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#### 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 #:

eDEP Transaction #:1323444 City/Town:NEWBURYPORT

#### A.General Information

#### 1. Project Location:

a. Street Address 22 MERRIMAC ST

b. City/Town NEWBURYPORT c. Zip Code 01950 d. Latitude 42.81300N e. Longitude 70.87047W

f. Map/Plat # 11 AND 12 g.Parcel/Lot # (11) 1-B AND (12) 10

#### 2. Applicant:

#### ☐ Individual ☐ Organization

a. First Name GEORDIE b.Last Name VINING

c. Organization NEWBURYPORT OFFICE OF PLANNING AND DEVELOPMENT

d. Mailing Address 60 PLEASANT STREET

e. City/Town NEWBURYPORT f. State MA g. Zip Code 01950

h. Phone Number 978-465-4400 i. Fax j. Email gvining@cityofnewburyport.com

#### 3.Property Owner:

more than one owner

a. First Name b. Last Name

c. Organization CITY OF NEWBURYPORT d. Mailing Address 60 PLEASANT STREET

e. City/Town NEWBURYPORT f.State MA g. Zip Code 01950

h. Phone Number 978-465-4400 i. Fax j.Email gvining@cityofnewburyport.com

#### 4. Representative:

a. First Name RUSSELL b. Last Name TITMUSS

c. Organization GEI CONSULTANTS, INC

d. Mailing Address 124 GROVE STREET, SUITE 300

e. City/Town FRANKLIN f. State MA g. Zip Code 02038

h.Phone Number 774-277-6003 i.Fax j.Email rtitmuss@geiconsultants.com

#### 5. Total WPA Fee Paid (Automatically inserted from NOI Wetland Fee Transmittal Form):

a.Total Fee Paid 0.00 b.State Fee Paid 0.00 c.City/Town Fee Paid 0.00

#### 6.General Project Description:

THE PROPONENT PROPOSES THE REPAIR AND REHABILITATION OF THE EXISTING BULKHEADS ALONG THE CENTRAL WATERFRONT AREA OF NEWBURYPORT. THE ENTIRE PROJECT SITE IS APPROXIMATELY 1100 FEET IN LENGTH AND THE EXISTING SHORELINE STRUCTURES HAVE DIFFERENT CROSS SECTIONS, ARE DIFFERENT AGES AND IN DIFFERING STATES OF DETERIORATION. REPAIR METHODS WILL VARY DEPENDING ON EXISTING CONDITIONS AND ARE REVIEWED IN DETAIL IN THE ATTACHED NARRATIVE.

#### 7a.Project Type:

Single Family Home
 Residential Subdivision
 Limited Project Driveway Crossing
 Commercial/Industrial

5. □ Dock/Pier 6. □ Utilities

Bureau of Resource Protection - Wetlands

## WPA Form 3 - Notice of Intent Massachusetts Wetlands Protection A

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1323444 City/Town:NEWBURYPORT

Massachusetts Wetia	nds Protection Act	M.G.L. c. 131, §40			
7. ✓ Coastal Engineering Structure 8. ✓ Agriculture (eg., cranberries, forestry) 9. ✓ Transportation 10. ✓ Other					
7b.Is any portion of the prop CMR 10.53 (inland)?	posed activity eligible to	be treated as a limited project subject to	310 CMR 10.24 (coastal) or 310		
<ol> <li>☐ Yes ▼ No</li> <li>Limited Project</li> </ol>	If yes, describe wh	nich limited project applies to this project:			
3.Property recorded at the R	egistry of Deeds for:				
a.County:	b.Certificate:	c.Book:	d.Page:		
SOUTHERN ESSEX	DEED	10711	370		
SOUTHERN ESSEX	DEED	37579	196		
B. Buffer Zone & Reso	ource Area Impacts	s (temporary & permanent)			
I.Buffer Zone & Resource A	Area Impacts (temporary	& permanent):			
☐ This is a Buffer Zone on Inland Bank, or Coastal Res		project is located only in the Buffer Zone	of a Bordering Vegetated Wetland,		
2.Inland Resource Areas: (S	See 310 CMR 10.54 - 1	0.58, if not applicable, go to Section B.3.	Coastal Resource Areas)		
Resource Area		Size of Proposed Alteration	on Proposed Replacement (if any)		
a. <b>▼</b> Bank		1100 1. linear feet	2. linear feet		
b. ☐ Bordering Vegetated W	Vetland	1. square feet	2. square feet		
c. ✓ Land under Waterbodi	es and Waterways	2570 1. Square feet	2. square feet		
		3. cubic yards dredged			
d. ☐ Bordering Land Subject	ct to Flooding				
		1. square feet	2. square feet		
		3. cubic feet of flood store	age lost 4. cubic feet replaced		
e. ☐ Isolated Land Subject	to Flooding	1. square feet			
		2. cubic feet of flood stora	age lost 3. cubic feet replaced		
f.   ✓ Riverfront Area		Merrimack River 1. Name of Waterway (if	any)		
2. Width of Riverfront Area (check one)		☐ 100 ft New agricultu	☐ 25 ft Designated Densely Developed Areas only ☐ 100 ft New agricultural projects only ☐ 200 ft All other projects		
2 Total area of Diverfro	ent Area on the site of th	a proposed project			

square feet

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4. Proposed Alteration of the	ne 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 analy	sis been done and is it attached	to this NOI?	□ Yes□ No
	tivity is proposed created prior		Г Yes Г No
3.Coastal Resource Areas: (Se	ee 310 CMR 10.25 - 10.35)		
Resource Area	,	Size of Proposed Alteration	Proposed Replacement (if any)
		Size of Proposed Micration	Troposed replacement (if any)
a. ☐ Designated Port Areas	Indicate size under	Land under the ocean b	pelow,
b. ☐ Land Under the Ocean			
	1. square feet		
	2. cubic yards dredged		
c. ☐ Barrier Beaches	Indicate size under Coastal F	Beaches and/or Coatstal Dunes, bel	ow
d. ☐ Coastal Beaches			
= 0 15	1. square feet	2. cubic yards beach no	purishment
e. □ Coastal Dunes	1. square feet	2. cubic yards dune nou	urishment
f. Coastal Banks			
	1. linear feet		
g.   Rocky Intertidal Shores			
	1. square feet		
h.□ Salt Marshes			
	1. square feet	2. sq ft restoration, reh	ab, crea.
i. ☐ Land Under Salt Ponds	1 ganama faat		
	1. square feet		
	2. cubic yards dredged		
j. ☐ Land Containing Shellfish	2. edole yards dreaged		
J. Earla Comanning Silemish	1. square feet		
k.□ Fish Runs	_	Banks, Inland Bank, Land Under th	e Ocean, and/or inland Land
	Under Waterbodies and Wat	erways, above	
	1. cubic yards dredged		
1. ☐ Land Subject to Coastal			
Storm Flowage	1. square feet		
4.Restoration/Enhancement			
Restoration/Replacement			

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 entered the additional amount here.

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a. square feet of BVW

b. square feet of Salt Marsh

#### 5. Projects Involves Stream Crossings

☐ Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

#### C. Other Applicable Standards and Requirements

#### 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 of Endangered Species program (NHESP)?
  - 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

b. Date of map:PH2154, EH1362

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

- c. Submit Supplemental Information for Endangered Species Review \* (Check boxes as they apply)
  - 1. ▶ Percentage/acreage of property to be altered:
  - (a) within Wetland Resource Area

0.06 ACRES percentage/acreage

(b) outside Resource Area

percentage/acreage

- 2. ✓ Assessor's Map or right-of-way plan of site
- 3. Project plans for entire project site, including wetland resource areas and areas outside of wetland 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
- c. ▼ MESA filing fee (fee information available at: <a href="http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html">http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html</a>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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
- d. 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, <a href="http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14">http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14</a>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR

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10.37	and	10.	.59.	

- 2. Separate MESA review ongoing.
  - a. NHESP Tracking Number
  - 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.

- \* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review...
- 2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run? a. □ Not applicable project is in inland resource area only

b. 
☐ Yes 
No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -

North Shore Office

Division of Marine Fisheries -Southeast Marine Fisheries Station Attn: Environmental Reviewer 836 S. Rodney French Blvd

Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it 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.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

 If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.

#### b. ACEC Name

- 4. 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
- 5. 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
- 6. 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

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b. **№** No, Explain why the project is exempt:

1. Single Family Home

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

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 by regular mail delivery.

- 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.
- 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.

a. Plan Title:	b. Plan Prepared By:	c. Plan Signed/Stamped By:	c. Revised Final Date: e. Scale:
COVER SHEET G-001	GEI CONSULTANTS, INC	RUSSELL TITMUSS	11/15/2021
EXISTING CONDITIONS BULKHEAD PLAN SHEET 1 OF 4 V-101	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EXISTING CONDITIONS BULKHEAD PLAN SHEET 2 OF 4 V-102	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EXISTING CONDITIONS BULKHEAD PLAN SHEET 3 OF 4 V-103	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EXISTING CONDITIONS BULKHEAD PLAN SHEET 4 OF 4 V-104	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EXISTING CELLULAR BULKHEAD ELEVATION V201	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021

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EXISTING EMBAYMENT BULKHEAD ELEVATION V-202	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EXISTING BULKHEAD SECTION - I V-301	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EXISTING BULKHEAD SECTION - II V-302	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
SITE PREPARATION AND STAGING CA- 101	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
BULKHEAD REPAIR PLAN & ELEVATION SHEET 1 OF 4 CP-101	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
BULKHEAD REPAIR PLAN & ELEVATION SHEET 2 OF 4 CP-102	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
BULKHEAD REPAIR PLAN & ELEVATION SHEET 3 OF 4 CP-103	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
BULKHEAD REPAIR PLAN & ELEVATION SHEET 4 OF 4 CP-104	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
EMBAYMENT BULKHEAD REPAIR ELEVATIONS CP-201	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021
BULKHEAD REPAIR SECTIONS CP-301	GEI CONSULTANTS, INC.	RUSSELL TITMUSS	11/15/2021

- 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.

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Bureau of Resource Protection - Wetlands

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1323444 City/Town:NEWBURYPORT

E. Fees	
1.  Fee Exempt: No filing fee shall be assessed for projects of any tribe housing authority, municipal housing authority, or the M	city, town, county, or district of the Commonwealth, federally recognized Indian (assachusetts Bay Transportation Authority.
Applicants must submit the following information (in addition to pa	ages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:
2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
6. Payer name on check: First Name	7. Payer name on check: Last Name
F. Signatures and Submittal Requirements	
and complete to the best of my knowledge. I understand that the Conser at the expense of the applicant in accordance with the wetlands regulation	e of Intent and accompanying plans, documents, and supporting data are true rvation Commission will place notification of this Notice in a local newspaper ons, 310 CMR 10.05(5)(a).
	very or certified mail (return receipt requested) to all abutters within 100 feet
1. Signature of Applicant	2. Date
3. Signature of Property Owner(if different)	4. Date
5. Signature of Representative (if any)	6. Date
For Conservation Commission:	
Two copies of the completed Notice of Intent (Form 3), including supportion, and the city/town fee payment, to the Conservation Commission	orting plans and documents, two copies of the NOI Wetland Fee Transmittal by certified mail or hand delivery.
For MassDEP:	
One copy of the completed Notice of Intent (Form 3), including support and a <b>copy</b> of the state fee payment to the MassDEP Regional Office (see	ting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, ee Instructions) by certified mail or hand delivery.

#### Other:

If the applicant has checked the "yes" box in Section C, Items 1-3, 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.

Bureau of Resource Protection - Wetlands

## WPA Form 3 - Notice of Wetland FeeTransmittal Form

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

Provided by MassDEP: MassDEP File #: eDEP Transaction #:1323444 City/Town:NEWBURYPORT

#### A. Applicant Information

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1	Δn	nlı	icant:
1.	$\Delta D$	$\nu_{\rm H}$	can.

a. First Name GEORDIE b.Last Name VINING

c. Organization NEWBURYPORT OFFICE OF PLANNING AND DEVELOPMENT

d. Mailing Address 60 PLEASANT STREET

e. City/Town NEWBURYPORT f. State MA g. Zip Code 01950

h. Phone Number 9784654400 i. Fax j. Email gvining@cityofnewburyport.com

#### 2.Property Owner:(if different)

a. First Name b. Last Name

c. Organization CITY OF NEWBURYPORT d. Mailing Address 60 PLEASANT STREET

e. City/Town NEWBURYPORT f.State MA g. Zip Code 01950

h. Phone Number 9784654400 i. Fax j.Email gvining@cityofnewburyport.com

3. Project Location:

a. Street Address 22 MERRIMAC ST b. City/Town NEWBURYPORT

Are you exempted from Fee? ☐ (YOU HAVE SELECTED 'YES')

Note: Fee will be exempted if you are one of the following:

City/Town/County/District

- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

#### **B.** Fees

Activity Type

Activity Activity Fee RF Multiplier Sub Total

Number

City/Town share of filling fee State share of filling fee Total Project Fee \$0.00 \$0.00 \$0.00

#### Central Waterfront Bulkhead & Piles Project Phase 2

#### **Project Narrative**

Newburyport, MA

November 2021



Prepared For:
City of Newburyport
Newburyport, MA

Prepared By: **GEI Consultants, Inc** 124 Grove St, Suite 300 Franklin, MA 02038

NOVEMBER 2021

#### 1 INTRODUCTION

The City of Newburyport is seeking approvals for Phase 2 of the Central Waterfront Bulkhead and Piles Project. The City originally permitted the entire length but only partially completed the repairs to the bulkhead and piles in 2014 due to funding limitations. The overall objective of this project is to complete the repairs to ensure the long-term stability of the Central Waterfront Boardwalk and waterfront park.

This application includes only the limits of the work that is still to be completed. Areas of Impact for this project have been based on the approach used in the original Notice of Intent which assumed total areas of impact at mudline. To avoid confusion, the areas of impact for this project cannot be compared to the recent MEPA Notice of Project Change which was based on the entire original project (full length of boardwalk plus the Fish pier) and used the areas of additional impact outside the existing concrete cap.

#### 2 EXISTING SITE DESCRIPTION

The project site covers the entire length of the Peter J. Matthews Memorial Boardwalk along the Newburyport Central Waterfront. A timber boardwalk runs the entire length supported by a number of different bulkheads. A continuous float system runs in front of the bulkhead anchored by steel fender/mooring piles and accessed by several gangways. The floats are seasonal and removed in the winter. The project site is divided into a number of distinct areas based on the type of bulkhead at the shoreline. This division into separate areas is critical for developing repair alternatives because there are a number of different structure types with varying ages and differing impacts of deterioration. The separate areas are as follows:

- East Bulkhead (Commercial Fish Pier) A steel sheetpile bulkhead with tieback system runs around an embayment at the east end of the project site. The bulkhead retains a crushed stone area and an asphalt paved upland area used to support/unload commercial fishing vessels. This bulkhead extends back to the Harbormaster Building. The mudline across the back of the embayment is exposed at low water and water depths in the embayment are typically less than 5 feet. The exposed height of the sheetpiles is between 12 and 20 feet. Work to this area was completed in 2014.
- Rip Rap Area/Boardwalk Bridge This steel beam bridge supports the timber boardwalk between the East Bulkhead and the Steel Cell Bulkhead. The bridge is the eastern limit of the existing timber boardwalk. The shoreline beneath the bridge is protected with stone paving set on a slope of approximately 1 ½ horizontal to 1 vertical. Mudline outshore of the stone paving is approximately 2 feet below low water. Work to this area was completed in 2014.
- Steel Cells The Steel Cell bulkhead extends from the Harbormaster Building for an overall length along the outshore face of approximately 850 feet. The steel cells are large circular structures each has an outer perimeter of flat steel sheet piles and is filled with sand and stone. In order to create a continuous structure, the main circular cells are linked by intermediate cells formed by driving an arc of flat sheet piles to fill the gaps. The intermediate cells are also filled. The Steel Cells are divided into two separate portions by an embayment at approximately 530 feet from the eastern end the Center Embayment as described below. A timber boardwalk runs over the top of all of the steel cells and around the Center Embayment creating a continuous public harborwalk. The mudline varies significantly along the steel cells with depths at low

water between 2 and 18 feet and exposed cell heights between 14 and 30 feet. Work to the cells west of the Center Embayment was completed in 2014.

• *Center Embayment* – A steel sheet pile bulkhead with tieback system surrounds an embayment of approximately 120 feet by 90 feet. The timber boardwalk runs around the perimeter of the embayment linking the east and west sides. Water depths in the embayment range from 1 foot at the back edge to 10 feet at the river channel. Exposed heights of the sheetpiles are between 13 and 22 feet.

#### 3 RIVER CONDITIONS

#### 3.1 SITE DESCRIPTION

The Merrimack River flows past the project site with tidal conditions creating both ebb and flood currents with speeds up to 2.3 knots. The site is exposed to heavy ice impacts from floe ice in the river. Tidal water elevations at the site are as shown in the table below.

	NAVD
HIGH TIDE LINE	6.09
MEAN HIGHER HIGH WATER	4.56
MEAN HIGH WATER	4.12
NAVD 88	0.00
MEAN LOW WATER	-3.97
MEAN LOWER LOW WATER	-4.21

The boardwalk is in a FEMA AE zone with a base flood elevation of +13 NAVD. The bulkhead is a FEMA boundary and the area outshore of the bulkhead is a FEMA VE zone with base flood elevation of +14 for the majority of the site. The VE zone designates a velocity zone where waves would be expected to be 3 feet or higher during a 100-year event.

A 200 foot wide Federal Channel with an authorized depth of 9 feet extends from Plum Island up to the Route 1 Bridge with a 9 foot deep turning basin next to the project site. The channel continues upstream from the Route 1 Bridge as a 150-foot wide by 7 foot deep channel.

#### 4 PROJECT DESCRIPTION

The project proposes the repair and rehabilitation of the existing bulkheads along the Central Waterfront Area of Newburyport. The entire project site is approximately 1100 feet in length and the existing shoreline structures have different cross sections and in differing states of deterioration. Bulkhead repair alternatives were reviewed for individual areas of the waterfront and a preferred option was selected for each area.

No change in use is proposed and the bulkheads would continue to support the public boardwalk and seasonal timber floats along the waterfront. No work is proposed for the timber boardwalk, which underwent a major renovation in 2003 and is now anticipated to have 15 to 20 years life remaining.

The preferred alternative for each area along the waterfront was determined based on review against proposed design criteria, minimization of environmental impacts and cost considerations and in most areas consisted of driving FRP sheet piles immediately outshore of the existing bulkheads. The new FRP sheet piles will be attached to the existing bulkheads using welded attachments and the gap between filled with concrete.

At the Center Embayment, the bulkheads were originally determined to be in fair to good condition and the only work proposed in this area was patch repairs using welded steel patches and recoating of the sheet piles to extend the remaining life. The projected life of the coating was 8 to 10 years. That life is now approaching and the coating is failing. The City is now proposing to use FRP sheet piles and concrete fill for these bulkheads too.

Driving the FRP sheet piles outshore of the existing bulkheads and filling the space with concrete impacts wetlands resource areas. The fill impacts are entirely on the river outshore of the bulkheads which would be designated as Land under Water bodies and Waterways. The fill does not impact navigation or public use of the waterfront because the majority of the area filled is beneath the existing concrete cap on the steel cells. Impact on Land under Water bodies and Waterways is 2,570 square feet.

Most bulkhead repair projects which consist of installing a new bulkhead immediately outshore of an existing bulkhead are treated as maintenance by regulatory authorities. This project is slightly different due to the increased area of filling caused by the shape of the circular steel cells and the following permits were obtained:

- MEPA Certificate of the Secretary of EEA on the ENF (EEA#15012)
- MEPA NPC Certificate 11/2021
- US Army Corps Category 2 Permit under MA PGP
- City of Newburyport Conservation Commission Order of Conditions
- Minor modification to MA DEP Waterways Licenses DEQE No. 194 and DEP No. 1723

It was also confirmed that a 401 Water Quality Certification application would not be required because the area of impact was less than 5,000 square feet and the project had an Order of Conditions.

#### **Steel Cells (STA 14+25 to 19+50)**

The majority of the shoreline is supported using a bulkhead consisting of connected steel cell structures. This type of bulkhead was used because of the relatively shallow rock along much of the site. The main deterioration is due to age and corrosion with greatest impacts at the top of the sheets and close to Mean Low Water.

The area west of the Center Embayment (STA 23+00 to 25+00) was repaired in 2014. Similar to the 2014 repair, the proposed repair for the remaining area consists of driving sheet piles approximately 8 inches outshore of the existing concrete cap over the steel cells. The concrete cap is a straight line at the outshore edge of the boardwalk and the curved shape of the cells results in a varying gap between the existing steel sheets and the proposed bulkhead. The new sheet piles will be connected back to the existing steel cells using welded attachments and a new concrete cap will be provided at the top of the proposed sheet piles. The new concrete cap will be designed with a top elevation of  $\pm 10$  NAVD as described further below.

New impacts associated with this portion of the work consist of filling with concrete between the old and the new bulkheads. Due to the curved alignment of the original cells, the total area of impact is anticipated to be 1,990 square feet.

The proposed plans for the Steel Cells are shown on Sheets CP-101 and CP-102 of the attached Project Plans and cross sections are shown on Sheet CP-301.

#### **Mooring Piles**

The seasonal floats along the bulkhead are supported by a total of 68 mooring piles spaced at 12 feet on center along the bulkhead. Many of these piles are in a state of severe deterioration and have limited capacity. The City has previously repaired key piles but these are now also deteriorating.

The required bulkhead repairs will necessitate relocation of the mooring piles further outshore than existing to accommodate the new bulkhead. The proposed repair consists of installing new mooring piles some of which will require rock sockets due to shallow rock. New 12 inch diameter piles will be driven and attached to the concrete bulkhead cap at the top. In an effort to minimize cost and impacts the total number of piles has been reviewed and the preferred option proposes to install alternate piles and timber fenders mounted on the new bulkhead. The total number of piles will be 34 and the total number of 12 x12 timber fenders will be 28.

#### Center Embayment (STA 19+50 to 23+00)

The originally proposed work to the Center Embayment Bulkhead was performed in 2014. Patch repairs and coating of the sheet piles were performed as described within the original project filing. A summary of findings from recent 2021 inspection of the Center Embayment Bulkhead is as follows:

- Heavy corrosion was observed on the sheet piles above the Mean High Water (MHW) line throughout the length of the bulkhead.
- Along the south and west faces of the steel bulkhead, there were three and six locations, respectively, where the bolts connecting the sheet piles to the wale had broken and water seepage was observed through the bolt holes. All other bolts observed had minor to moderate corrosion of the exposed head. These bolts provide the structural connection resisting the earth pressure and supporting the boardwalk behind the bulkhead.

Overall, the Center Embayment Bulkhead was found to be in fair condition but with ongoing deterioration. Failure of the bolts is of particular concern because failure of additional bolts could start a progressive failure of the bulkhead. Repair of these bolts in the short term is essential and the remaining bolts need to be protected.

Given that the coating applied in 2014 is already deteriorating and that there are now missing structural bolts, the City now proposes to perform similar repairs to the Center Embayment Bulkhead as originally proposed for the other bulkheads at this site. FRP sheet piles will be driven immediately outshore of the existing concrete cap. The FRP sheet piles will be attached to the existing steel bulkhead using a galvanized steel wale and the void between will be filled with concrete. Prior to driving the FRP sheet piles, missing structural bolts (and any in poor condition) will be repaired to restore the structural integrity of the bulkhead.

A concrete cap will be constructed on top of the FRP sheet piles and be connected back to the existing concrete cap using epoxy anchored reinforcing steel. Connection of the FRP sheet piles to the existing bulkheads and connection of the new and existing concrete caps will provide a resilient "monolithic" structure which will not be impacted by flooding. The new concrete cap will be designed with a top elevation of +10 NAVD as described further below.

#### **Concrete Cap on FRP Sheet Piles**

This project proposes to provide protection against sea level rise for at least 20 years, or at least until 2040 based on the most conservative extreme scenario for sea level rise. In reality, the proposed top of wall elevation will remain above HAT until at least 2050 based on the extreme scenario and beyond 2060 based on the High scenario. The 20-year timeline was used because the boardwalk was last reconstructed using tropical hardwood in 2001 and has an anticipated remaining life of 15 to 20 years. Highest Astronomical Tide (HAT) elevation in 2040 remains just below the existing boardwalk deck elevation and immediate raising of the boardwalk is not necessary or feasible. Given the remaining life of the boardwalk and the high cost of replacement, the City proposes to design the new concrete cap for sea level rise through the year 2040. HAT elevation in 2040 is projected to be +8.3 NAVD based on the Extreme scenario for sea level rise.

Boardwalk reconstruction is assumed to be necessary by the year 2040 and the concrete cap can be strengthened and raised to a higher elevation as a part of the boardwalk reconstruction. This bulkhead elevation approach has been selected because a higher bulkhead seawall (which will eventually be needed to address future sea level rise) would not actually provide any additional real protection from flooding now due to the site-specific constraints and flood paths of the lower elevation properties on either end of the bulkhead as well as the gangway for accessing the floats from the elevation of the existing boardwalk. In addition, installing the bulkhead at this height does not preclude or complicate straightforward elevation in the future when the boardwalk can be raised. This approach has been selected as part of a broader, long-term, systematic phased approach over the coming decades to ensure the resiliency of Newburyport's central waterfront.

The top of the new concrete cap for the Eastern Steel Cells (STA 14+25 to 19+50) and for the Center Embayment will be designed to a top elevation of +10 NAVD which matches the top of the existing timber curb/benches. This elevation was selected to minimize the intrusive appearance of a concrete wall. However, the new concrete cap will be designed to allow for raising the top elevation of the concrete up to at least elevation +11.3 NAVD which is approximately 3 feet above the existing boardwalk deck elevation. Designing a cap for elevation +11.3 will allow for a three foot freeboard above projected HAT.

In addition, this application is requesting approval to add to the height of the concrete cap constructed in 2014 (STA 23+00 to 25+00) to make it consistent with the new higher concrete cap elevation on the remainder of the Central Waterfront.

A hardwood cap or similar will be installed on top of the concrete cap to minimize visual impacts.

#### **Construction**

Construction is expected to commence in Fall 2022 subject to obtaining all necessary approvals and funding. The majority of the new piles will be driven using a pile hammer and crane on a crane barge. The crane barge would be positioned in the river and would be relocated as the project proceeds.

The majority of materials for construction will be delivered to site from the shore but, some materials such as piles may be delivered by barge due to easier transport. Concrete fill would be delivered via truck to the parking lots behind the boardwalk and pumped into place.

The concrete fill will be placed within fully enclosed areas behind the new sheetpiles and will be fully contained. The concrete fill will be placed in sections along the length of the new bulkhead and in vertical lifts of approximately 5 feet. No concrete will be placed until all sides of the proposed placement area are closed off from the river. Concrete will be placed below water using a pump and tremie pipe to ensure concrete quality. Use of a silt curtain for most of this site is likely to be impractical due to the river current and the depth of water and, instead, containment will rely on closure of the new FRP sheet piles.

#### 5 IMPACTS AND REGULATORY CONFORMANCE

The total anticipated environmental impacts for the project are as follows:

	Recommended Repair Option	Area of impact (SF)	Area of impact (CY)
Steel Cells	Sheetpile Bulkhead & Concrete Fill	1990	1125
Center Embayment	Sheet pile Bulkhead & Concrete Fill	550	95
Mooring Piles	Replace All	30	20
		2,570	1240

The fill impacts are entirely on the river outshore of the bulkheads which would be designated as Land under Water bodies and Waterways. The fill will not impact navigation or public use of the waterfront because the majority of the area filled is beneath the existing concrete cap on the steel cells.

#### 5.1 Performance Standards for Land under Water Bodies and Waterways

Under the Wetlands Protection Act, the project will be reviewed for compliance under 310 CMR 10.56 for impacts to Land under Water Bodies and Waterways (LUW), specifically the impact of the project on wildlife habitat. According to 310 CMR 10.60 (2), the plant community and soil composition and structure, hydrologic regime, topography and water quality of land under water bodies or waterways can provide the following important wildlife habitat functions:

- 1. Food, shelter and breeding areas for wildlife;
- 2. Overwintering areas for mammals, reptiles and amphibians.

Mass GIS information shows that the areas outshore of the bulkhead do not contain any sub aquatic vegetation, nor are they suitable habitat for shellfish. The lack of vegetation or structure, as well as the highly active waterfront offer poor wildlife habitat value. As such, the impact to LUW is not anticipated to have any adverse effect on the surrounding environment.

During previous review of the ENF, the Division of Marine Fisheries (DMF) indicated that the Merrimack River is generally important forage and habitat for several migratory species. However, DMF did not anticipate the project will have an appreciable impact on migrating anadromous fish provided that BMP's are maintained including containment of debris and sediments during construction.

#### 5.2 Atlantic Sturgeon

According to the Massachusetts Natural Heritage & Endangered Species Program (NHESP), Atlantic Sturgeon migrate through the project area during spring spawning runs. These spawning

NOVEMBER 2021

runs typically begin in May or June and end in the fall as temperatures begin to decline. In their preliminary review of the ENF, the NHESP indicated that the project does not appear that it would result in a prohibited "take" of Sturgeon.

The proponents of this project recognize the importance of avoiding impacts to Sturgeon, particularly during spawning runs, and will cooperate with State Fisheries officials to identify if additional mitigatory measures are necessary to minimize impacts to Sturgeon.

#### Appendix A

Site photographs



Existing Center Embayment



**Existing Center Embayment** 



Existing Center Embayment – West side



Existing Center Embayment – Typical conditions



Existing Center Embayment – Missing bolts



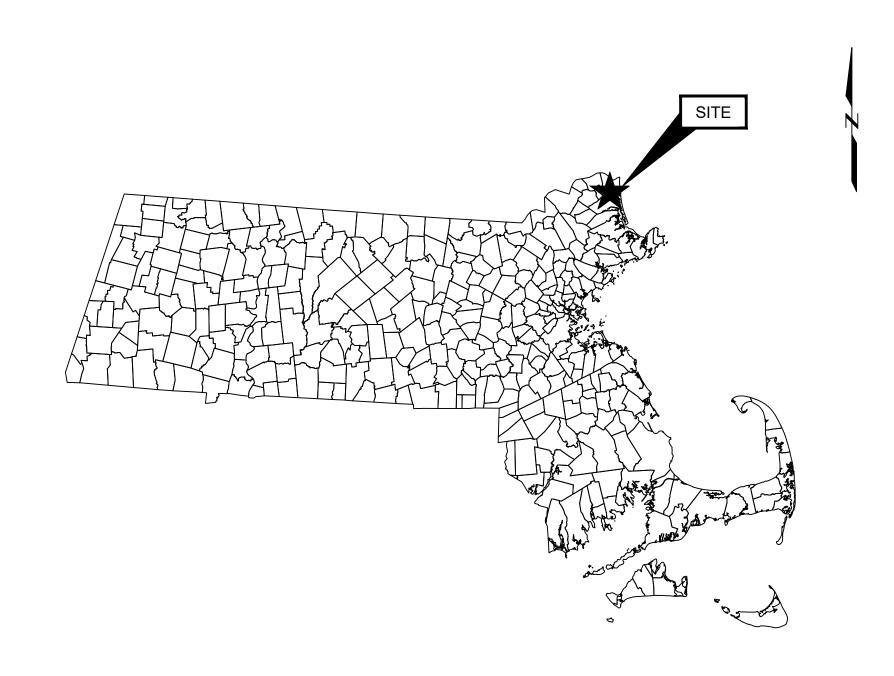
Existing Steel Cells – Typical weephole condition

#### Appendix B

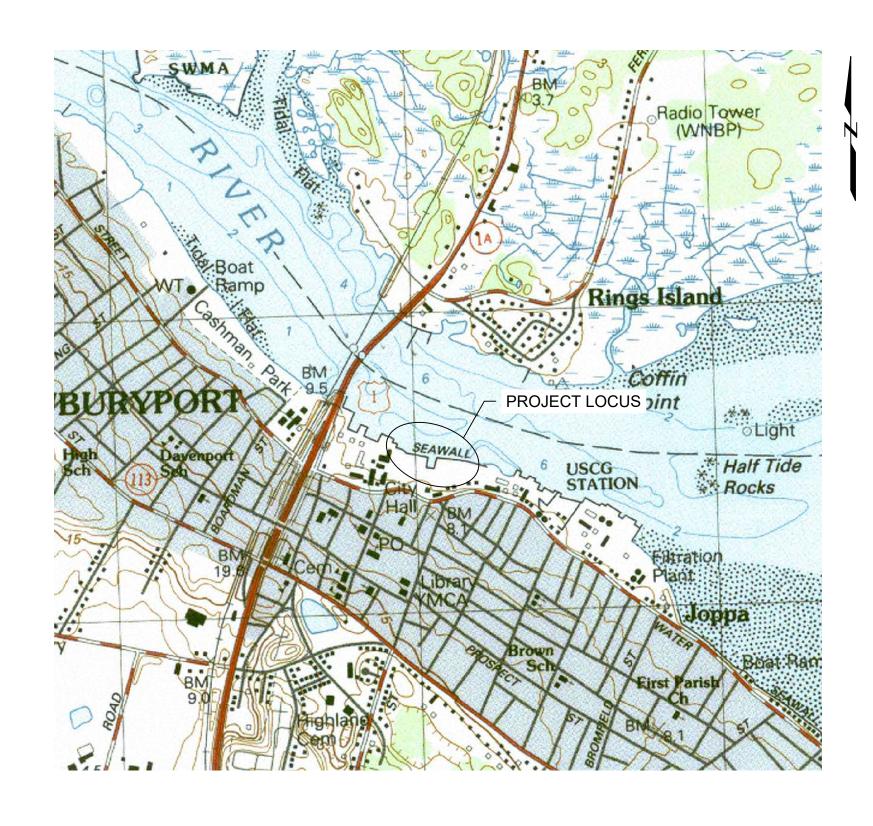
**Project Drawings** 

## CENTRAL WATERFRONT BULKHEAD REPAIR PHASE II

CITY OF NEWBURYPORT NEWBURYPORT, MA NOVEMBER 2021



LOCUS MAP

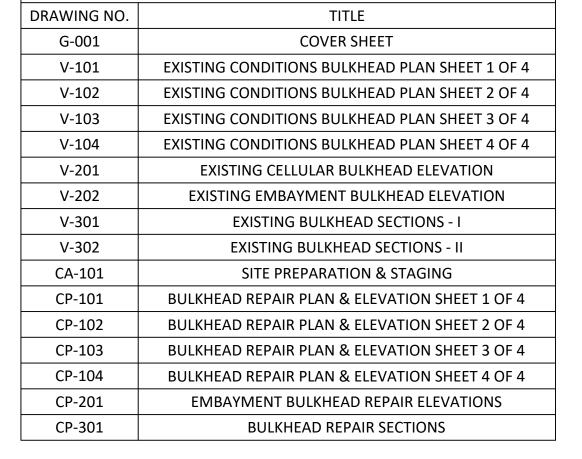


(NOT TO SCALE)

PREPARED FOR:

CITY OF NEWBURYPORT 60 PLEASANT STREET NEWBURYPORT, MA (978)465-4413 PREPARED BY:

GEI CONSULTANTS, INC. 124 GROVE STREET FRANKLIN, MA 02038 (774)277-6001



SHEET INDEX

RUSSELL J.
THOMASS
STRUCTURAL
No. 46514

GISTERUS
SJONAL ENGINE

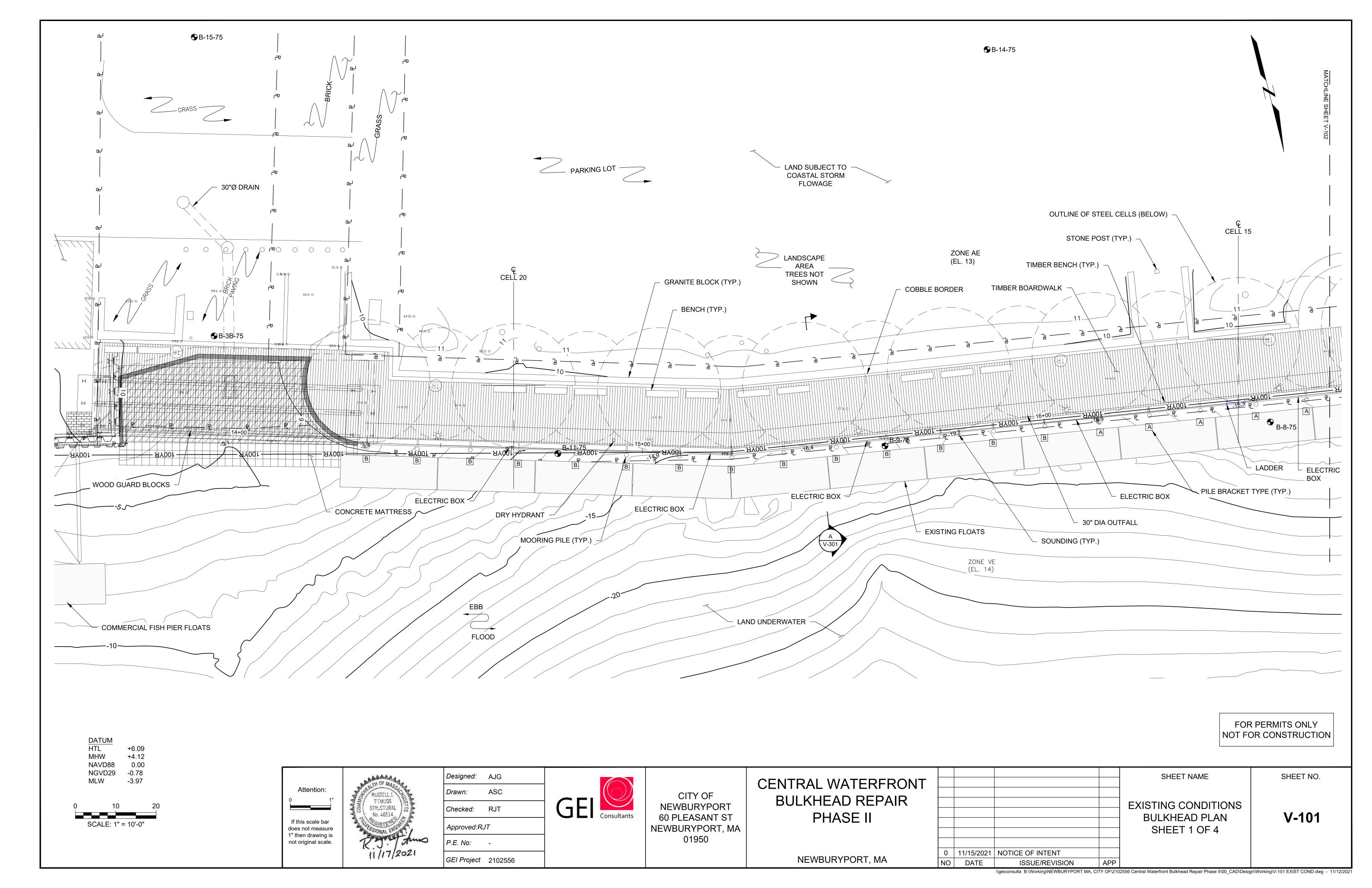
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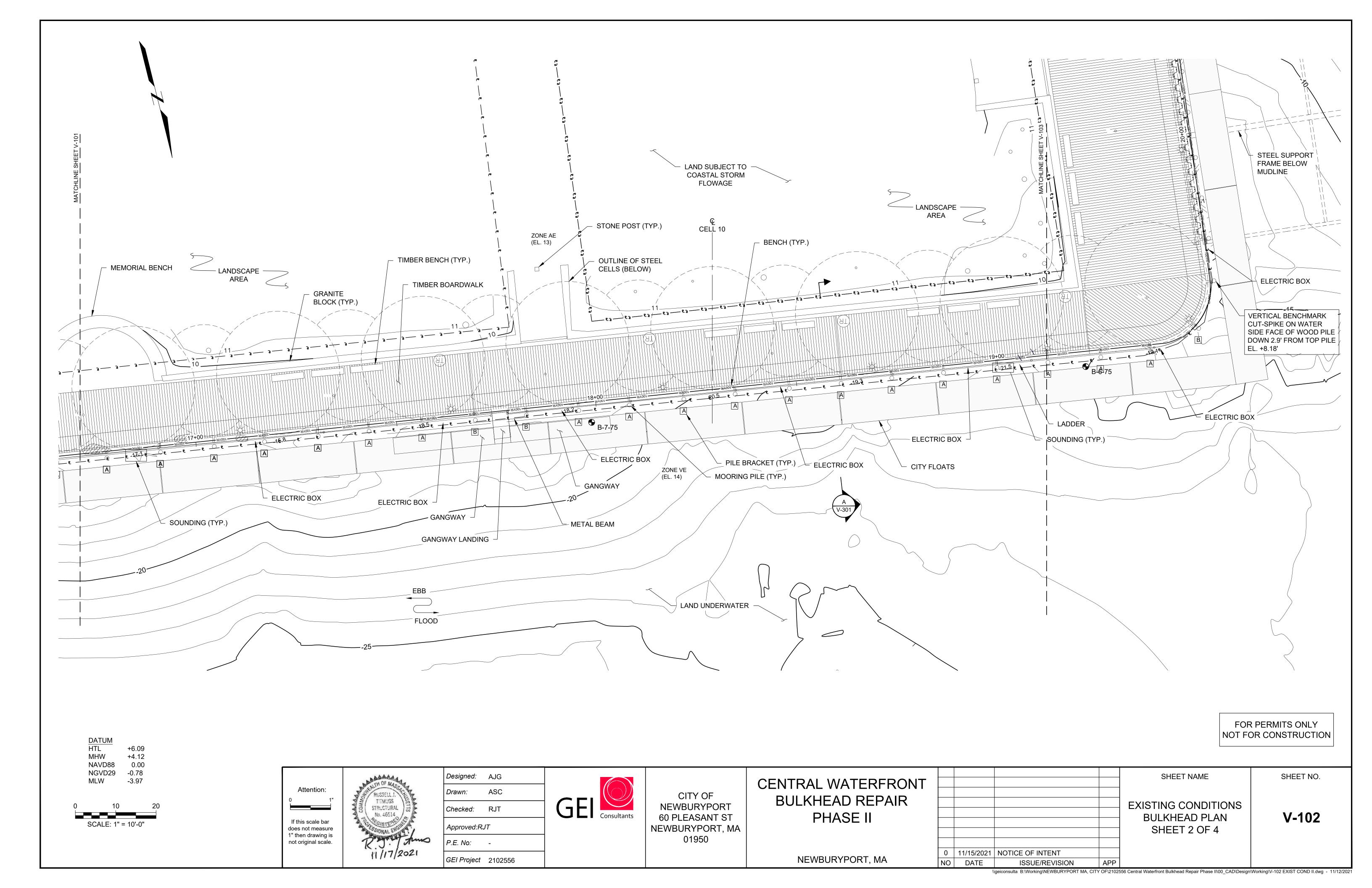
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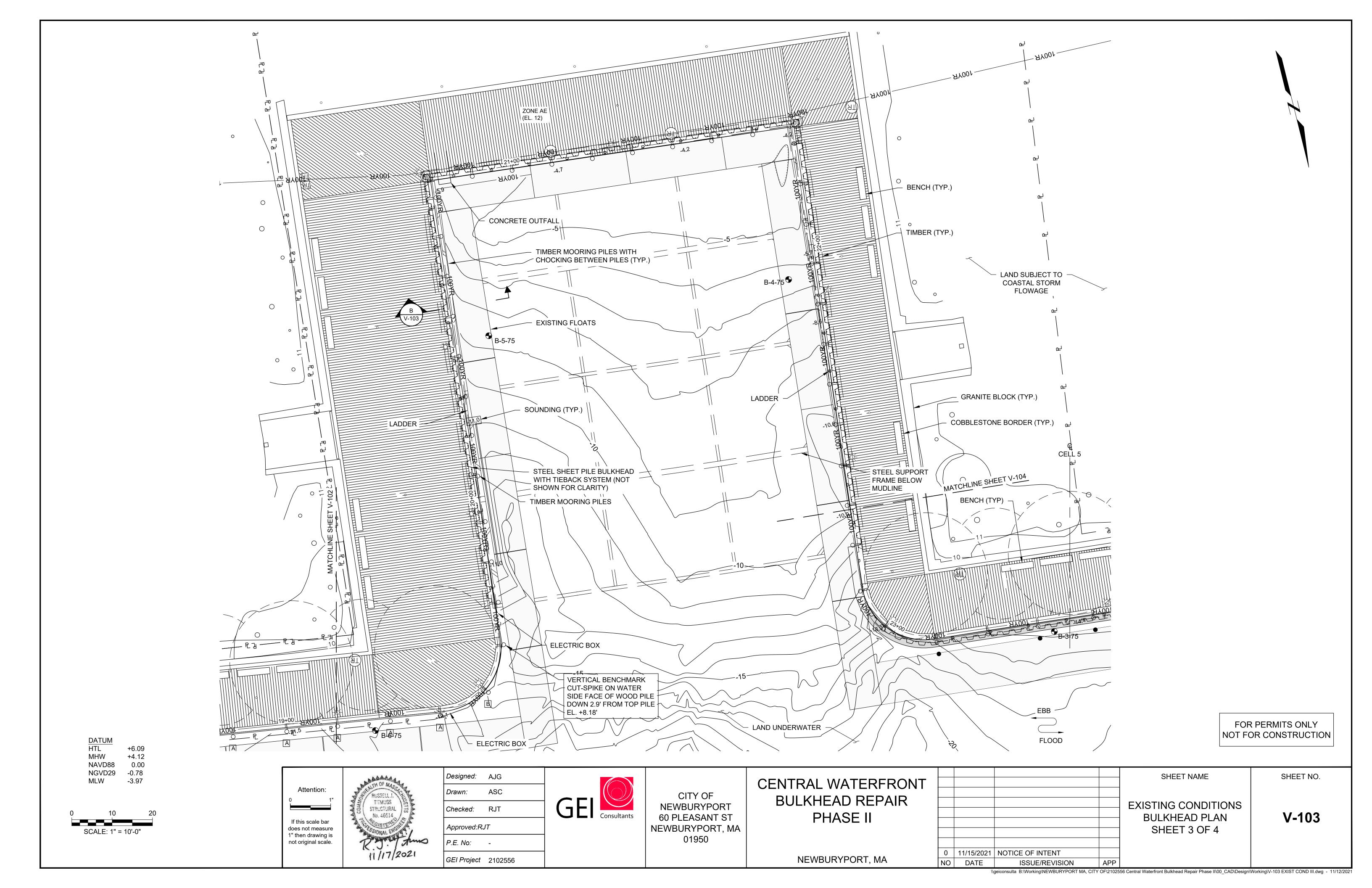
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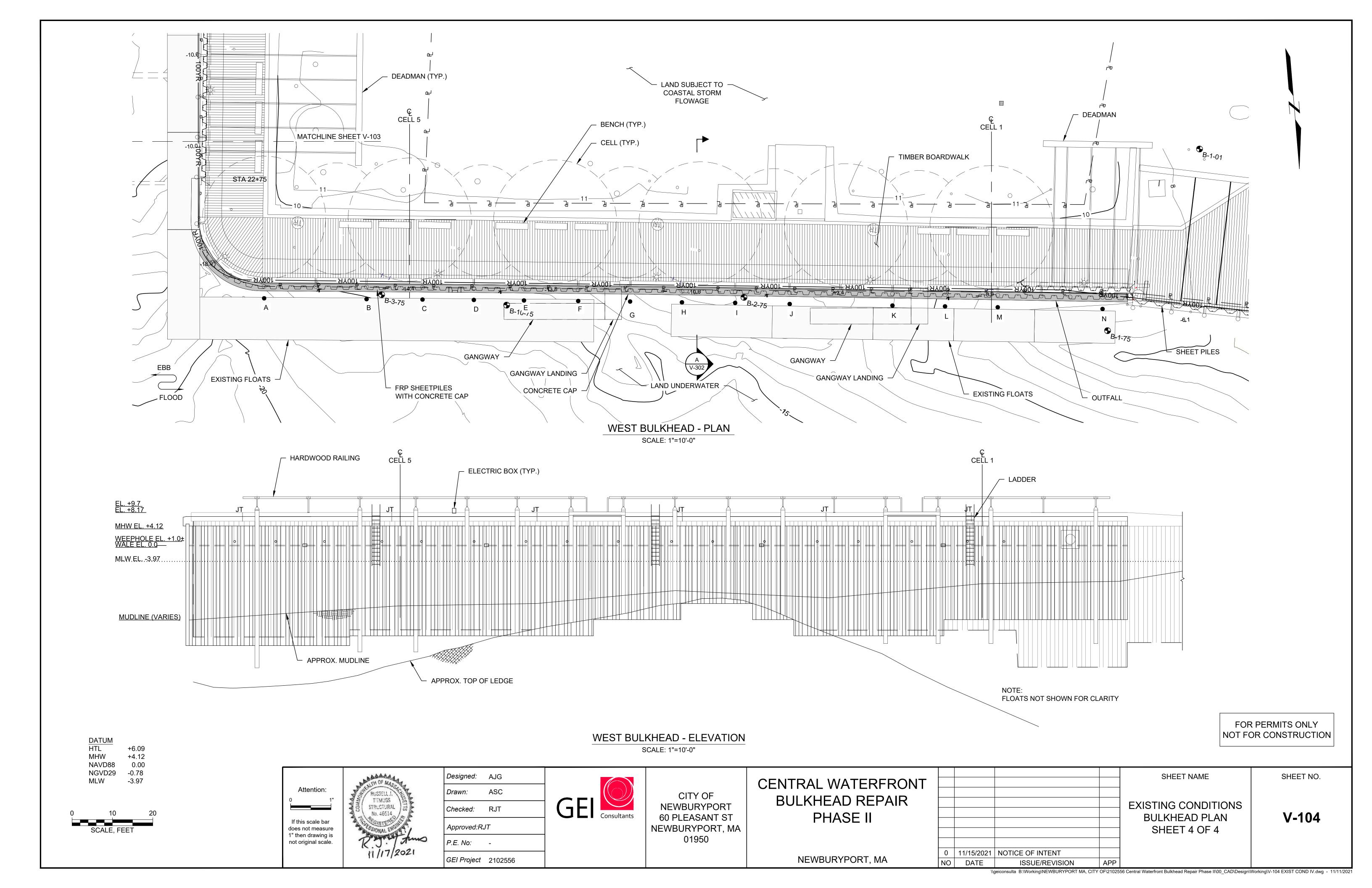
THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF GEI CONSULTANTS AND IS NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF GEI CONSULTANTS.

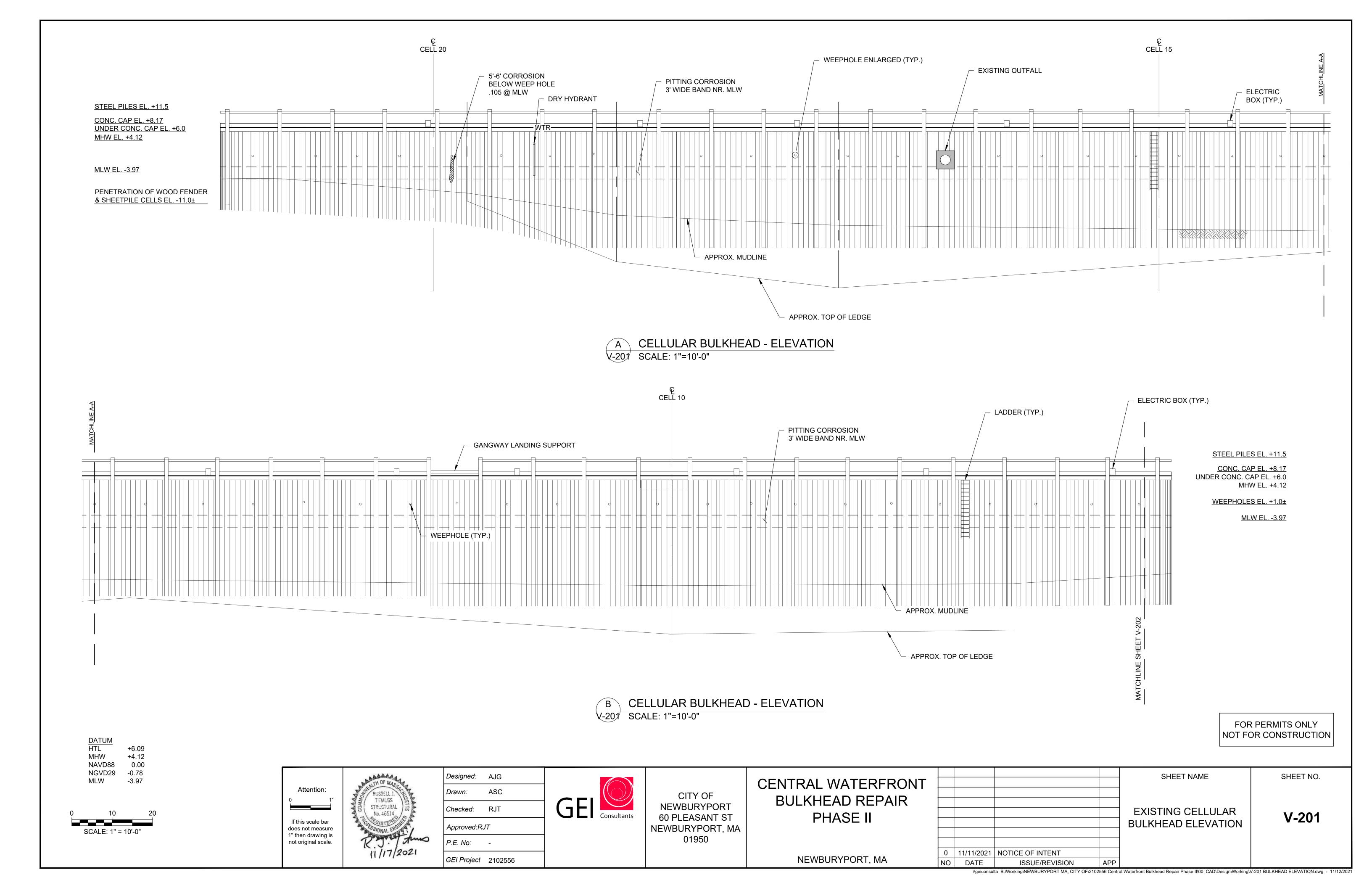
GEI PROJECT NO. 2102556 NOVEMBER 15, 2021

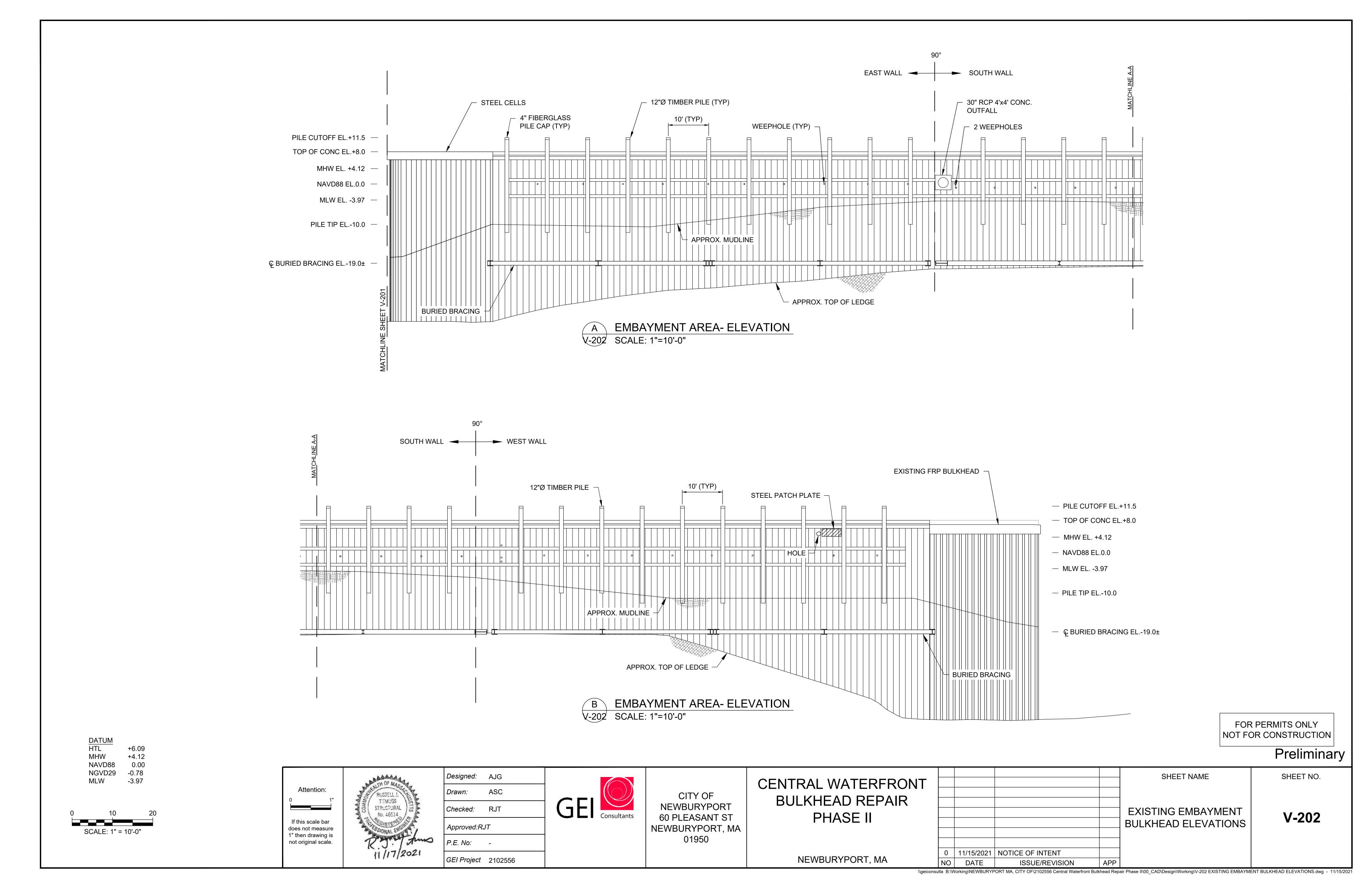


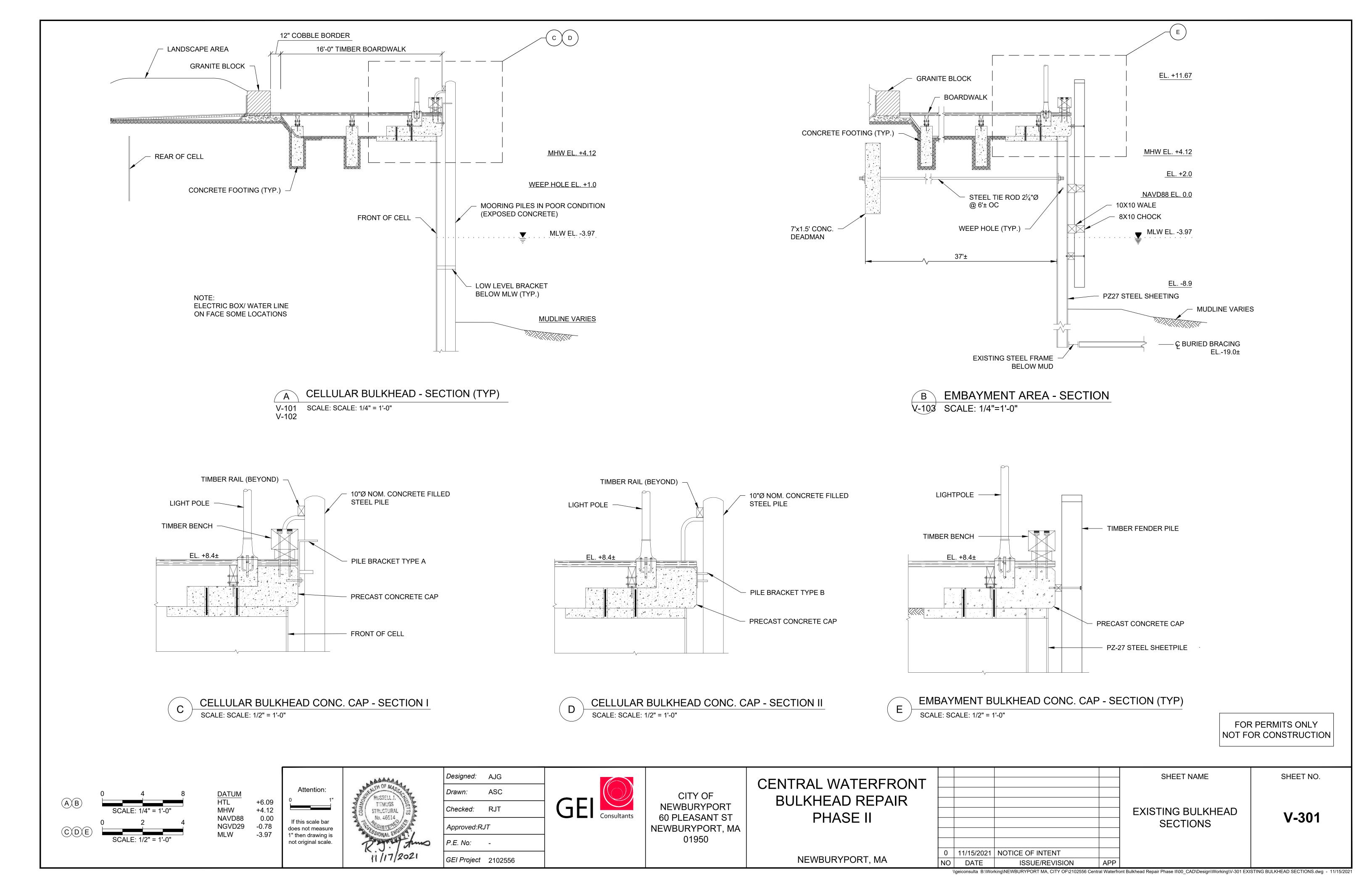


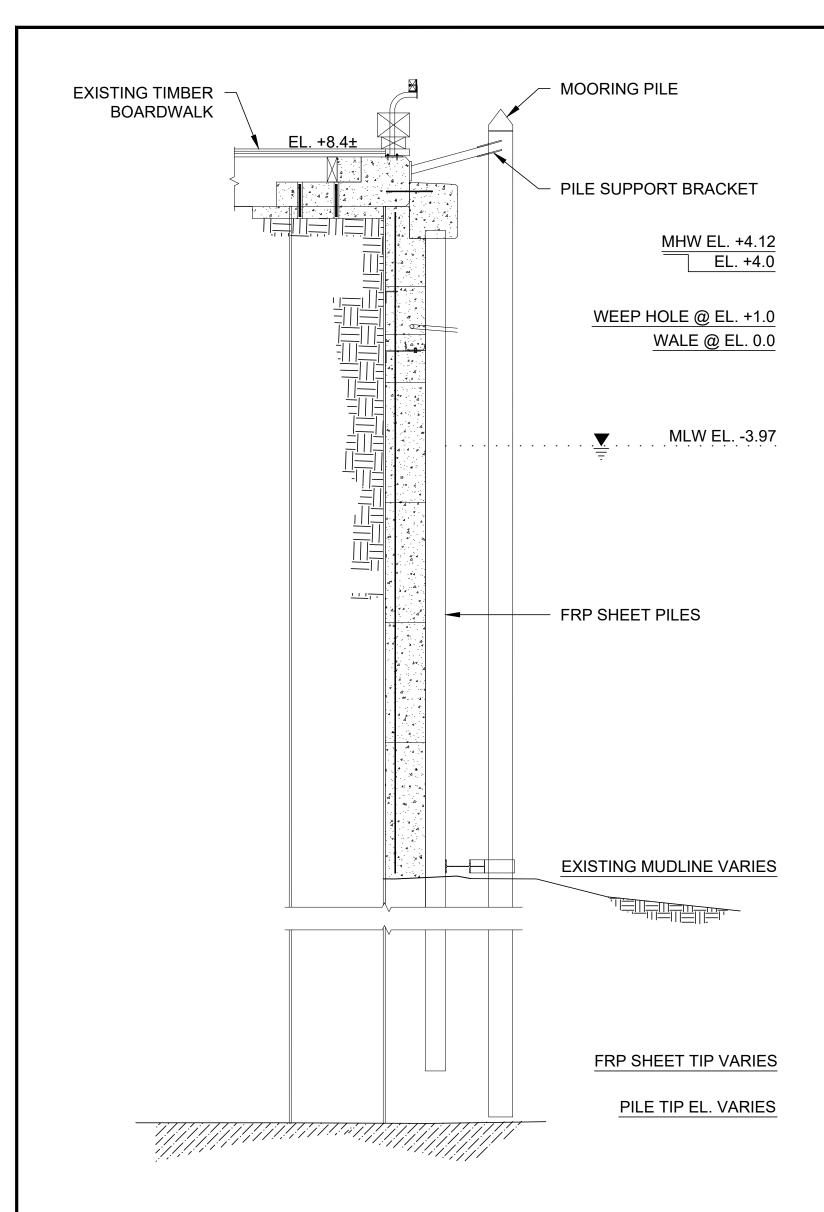












WEST BULKHEAD - SECTION (TYP)

V-104 SCALE: SCALE: 1/4" = 1'-0"

FOR PERMITS ONLY NOT FOR CONSTRUCTION



DATUM HTL MHW NAVD88 NGVD29 MLW +6.09 +4.12 0.00 -0.78 -3.97

Attention: If this scale bar



Designed: AJG Drawn: ASC Checked: RJT Approved:RJT P.E. No: -



CITY OF NEWBURYPORT 60 PLEASANT ST NEWBURYPORT, MA 01950

CENTRAL WATERFRONT BULKHEAD REPAIR PHASE II

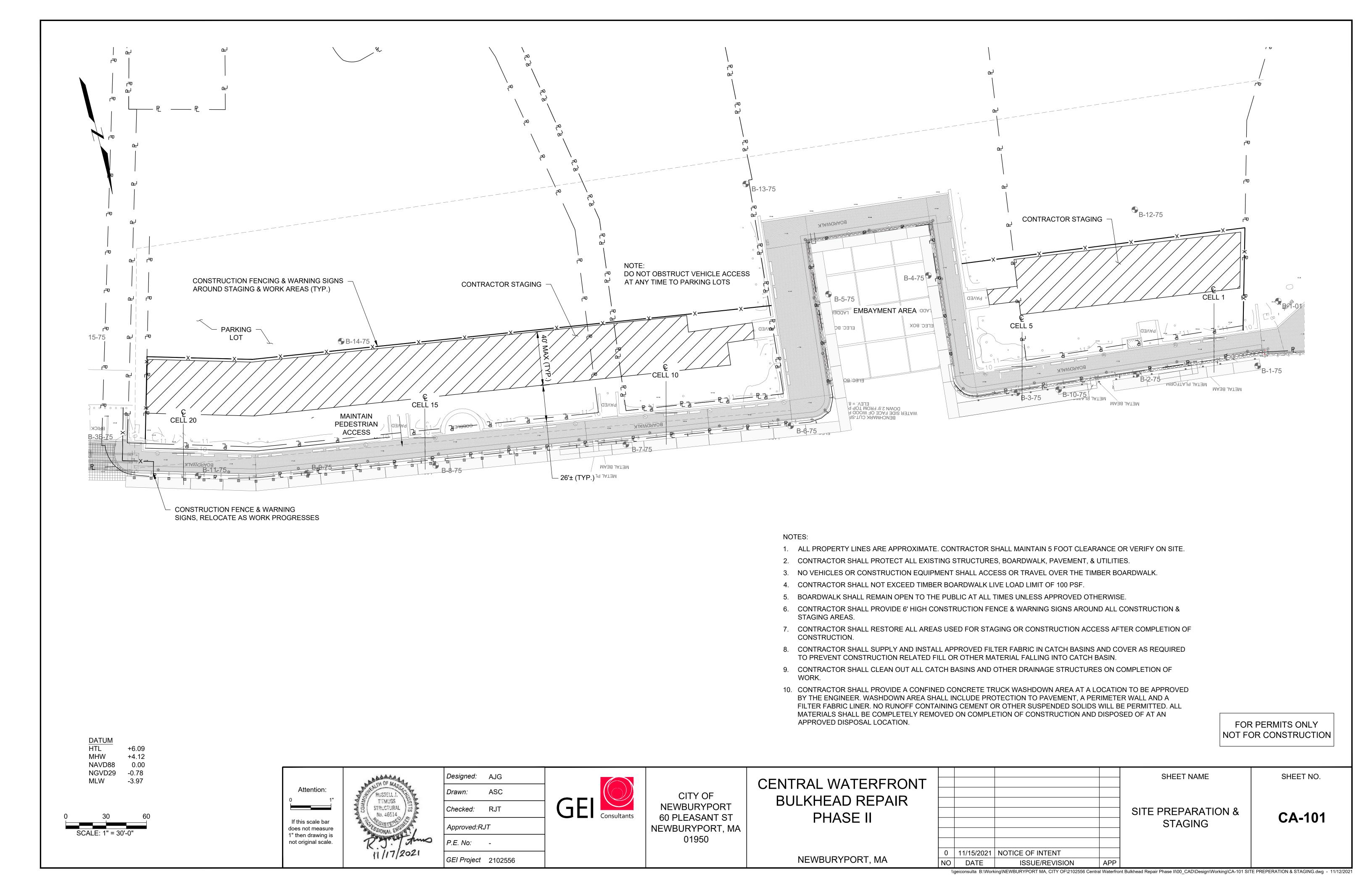
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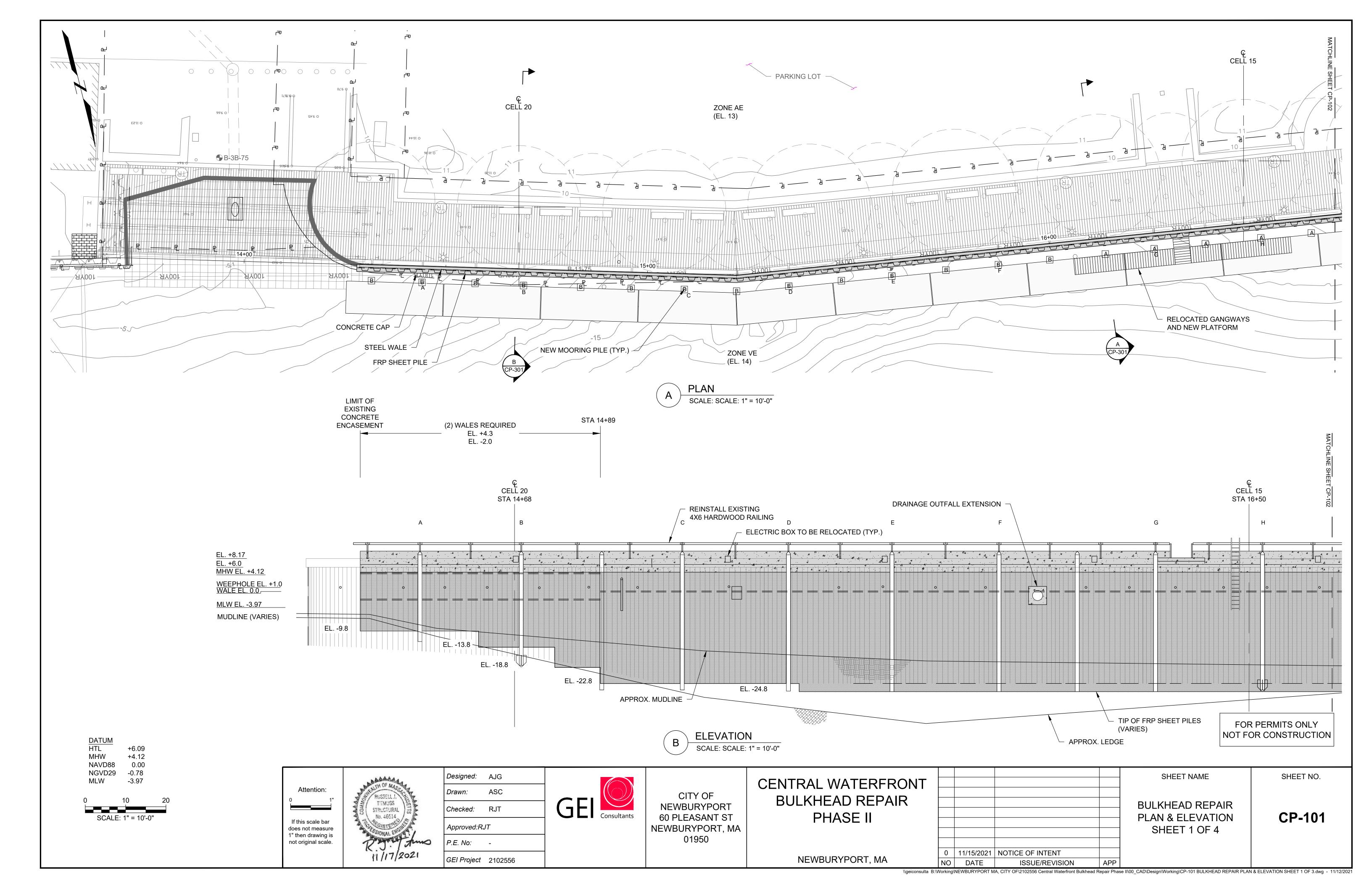
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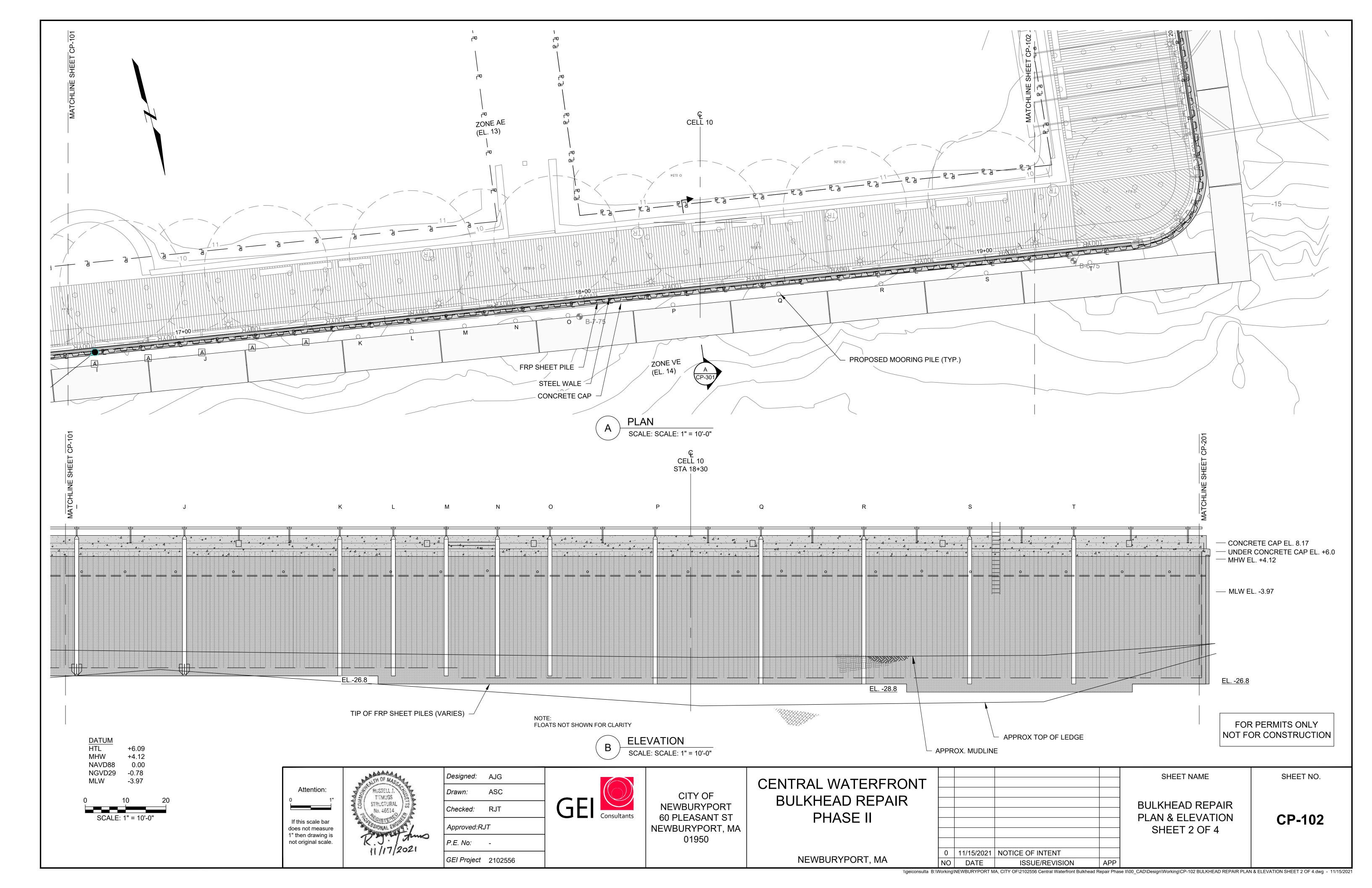
EXISTING BULKHEAD V-302

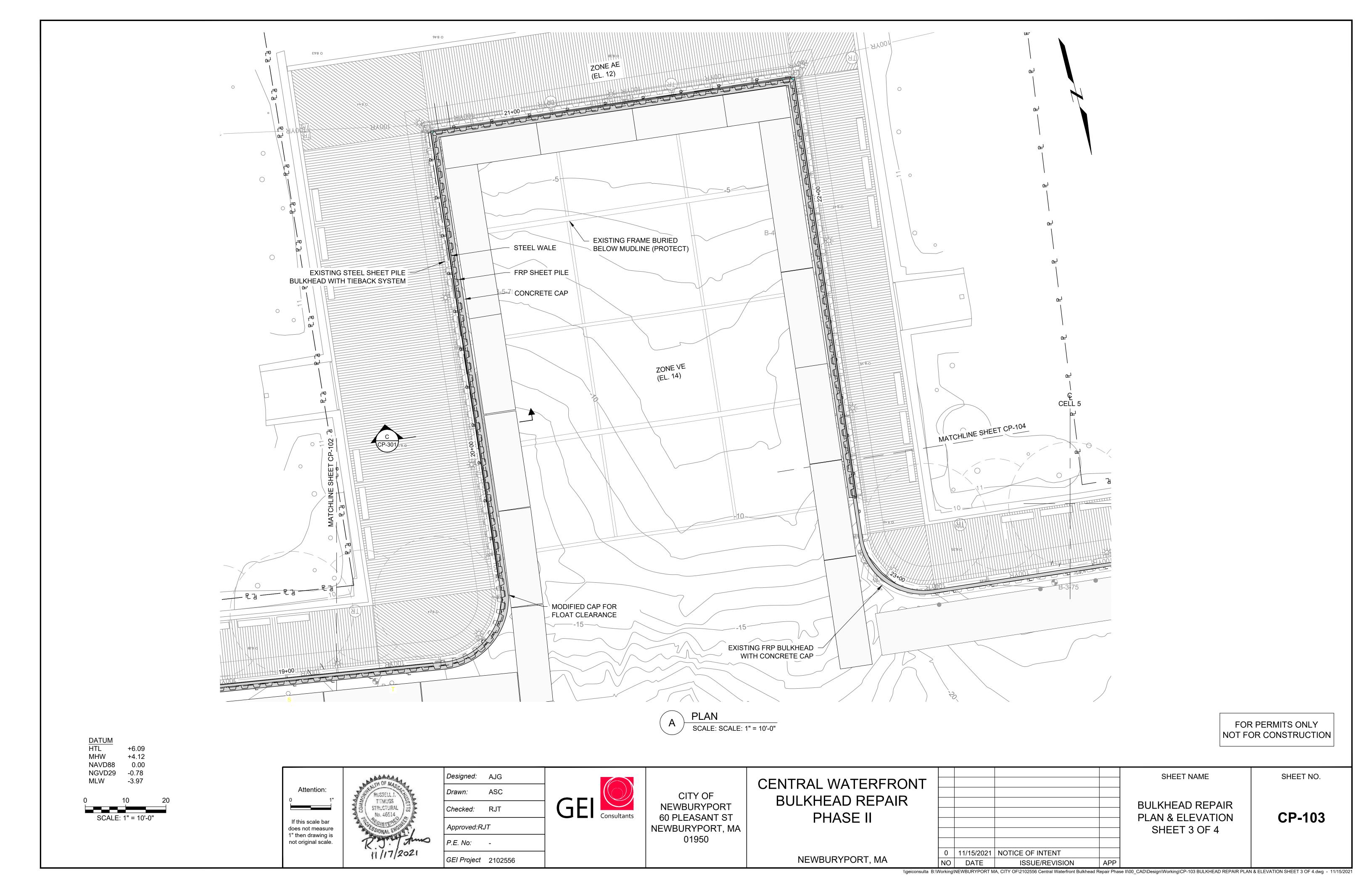
NEWBURYPORT, MA

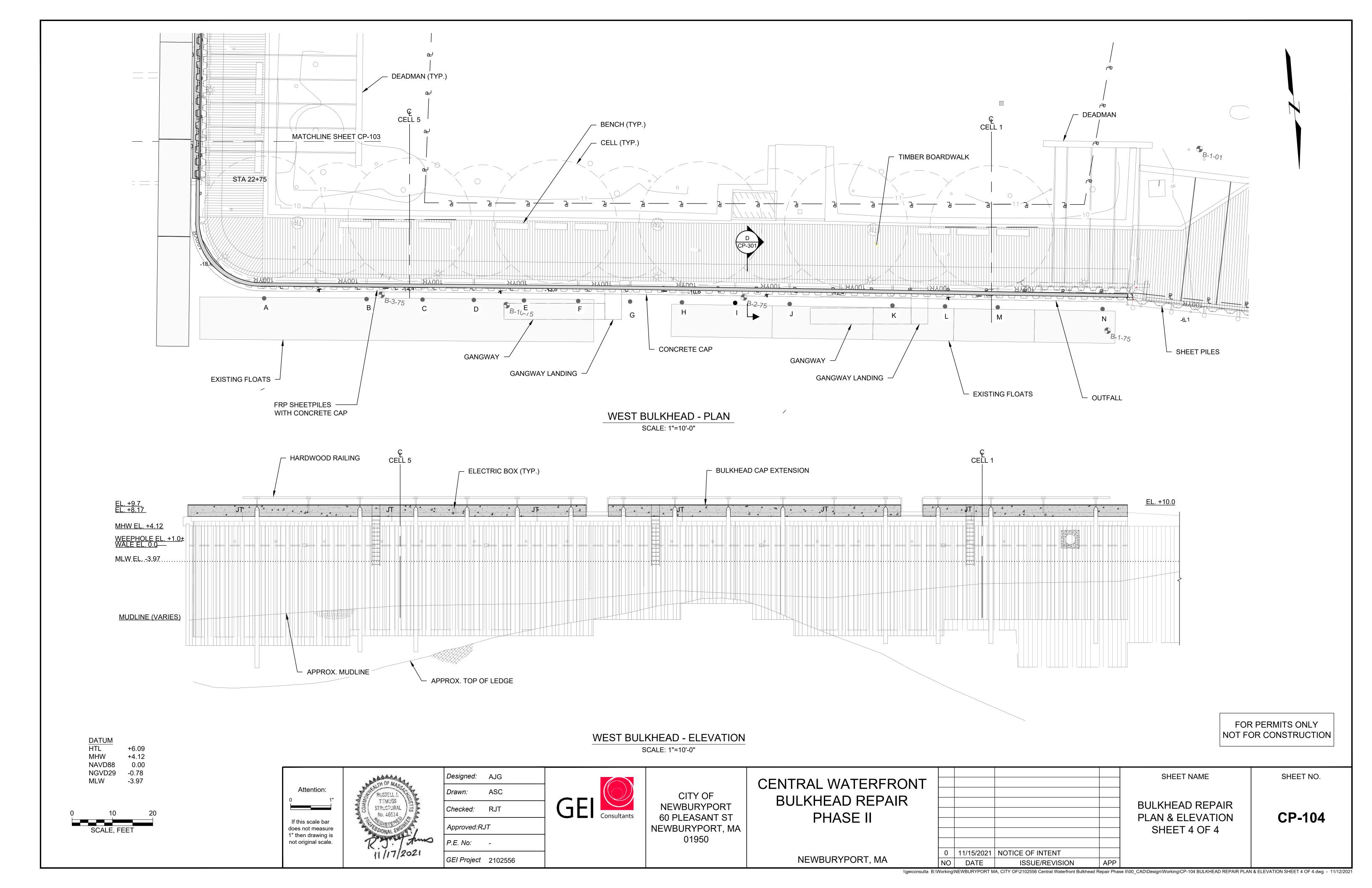
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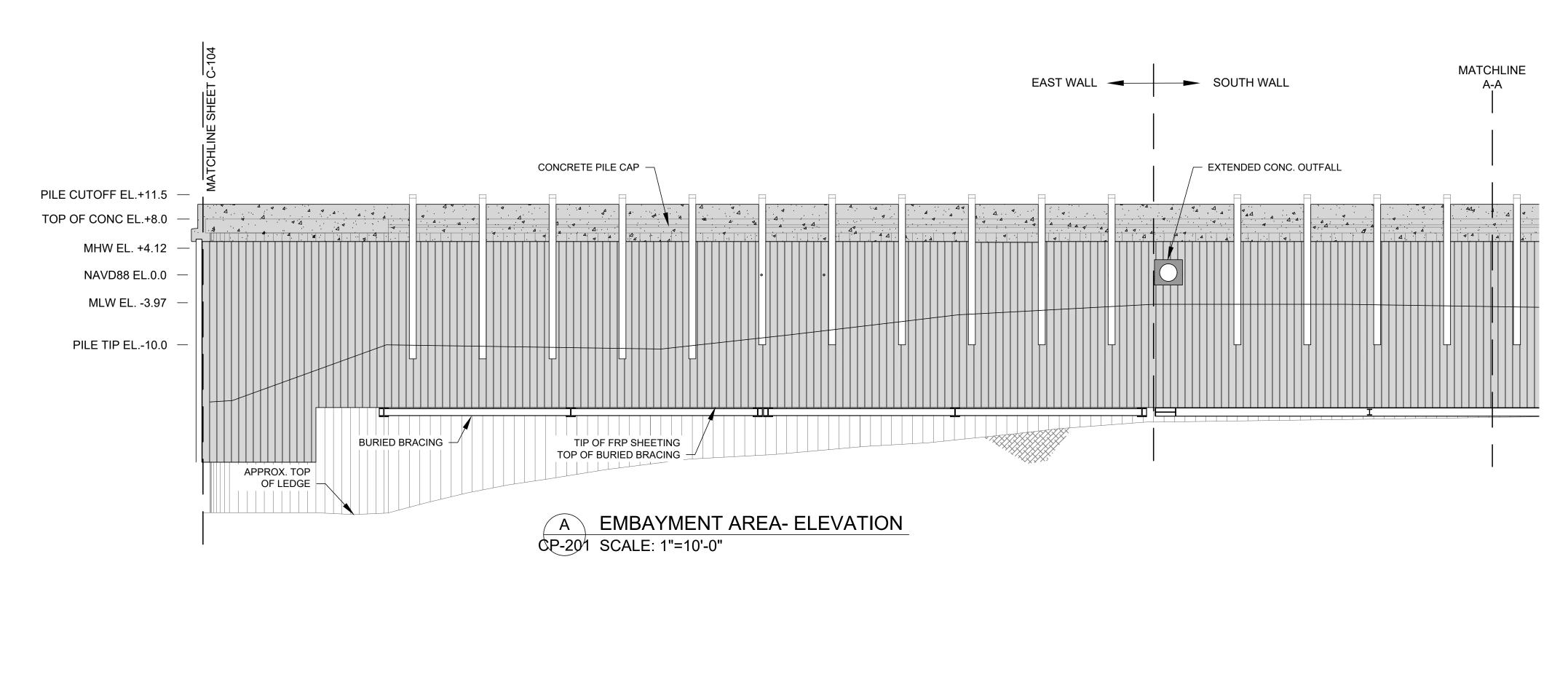


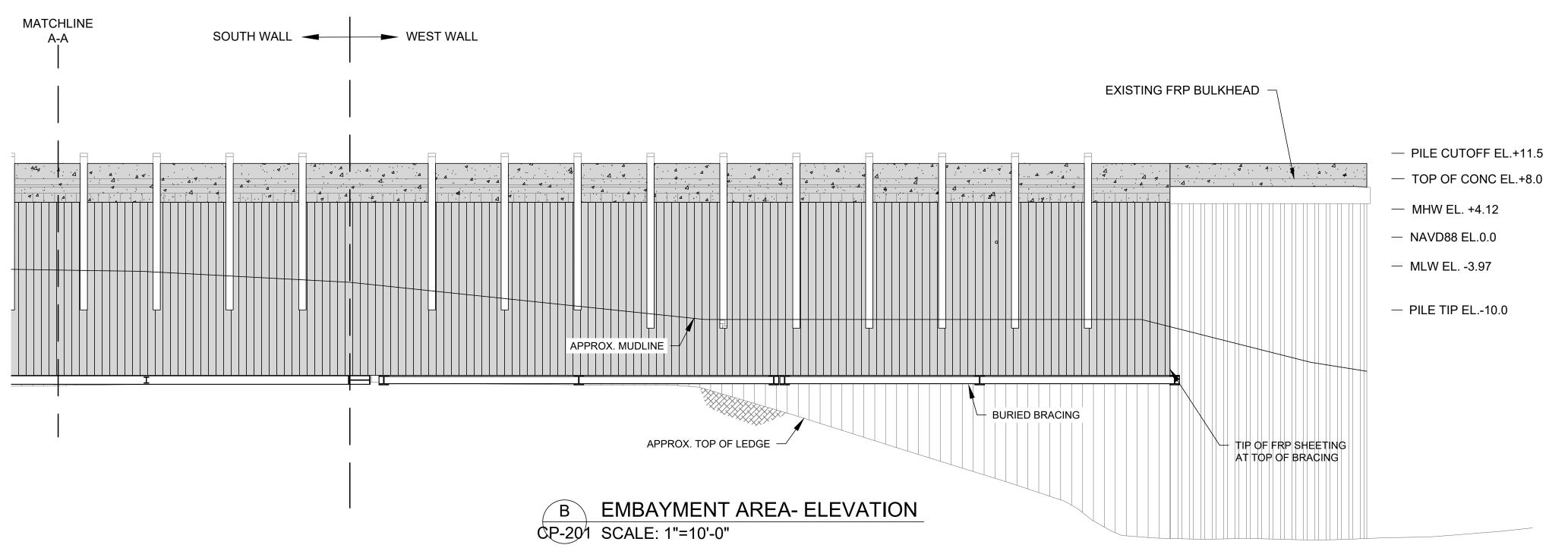




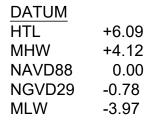




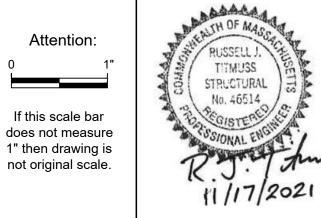




FOR PERMITS ONLY NOT FOR CONSTRUCTION







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RUSSELL J. TITMUSS STRUCTURAL No. 46514	Drawn:	ASC
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R. Jan Juno	P.E. No:	-
11/17/2021	GEI Project	2102556



CITY OF NEWBURYPORT 60 PLEASANT ST NEWBURYPORT, MA 01950

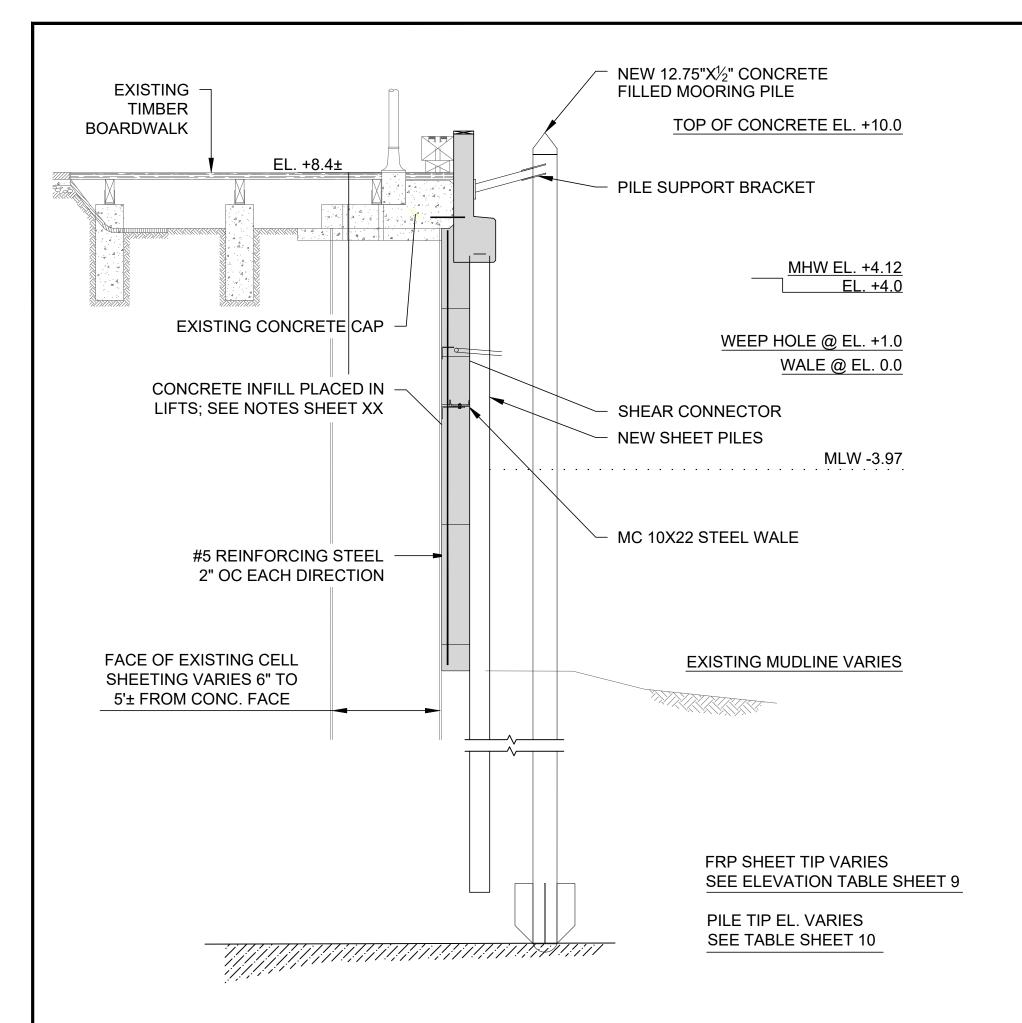
CENTRAL WATERFRONT BULKHEAD REPAIR PHASE II

NEWBURYPORT, MA

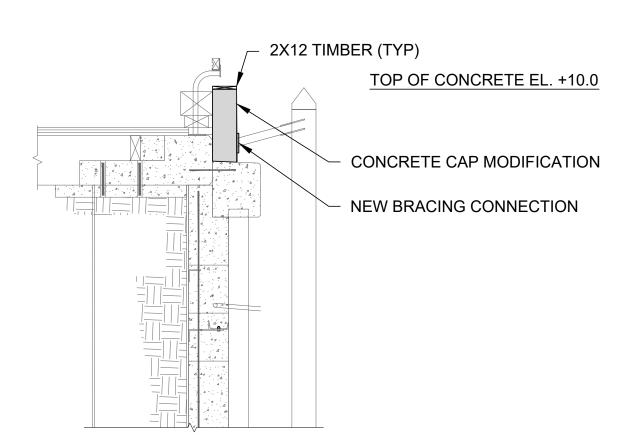
			SHEET NAME	
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**CP-201** 

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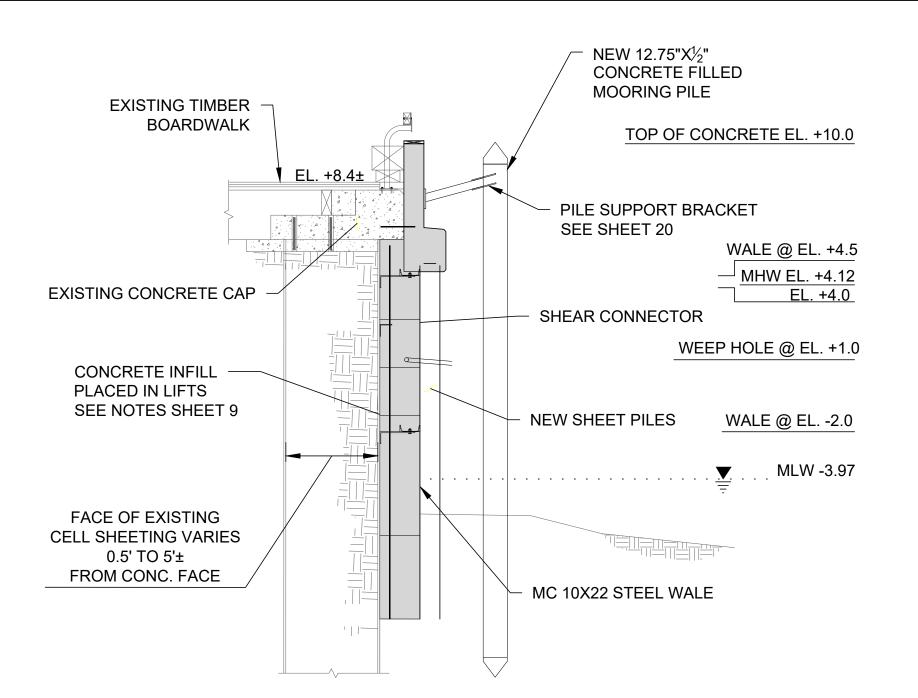


CELLULAR BULKHEAD REPAIR (TYP.) - SECTION CP-101 SCALE: 1/4" = 1'-0" CP-102



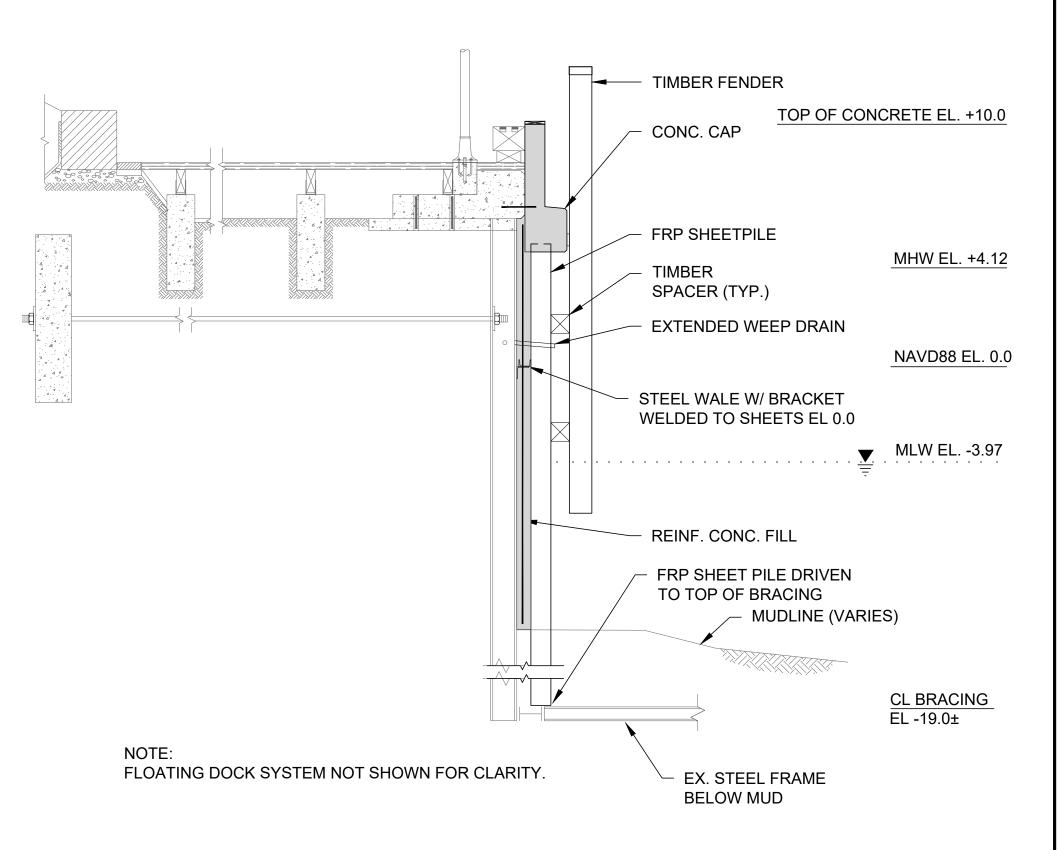
WEST BULKHEAD PILE CAP MODIFICATION (TYP.) - SECTION

CP-104 SCALE: 1/4" = 1'-0"



CELLULAR BULKHEAD REPAIR SECTION -START TO STA 14+89

CP-101 SCALE: 1/4" = 1'-0"



EMBAYMENT BULKHEAD REPAIR (TYP.) - SECTION CP-103 SCALE: 1/4" = 1'-0"

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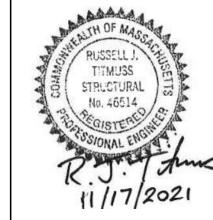
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**CP-301** 



<u>DATUM</u> HTL +6.09 +4.12 MHW 0.00 -0.78 NAVD88 NGVD29 -3.97

Attention: If this scale bar does not measure 1" then drawing is not original scale.



RUSSELL J. THIMUSS STRUCTURAL No. 46514  SSIONAL ENGINEER  11/17/2021	Designed:	AJG
	Drawn:	ASC
	Checked:	RJT
	Approved:RJT	
	P.E. No:	-
	GEI Project	2102556

CEI	
ULI	Consultant

CITY OF **NEWBURYPORT 60 PLEASANT ST** NEWBURYPORT, MA 01950

CENTRAL WATER **BULKHEAD REP** PHASE II

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NEWBURYPORT, MA	

SHEET NAME BULKHEAD REPAIR **SECTIONS** 11/15/2021 NOTICE OF INTENT ISSUE/REVISION

\\geiconsulta B:\Working\NEWBURYPORT MA, CITY OF\2102556 Central Waterfront Bulkhead Repair Phase II\00\_CAD\Design\Working\CP-301 PROPOSED BULKHEAD SECTIONS.dwg - 11/15/2021

#### **Notification to Abutters**

#### By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act  $(M.G.L.\ c.\ 131,\ \S\ 40)$ .

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

A. A Notice of Intent was filed with the **City of Newburyport** Conservation Commission on 11/19/2021 seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

The City of Newburyport is seeking approvals for the Central Waterfront Bulkhead and Piles Project. The objective of this project is to complete the repairs and ensure the long-term stability of the Central Waterfront Boardwalk and waterfront park.

- B. The name of the applicant is: City of Newburyport.
- C. The address of the land where the activity is proposed is: 22 Merrimac Street Maps 11 and 12, parcels (11) 1-B AND (12) 10.
- D. Copies of the Notice of Intent may be examined or obtained at the office of City of Newburyport Conservation Commission, located at 60 Pleasant Street, Newburyport, MA 01950. The regular business hours of the Commission are Monday Wednesday 8:00 AM to 4:00 PM; Thursday 8:00 AM to 7:00 PM; Friday 8:00 AM to 12:00 PM, and the Commission may be reached at (978) 465-4400 ext. 6.
- E. Copies of the Notice of Intent may be obtained from the applicant or **GEI Consultants**, **Inc.** representative by calling **Russell Titmuss**, at **774.277.6003** or **rtitmuss@geiconsultants.com** An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the **City of Newburyport** Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in the **Newburyport Daily News**.



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

November 15, 2021

To:

**Newburyport Conservation Commission** 

From:

**Newburyport Board of Assessors** 

Re:

Abutters List: Central Waterfront, 22 Merrimac Street

Newburyport Map: 11 & 12 Lot: 1-B & 10 respectively

The following are the abutters of the above mentioned property:

**Board of Assessors** 

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  $1^{st}$ , 2021. The city Assessor is not certifying that the persons so listed are the persons who are required to receive notification under applicable law.

3/ 28/ / / CITY OF NEWBURYPORT MUNICIPAL PARKING LOT 60 PLEASANT ST NEWBURYPORT, MA 01950	3/ 39/ / / TRIEFF RONALD H SHEILA J J/T 1 MERRIMAC ST - UNIT 11 NEWBURYPORT, MA 01950	3/ 49/ / / WALTH CHRISTIN L 1 MERRIMAC ST UNIT 21 NEWBURYPORT, MA 01950
3/ 30/ / / SRP REALTY LLC 1 MERRIMAC ST UNIT 1+2 NEWBURYPORT, MA 01950	3/ 40/ / / GUAY MARK J & JENNIFER L TRS MARITIME NOMINEE TRUST 1 MERRIMAC ST UNIT 12 NEWBURYPORT, MA 01950	3/ 50/ / / LEVASSEUR JACQUELINE M LUCAS M DEMETROULAKOS T/E 1 MERRIMAC ST UNIT 22 NEWBURYPORT, MA 01950
3/ 31/ / / R L HOLDINGS LLC C/O ROBERT LORAYNE 19 FEDERAL ST NEWBURYPORT, MA 01950	3/ 41/ / / CAMPOCHIARO DAVID 1 MERRIMAC ST UNIT 13 NEWBURYPORT, MA 01950	3/ 51/ / / MCMORROW JAMES G MARY LOU J/T 1 MERRIMAC ST UNIT 23 NEWBURYPORT, MA 01950
3/ 32/ / / FIRST CHURCH OF CHRIST SCIENTIST 1 MERRIMAC ST UNIT 4 NEWBURYPORT, MA 01950	3/ 42/ / / GRADY JOHN F 1 MERRIMAC ST UNIT 14 NEWBURYPORT, MA 01950	3/ 52/ / / PHELAN PATRICK & SUSAN T/E 25 FEDERAL ST NEWBURYPORT, MA 01950
3/ 33/ / / SHEA KEVIN TRS CAPITOL REALTY TRUST 10 ROGERS WAY WALTHAM, MA 02452	3/ 43/ / / BOUCHARD PAUL R IRENE D J/T PO BOX 1390 NEWBURYPORT, MA 01950	3/ 53/ / / MILLER JAMES P KAREN A PO BOX 596 CHARLES TOWN , WV 25414
3/ 34/ / / PROMENADE HOLDINGS LLC 1 MERRIMAC ST UNIT 7 NEWBURYPORT, MA 01950	3/ 44/ / / ALLEN KENT E & SUSAN E TRS KENT E ALLEN REVOCABLE TRUST 30 PROSPECT ST UNIT 1 NEWBURYPORT, MA 01950	3/ 54/ / / TAPLIN TODD F TRUSTEE EWT NOMINEE TRUST 1 MERRIMAC ST UNIT 26 NEWBURYPORT, MA 01950
3/ 35/ / / PROMENADE HOLDINGS LLC 1 MERRIMAC ST UNIT 7 NEWBURYPORT, MA 01950	3/ 45/ / / SAVAGE-CREEDON EILEEN 96 HIGH RD NEWBURY, MA 01951	3/ 55/ / / DUBOIS DAVID DONNA T/E 1 MERRIMAC ST UNIT 27 NEWBURYPORT, MA 01950
3/ 36/ / / LYNCH ROBERT KAREN J/T 13 PARKER RIDGE WAY NEWBURYPORT, MA 01950	3/ 46/ / / ISTANBULLU-GIUGLIANO LLC 9 LIBERTY ST DANVERS, MA 01923	3/ 56/ / / BARNES SWIFT C III TRS C/O SWIFT C BARNES 2376 PACIFIC AVENUE SAN FRANCISCO, CA 94115
3/ 37/ / / FERGUSON MARK A JAYNE A J/T 28 OAK CIR MERRIMAC, MA 01860	3/ 47/ / / BURAK JASON L 37 APPLETON AVE S HAMILTON, MA 01982	3/ 57/ / / WURZEL JOSEPH F WURZEL MAUREEN T/E 3361 YOUNGS RD SOUTHERN PINES, NC 28387
3/ 38/ / / FERGUSON MARK A JAYNE A J/T 28 OAK CIR MERRIMAC, MA 01860	3/ 48/ / / ST PIERRE RONALD 1 MERRIMAC ST UNIT 20 NEWBURYPORT, MA 01950	3/ 58/ / / DEAN EUGENE J III TRS AMJEEJ REALTY TRUST 1 MERRIMAC ST UNIT 30 NEWBURYPORT, MA 01950

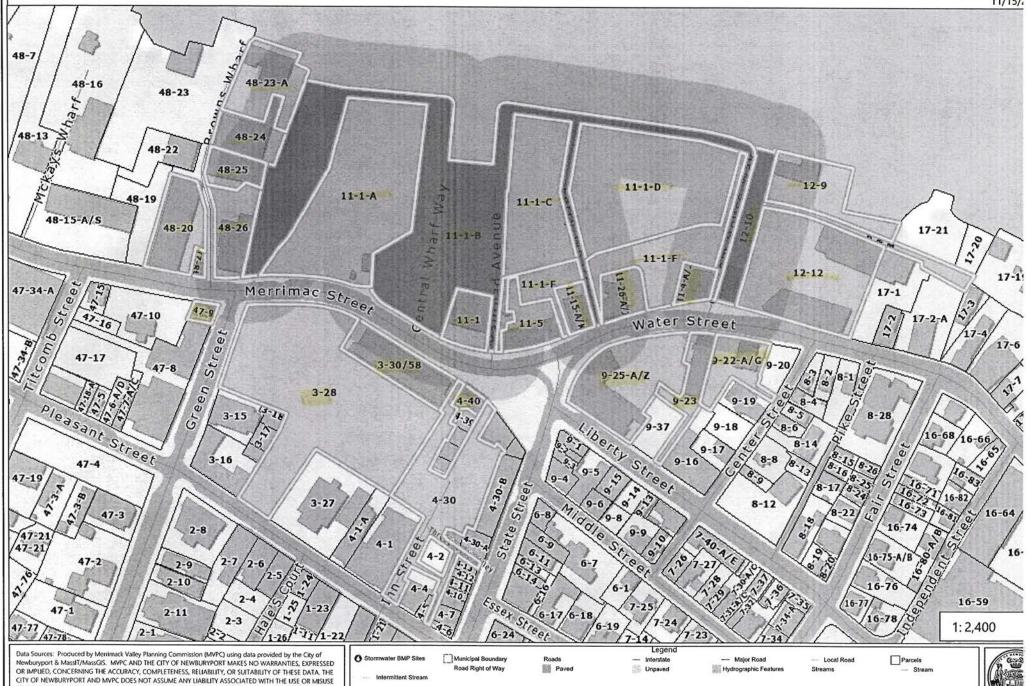
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9/ 25/C / / WETHERBEE GUY M TRUSTEE MINTON IRREVOCABLE TRUST 101 NORTHERN BLVD NEWBURY, MA 01951	9/ 25/M / / WEBB BARRY D TRUSTEE BARRY D WEBB REVOCABLE TRUST PO BOX 172 NEWBURYPORT, MA 01950
9/ 25/D / / 19 MARKET SQUARE LLC 19 MARKET SQ UNIT R4 NEWBURYPORT, MA 01950	9/ 25/N / / SIGELMAN ADAM H 6030 ALGIERS PLACE DULLES, VA 20189
9/ 25/E / / RICHEY JANET E TRS JANET E RICHEY LIVING TRUST 11700 CAPRI CIRCLE SO #10 TREASURE ISLAND, FL 33706	9/ 25/O / / PARKER ROSS B 2 ELBOW LN UNIT 2EA NEWBURYPORT, MA 01950
9/ 25/F / / HENRY PETER T 454 CENTRAL AVE DOVER , NH 03820	9/ 25/P / / NICOL ALFRED P JR 2 ELBOW LN APT 2 NEWBURYPORT, MA 01950
9/ 25/G / / LEAHY C P & WARREN M L TRS C & M NOMINEE TRUST 12 TEMPLE BLVD EAST NEWBURY, MA 01951	9/ 25/Q / / SUVAL JAMIAN C PATRICIA H MALLOY T/E 18 MARKET SQ 18M1 NEWBURYPORT, MA 01950
9/ 25/H / / MCDAVITT DONALD TRUSTEE DONALD MCDAVITT LIVING TRUST 8 HEARTBREAK HILL IPSWICH, MA 01938	9/ 25/R / / HOOKER ROBERT L 18 MARKET SQ UNIT 2 NEWBURYPORT, MA 01950
9/ 25/I / / PERRY RICHARD W TRUSTEE SRS II REALTY TRUST 10 CURTIS AVE MIDDLETON, MA 01949	9/ 25/S / / BERGER HOWARD M TRS NBPT MARKET SQUARE REALTY TRUST 18 MARKET SQ UNIT 18M3 NEWBURYPORT, MA 01950
9/ 25/J / / SHERMAN LJ & CA TRS ABRAHAM'S REALTY TRUST 691 WASHINGTON ST NEW YORK, NY 10014	9/ 25/T / / CORCORAN MONICA 18 MARKET SQUARE #4 NEWBURYPORT, MA 01950
9/ 25/K / / SHERMAN LJ & CA TRS ABRAHAM'S REALTY TRUST 691 WASHINGTON ST NEW YORK, NY 10014	9/ 25/U / / JACOBSON ALAN J 225 COOLIDGE AVE UNIT 106 WATERTOWN, MA 02472
	COLLINS THOMAS A PAMELA J J/T 42 ORGANUG RD YORK, ME 03909  9/ 25/C / / WETHERBEE GUY M TRUSTEE MINTON IRREVOCABLE TRUST 101 NORTHERN BLVD NEWBURY, MA 01951  9/ 25/D / / 19 MARKET SQUARE LLC 19 MARKET SQUARE LLC 19 MARKET SQUARE LLC 19 MARKET SQUINT R4 NEWBURYPORT, MA 01950  9/ 25/E / / RICHEY JANET E TRS JANET E RICHEY LIVING TRUST 11700 CAPRI CIRCLE SO #10 TREASURE ISLAND, FL 33706  9/ 25/F / / HENRY PETER T 454 CENTRAL AVE DOVER , NH 03820  9/ 25/G / / LEAHY C P & WARREN M L TRS C & M NOMINEE TRUST 12 TEMPLE BLVD EAST NEWBURY, MA 01951  9/ 25/H / / MCDAVITT DONALD TRUSTEE DONALD MCDAVITT LIVING TRUST 8 HEARTBREAK HILL IPSWICH, MA 01938  9/ 25/I / / PERRY RICHARD W TRUSTEE SRS II REALTY TRUST 10 CURTIS AVE MIDDLETON, MA 01949  9/ 25/J / / SHERMAN LJ & CA TRS ABRAHAM'S REALTY TRUST 691 WASHINGTON ST NEW YORK, NY 10014

9/ 25/V / / ROWE FRANK 1 LIBERTY ST-UNIT 1L2 NEWBURYPORT, MA 01950	11/ 1/F / / N R A C/O CITY HALL 60 PLEASANT ST NEWBURYPORT, MA 01950	11/ 4/J / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116
9/ 25/W / / MOUGHAN PAUL V JR TRS KAREN L MOUGHAN TRS 2 PARSONS RD WEST NEWBURY, MA 01985	11/ 4/A / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 5/ / / MCFARLAND JAMES O & EILEEN L TRS JPM REALTY NOMINEE TRUST PO BOX 314 MEDFORD, MA 02155
9/ 25/X / / KELLER KAREN G 1 LIBERTY SQ UNIT 4 NEWBURYPORT, MA 01950	11/ 4/B / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/A / / BARRANCO MICHAEL C MARIA BARRANCO J/T 11 MARKET SQ UNIT 1 NEWBURYPORT, MA 01950
9/ 25/Y / / KENDALL SCOTT 5A LIBERTY ST NEWBURYPORT, MA 01950	11/ 4/C / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/B / / ALLEN KEITH C 11 MARKET SQ UNIT 2 NEWBURYPORT, MA 01950
9/ 25/Z / / BRENDON-MOTA LLC 259 TURNPIKE RD SOUTHBORO, MA 01772	11/ 4/D / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/C / / GALLEGOS KARL V 1251 VALLEY RESERVE DR KENNESAW, GA 30152
11/ 1/ / / CITY OF NEWBURYPORT FIREHOUSE CENTER 1-3 MARKET SQ NEWBURYPORT, MA 01950	11/ 4/E / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/D / / NMP PROPERTIES 1 LLC C/O PIRAINO 17 J ST NEWBURYPORT, MA 01950
11/ 1/A / / N R A C/O CITY HALL 60 PLEASANT ST NEWBURYPORT, MA 01950	11/ 4/F / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/E / / 11-5 MARKET SQUARE REALTY LLC PO BOX 247 NEWBURYPORT, MA 01950
11/ 1/B / / NEWBURYPORT WATERFRONT TRUST CITY HALL 60 PLEASANT ST NEWBURYPORT, MA 01950	11/ 4/G / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/F / / CORTLAND EQUITY PARTNERS LLC 10 CORTLAND LANE WEST NEWBURY, MA 01985
11/ 1/C / / N R A C/O CITY HALL 60 PLEASANT ST NEWBURYPORT, MA 01950	11/ 4/H / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/G / / MISTERLOAN LLC 11 MARKET SQ UNIT 7 NEWBURYPORT, MA 01950
11/ 1/D / / N R A C/O CITY HALL 60 PLEASANT ST NEWBURYPORT, MA 01950	11/ 4/I / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116	11/ 15/H / / GRIFFIN MARK W TRS GRIFFIN LAW OFFICE REALTY TRUST 3 ORANGE ST UNIT 4 NEWBURYPORT, MA 01950

11/ 15/I / / CRONIN SHARON A TRS MARKET SQUARE REALTY TRUST 11 MARKET SQ UNIT 9 NEWBURYPORT, MA 01950	11/ 26/H / / OREILLY DANIEL M TRUSTEE 5 WATER STREET REALTY TRUST 2123 REGENTS BLVD WEST PALM BEACH, FL 33409
11/ 15/J / / CRONIN SHARON A TRS MARKET SQUARE REALTY TRUST 11 MARKET SQ UNIT 9 NEWBURYPORT, MA 01950	11/ 26/I / / PROPS LLC 1 WATER ST NEWBURYPORT, MA 01950
11/ 15/K / / CRONIN SHARON A TRS MARKET SQUARE REALTY TRUST 11 MARKET SQ UNIT 9 NEWBURYPORT, MA 01950	11/ 26/J / / FRENCH TWIST PROPERTIES LLC 6 MERRILL ST WEST NEWBURY, MA 01985
11/ 26/A / / ANDREWS RAY L PO BOX 351 NEWBURYPORT, MA 01950	12/ 9/ / / CITY OF NEWBURYPORT HARBORMASTER BUILDING 60 PLEASANT ST NEWBURYPORT, MA 01950
11/ 26/B / / PATHFINDER FINANCIAL GROUP INC 5 WATER ST REAR UNIT B NEWBURYPORT, MA 01950	12/ 10/ / / NEWBURYPORT MARITIME SOCIETY INC 25 WATER ST NEWBURYPORT, MA 01950
11/ 26/C / / LEVASSEUR CAROL 5 WATER ST REAR UNIT F NEWBURYPORT, MA 01950	12/ 12/ / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116
11/ 26/D / / PATHFINDER FINANCIAL GROUP INC 5 WATER ST REAR UNIT B NEWBURYPORT, MA 01950	47/ 9/ / / BERNARD RENE M 45 MERRIMAC ST NEWBURYPORT, MA 01950
11/ 26/E / / FRASCONE THOMAS A TRACY J T/E 5 WATER ST REAR UNIT E NEWBURYPORT, MA 01950	48/ 20/ / / GEONAUTICS INC C/O MERRIMAC MILL INC 44 MERRIMAC STREET NEWBURYPORT, MA 01950
11/ 26/F / / 5 WATER LLC C/O NANCY TOULIOPOULOS 7 RUTGERS RD ANDOVER, MA 01810	48/ 21/ / / OLDER PAMELA 42 MERRIMAC ST NEWBURYPORT, MA 01950
11/ 26/G / / OREILLY DANIEL M TRUSTEE 5 WATER STREET REALTY TRUST 2123 REGENTS BLVD WEST PALM BEACH, FL 33409	48/ 24/ / / NEWBURYPORT MANAGER LLC TRS C/O NEW ENGLAND DEVELOPMENT 75 PARK PLAZA BOSTON, MA 02116

48/ 25/ / / BROWNS WHARF LLC PO BOX 708 NEW CASTLE, NH 03854

48/ 26/ / /
MERRIMAC STREET ALE HOUSE LLC
C/O JOSEPH A LEONE
272 WATER ST
NEWBURYPORT, MA 01950



OF THIS INFORMATION.