



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newburyport

City/Town

A. General Information (continued)

6. General Project Description:

Construction of two story addition in place of existing deck on an existing single family home on Plum Island.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex

a. County

38902

c. Book

b. Certificate # (if registered land)

176

d. Page Number

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

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any 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.



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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____

- f. Riverfront Area
- Name of Waterway (if available) - **specify coastal or inland** _____
 - Width of Riverfront Area (check one):
 - 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No
6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal 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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input checked="" type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input checked="" type="checkbox"/> Coastal Dunes	59	59
	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	0	
	1. square feet _____	

4. 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. square feet of BVW _____

b. square feet of Salt Marsh _____

5. Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



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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).

Streamlined 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 *Massachusetts Natural Heritage Atlas* 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:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

MassGIS _____

- b. Date of map _____

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 NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up 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

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

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mass-endangered-species-act-mesa-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 <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site

- (e) Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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 NHESP _____

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 proposed project located below the mean high water line or in a fish run?

- a. Not 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 the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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.

- c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).


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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- 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.
- b. ACEC _____
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?
- a. Yes No
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:
1. 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. USGS or other map 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.)
2. 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 to the boundaries of each affected resource area.

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



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Conservation Plan 39 Reservatin Terrace

a. Plan Title

Winter GEC, LLC

Everett J. Chandler

b. Prepared By

c. Signed and Stamped by

9-22-21

1"=10'

d. Final Revision Date

e. Scale

Doyle Residence, Sheets A1-A2 Vesta Architecture

9-23-21

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. Attach NOI Wetland Fee Transmittal Form
9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2513

9-22-21

2. Municipal Check Number

3. Check date

2512

9-22-21

4. State Check Number

5. Check date

Michael

Doyle

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.

<p>1. Signature of Applicant </p>	<p>2. Date 8/30/2021</p>
<p>3. Signature of Property Owner (if different) </p>	<p>4. Date 9/27/21</p>
<p>5. Signature of Representative (if any)</p>	<p>6. Date</p>

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.



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.



A. Applicant Information

1. Location of Project:

39 Reservation Terrace
 a. Street Address
 Newburyport
 b. City/Town
 \$42.50
 d. Fee amount

2. Applicant Mailing Address:

Michael
 a. First Name
 Doyle
 b. Last Name
 c. Organization
 39 Reservation Terrace
 d. Mailing Address
 Newburyport
 e. City/Town
 MA
 f. State
 01950
 g. Zip Code
 h. Phone Number
 i. Fax Number
 j. Email Address

3. Property Owner (if different):

a. First Name
 b. Last Name
 c. Organization
 d. Mailing Address
 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
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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 1A	1	110	110
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
n	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: 110

Step 6/Fee Payments:

Total Project Fee:	110
State share of filing Fee:	42.50
City/Town share of filling Fee:	67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)

53-7086/2113 2514

MICHAEL F. DOYLE
34 BAYBERRY ROAD
NEWBURYPORT, MA 01950

DATE 9.22.2021 

PAY TO THE ORDER OF City of Newburyport \$ 150.00/100

One hundred fifty — 0/100 DOLLARS 

MEMO 39 Reservation Terr. MP


CAPE ANN SAVINGS BANK




LOOK FOR FRAUD DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT REACTIVE INK. DETAILS ON BACK.

53-7086/2113 2513

MICHAEL F. DOYLE
34 BAYBERRY ROAD
NEWBURYPORT, MA 01950


DATE 9.22.2021 

PAY TO THE ORDER OF City of Newburyport \$ 117.50/100

One hundred seventeen dollars 50/cent DOLLARS 

MEMO 39 Reservation Terr. MP

CAPE ANN SAVINGS BANK



LOOK FOR FRAUD DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT REACTIVE INK. DETAILS ON BACK.

53-7086/2113 2512

MICHAEL F. DOYLE
34 BAYBERRY ROAD
NEWBURYPORT, MA 01950

DATE 9.22.2021 

PAY TO THE ORDER OF Commonwealth of Mass. \$ 42.50/100

forty two dollars — 50/cent DOLLARS 

MEMO 39 Reservation Terr. MP

CAPE ANN SAVINGS BANK



LOOK FOR FRAUD DETERRING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT REACTIVE INK. DETAILS ON BACK.



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

September 2, 2021

To: Newburyport Conservation Commission
From: Newburyport Board of Assessors
Re: Abutters List: 39 RESERVATION TERRACE

Newburyport Map: 76 Lot: 221

The following are the abutters of the above mentioned property:

Board of Assessors

Jill Brennan

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, 2021. The city Assessor is not certifying that the persons so listed are the persons who are required to receive notification under applicable law.

76/ 207/ / /
TRUESDALE BRUCE J JR
JENNIFER D T/E
18 69TH ST
NEWBURYPORT, MA 01950

76/ 235/ / /
MIKITKA MARK F & KIMBERLY
12 AVERY LANE
ANDOVER, MA 01810

76/ 208/ / /
MAGAURAN ANNE O
16 69TH ST
NEWBURYPORT, MA 01950

76/ 236/ / /
HIGGINBOTHAM GREGGORY S
12 65TH ST
NEWBURYPORT, MA 01950

76/ 218/ / /
DOMBROSKI MARK E
TRINA M T/E
369 WEST SUTTON RD
SUTTON, MA 01590

76/ 237/ / /
HIGGINBOTHAM GREGGORY S
12 65TH ST
NEWBURYPORT, MA 01950

76/ 219/ / /
FREEDMAN MARCY LYNNE TRS
MARCY LYNNE FREEDMAN REVOC.
TRUS
13 67TH ST
NEWBURYPORT, MA 01950

76/ 238/ / /
SOUTTER LYNNE C & MORGAN C T/E
9 BARTLETT ST
CHARLESTOWN, MA 02129

76/ 221/ / /
DOYLE MICHAEL F
KELLI A T/E
39 RESERVATION TERR
NEWBURYPORT, MA 01950

76/ 245/ / /
TREASURE MONTE
3 OVERLOOK DR
PELHAM, NH 03076

76/ 222/ / /
GARIBALDI DOMINICK TRS
14 67TH STREET REALTY TRUST
14 67TH ST
NEWBURYPORT, MA 01950

76/ 246/ / /
TREASURE MONTE
3 OVERLOOK DR
PELHAM, NH 03076

76/ 223/ / /
HOFFMANN LAURA
12 67TH ST
NEWBURYPORT, MA 01950

76/ 247/ / /
SPRAGUE JEFFREY D
DONNA M T/E
7 CHESTNUT AVE
AUBURN, MA 01501

76/ 224/ / /
WAKEFIELD DANIEL
10 67TH ST
NEWBURYPORT, MA 01950

76/ 248/ / /
SPRAGUE DONNA M
JEFFERY D J/T
7 CHESTNUT AVE
AUBURN, MA 01501

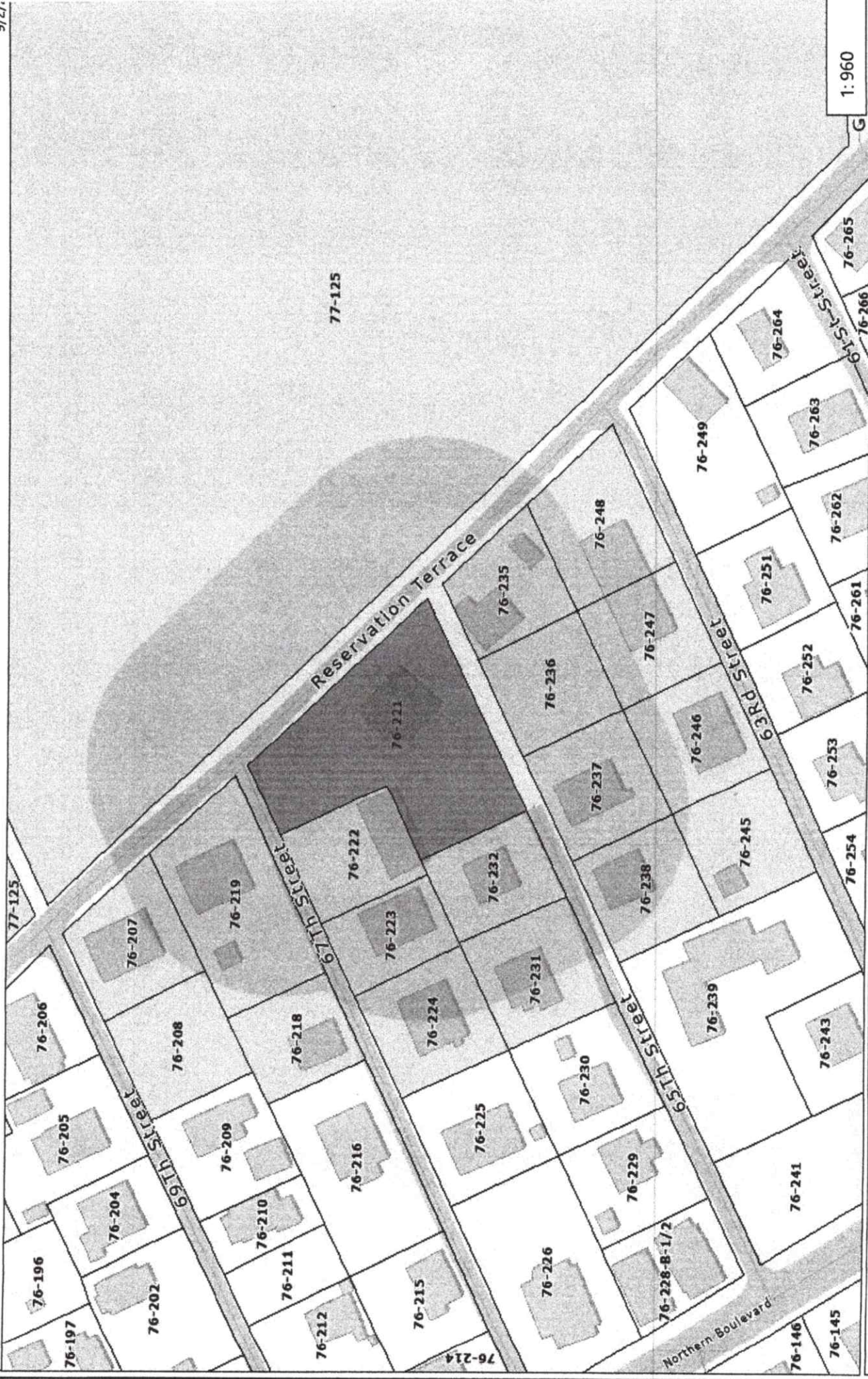
76/ 231/ / /
PARENTI MARIA
11 65TH ST
NEWBURYPORT, MA 01950

77/ 125/ / /
COMMONWEALTH OF
MASSACHUSETTS
DEPARTMENT ENVIRONMENTAL MGMT
100 CAMBRIDGE ST
BOSTON, MA 02202

76/ 232/ / /
SOUTTER MORGAN C
LYNNE C T/E
9 BARTLETT ST
CHARLESTOWN, MA 02129

City of Newburyport

9/2/17



LEGEND

- Stormwater BMP Sites
- Intermittent Stream
- Municipal Boundary
- Road Right of Way
- Paved
- Unpaved
- Intersecting
- Major Road
- Local Road
- Stream
- Hydrographic Features
- Parcel

Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

**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 Michael J Doyle
- 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:
39 Reservation Terrace, Newburyport
- D. Copies of the Notice of Intent may be examined at the Newburyport Planning Office between the hours of 8am and 4pm Monday through Wednesdays, Thursdays from 8am to 8pm, and Fridays from 8am to noon.
- E. Copies of the Notice of Intent may be obtained from either (check one) the applicant _____ or the applicant's representative x, by calling this telephone number (978) 463-9226 between the hours of 8am and 5pm on the following days of the week: Mon-Fri
- F. The Public Hearing will be held on October 19, 2021 at 7pm at Newburyport City Hall (or otherwise posted) located at 60 Pleasant Street, Newburyport, MA.

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 call 978-465-4462. You may also contact the Newburyport Planning Office for meeting dates at 978-465-4400.

Project Location

The project site consists of an approximately 0.285-acre residential parcel located at the corner of Reservation Terrace and 65th Street. It contains an existing single-family home on wood piers. The house was rebuilt on pilings in 2014 under an Order of Conditions issued to Ross Solomon (DEP 051-0912). Its location is depicted on the USGS topographic quadrangle identified as Figure 1 below and MassGIS orthophoto identified as Figure 2. The entire site is regulated as barrier beach pursuant to the Massachusetts Wetlands Protection Act and City of Newburyport Wetlands Ordinance.



Fig. 1 USGS Site Locus



Fig. 2: MassGIS Orthophoto

The site is within a mapped AE Zone elevation 9 as determined by reference to the current FEMA flood map indicated as Figure 2 below. As such it is regulated under the Mass. Wetlands Protection Act and Newburyport Wetlands Ordinance as Land Subject to Coastal Storm Flowage.

National Flood Hazard Layer FIRMette

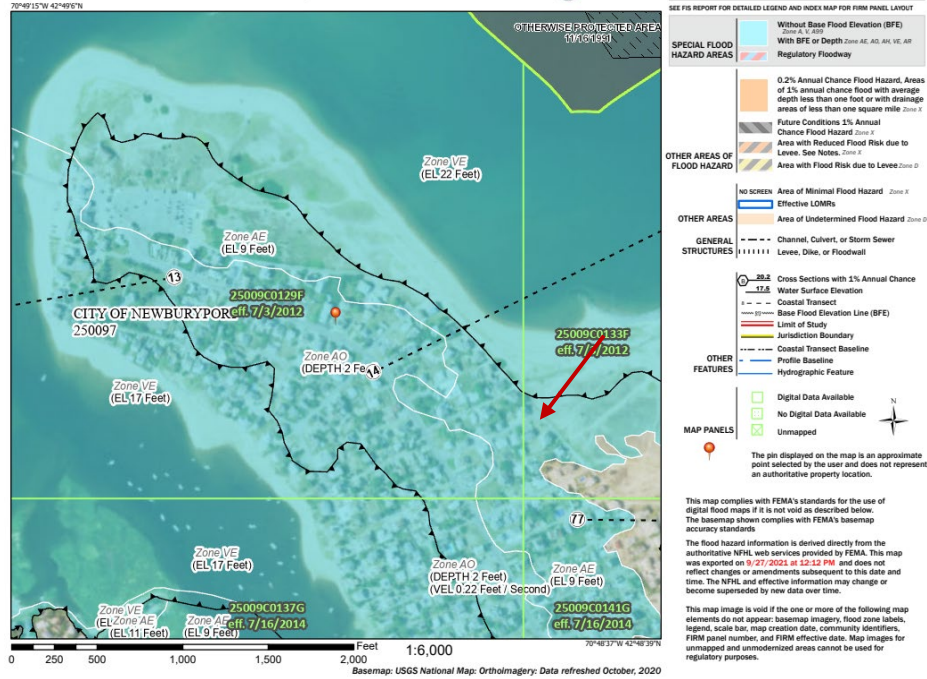


Fig 3: FEMA Map

The project area is not within Estimated Habitat of Wetlands Wildlife or Priority Habitat as determined by reference to the most recently available data from the Massachusetts Division of Fisheries and Wildlife – Natural Heritage and Endangered Species Program (NHESP) available from MassGIS.



Photo 1: Rear (south) view from 65th Street



Photo 2: Side(west) view from 67th Street



Photo 3: Front (north) view from Reservation Terrace



Photo 4: View on west side of house from Reservation Terrace

Project Description

The existing home is located on piers elevated at least 2 feet above existing grade. The applicant proposes to build under and over the existing elevated deck and square it off with even with the west house corner. This requires installation of one piling as well as two new wood piles for the new stairway from the first floor. The total additional lot coverage is 59 square feet, including 54 for the expanded addition footprint and 15 square feet for the new stairs to access the first floor. The total developed area for the 12,802 square foot lot is proposed to change from 3,323 square feet to 3,382.

Performance Standards

The project is regulated as barrier beach and therefore the entire site is presumed to contain coastal dune resource. The project results in no proposed grading or change in the profile of the site and limited disturbance to existing native dune vegetation. Any vegetation disturbed during construction will be replaced in kind. Care will be taken during construction to minimize impacts to existing dune vegetation. Access for construction will be from the west side of the building where there are existing walkways and bare areas.

The project complies with the performance standards under both the Massachusetts Wetlands Protection Act and the Newburyport Wetlands Ordinance for construction on a barrier beach and construction within the AE Zone.