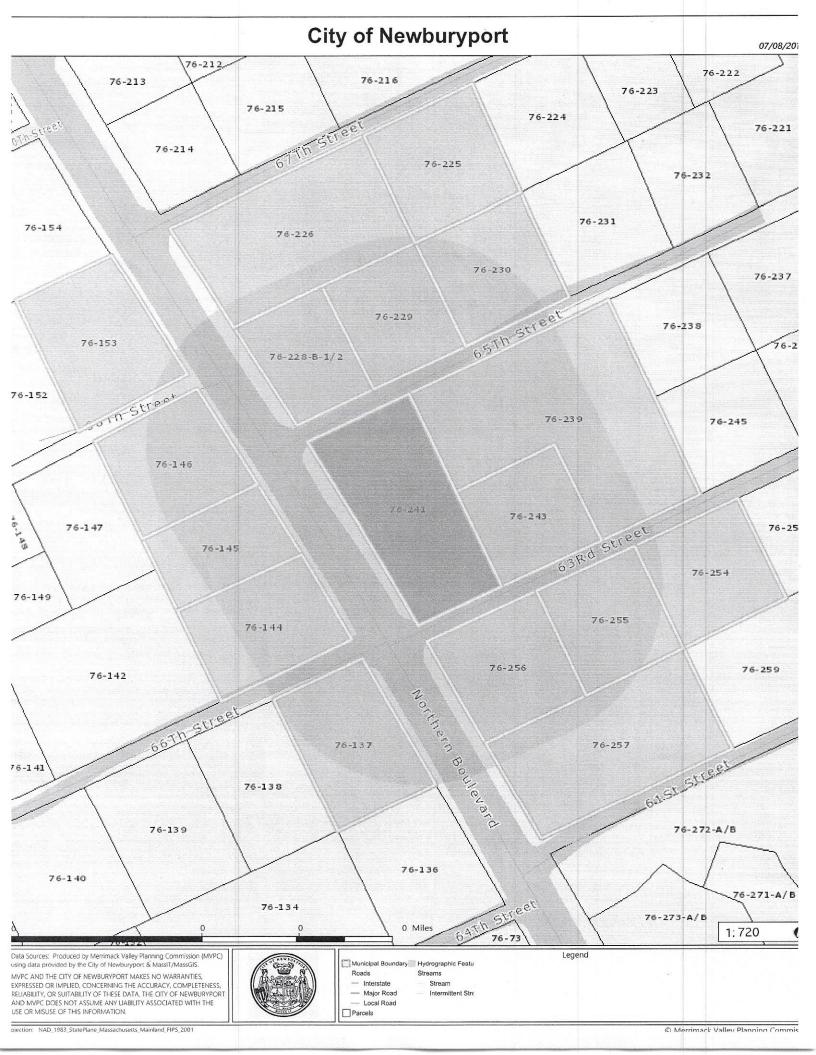
76/ 243/ / /
LAGOULIS JAMES TRS
MURPHY HOUSE REALTY TRUST
79 STATE ST
NEWBURYPORT, MA 01950

76/ 254/ / / ELIOPOULOS PAULA A 10 63RD ST NEWBURYPORT, MA 01950

76/ 255/ / /
WARE TERESA TRUSTEE
WAREHOUSE REALTY TRUST
8 63RD ST
NEWBURYPORT, MA 01950

76/ 256/ / /
HARTIGAN ROBERT & JOYCE A TRS
HARTIGAN FAMILY TRUST
186 NORTHERN BLVD
NEWBURYPORT, MA 01950

76/ 257/ / /
RUSSO WARREN P TRS
WARREN P RUSSO TRUST
182 NORTHERN BLVD
NEWBURYPORT, MA 01950



HUGHES ENVIRONMENTAL CONSULTING

44 Merrimac Street, Newburyport, MA 01950 phone 978.465.5400 \bullet fax 978.465.8100

EMAIL THUGHES@HUGHESENVR.COM

PO Box 392, Concord, MA 01742 PHONE/FAX 978.369.2100

Notification to Abutters Under the Massachusetts Wetlands Protection Act and the Newburyport Wetlands Ordinance

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the City of Newburyport's Wetlands Ordinance, you are hereby notified of the following.

- A. The name of the applicant is **Christopher Horan of Seacoast Homes, LLC**
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the City of Newburyport seeking permission to remove, fill, dredge, or alter an Area subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the City of Newburyport's Wetlands Ordinance.
- C. The address of the lot where the activity is proposed is: 192 Northern Boulevard
- D. The Public Hearing will be held on **June 16, 2020** at 7 pm. Said hearing shall be located either in the Senior/Community Center or online via remote participation with confirmation and access information to be posted on the City Website meetings calendar at www.cityofnewburyport.com/calendar. All interested parties should look to the meetings calendar on the City website as the hearing date approaches.
- E. Copies of the Notice of Intent may be examined by visiting www.cityofnewburyport.com/conservation-commission and selecting the meeting agenda.
- F. Copies of the Notice of Intent may be obtained from applicant's representative <u>Hughes Environmental Consulting</u>, by calling 978-465-5400 between the hours of 9 and 4:30, on the following days of the week: Monday thru Thursday.
- NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Newburyport Daily News.
- NOTE: Notice of the public hearing, including its date, time, and place, will be posted in Newburyport City Hall not less than forty-eight (48) hours in advance.
- NOTE: You also may contact the Newburyport Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact the Newburyport Conservation Commission, please email igodtfredsen@cityofnewburyport.com.

Please do not hesitate to contact me with any questions regarding this hearing or the application,

Thomas G. Hughes, BS, MA



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

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





Α.	Applicant Inf	ormation				
1.	Location of Project:					
	192 Northern Boule	evard	Newbryport			
	a. Street Address		b. City/Town			
	3945		237.50			
	c. Check number		d. Fee amount			
2.	Applicant Mailing A	ddress:				
	Christopher		Horan			
	a. First Name		b. Last Name			
	Seacoast Homes L	LC				
	c. Organization					
	11 Lunt Street					
	d. Mailing Address					
	Byfield		MA	01922		
	e. City/Town		f. State	g. Zip Code		
	h. Phone Number	i. Fax Number	j. Email Address			
3.	Property Owner (if different):					
	James		Lagoulis			
	a. First Name		b. Last Name			
	Vacant Lot Realty 1	rust				
	c. Organization					
	79 State Street					
	d. Mailing Address					
	Newburyport		MA	01950		
	e. City/Town		f. State	g. Zip Code		
	h. Phone Number	i. Fax Number	j. Email Address			

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

B. Fees

Fee should be calculated using the following process & worksheet. *Please see Instructions before filling out worksheet.*

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)			
Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2	1	500.00	500.00
	Step 5/Te	otal Project Fee:	500.00
	Step 6	Fee Payments:	
	Total	Project Fee:	500.00 a. Total Fee from Step 5
	State share	State share of filing Fee:	
	City/Town shar	e of filling Fee:	b. 1/2 Total Fee less \$ 12.50 262.50 c. 1/2 Total Fee plus \$ 12.50

C. Submittal Requirements

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection Box 4062 Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

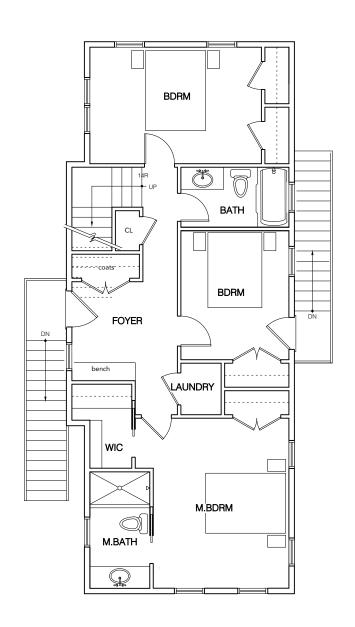
SF Calculations

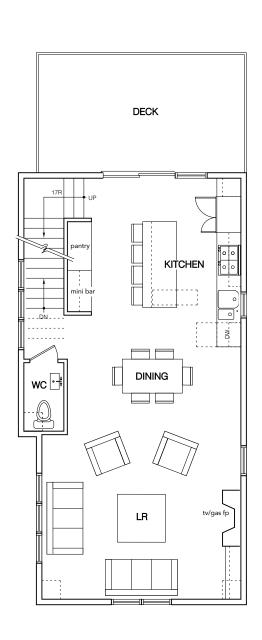
HEAD HOUSE SF CALCULATION FAR First Floor 838 SF **Building Footprint** 838 SF Second Floor 663 SF 10% Footprint 83 SF Third Floor 45 SF Head House Total SF 45 SF Total 1,546 SF

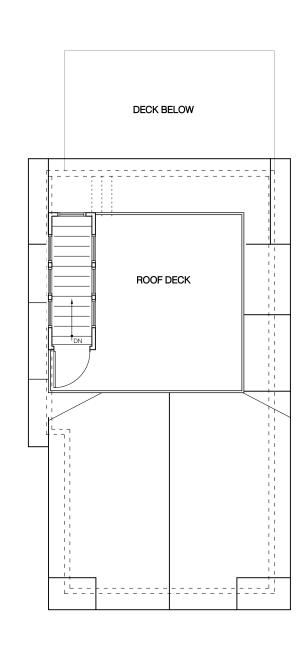
project:

192 NORTHERN **BOULEVARD**

Newburyport, MA 01950







architect:

GRAF ARCHITECTS

2 Liberty Street Newburyport, MA 01950 T. 978 499 9442 www.grafarch.com

title:

PROPOSED Floor Plans

SCALE: 1/8" = 1'-0" 1 july 2019

A01

First Floor Plan

SCALE: 1/8" = 1'-0"

Second Floor Plan

SCALE: 1/8" = 1'-0"

Roof Plan

SCALE: 1/8" = 1'-0"



project:

192 NORTHERN BOULEVARD

Newburyport, MA 01950

architect:

GRAF ARCHITECTS 2 Liberty Street

Newburyport, MA 01950 T. 978 499 9442

www.grafarch.com

title:

PROPOSED Exterior Elevations

SCALE: 1/8" = 1'-0" 1 july 2019



N.Blvd A02 Ext Elevs 7.01.19 use | 7/2/19, 5:53 PM

