

# HUGHES ENVIRONMENTAL CONSULTING

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## 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)*

### 249-251 Water Street



*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 and

**Design Consultants, Inc.**

120 Middlesex Avenue, Suite 20  
Somerville, MA 02145

*On behalf of:*

**Michael and Kerrin Constello**  
249 Water Street  
Newburyport, MA 01950

*Copies to:*

**MassDEP NERO**  
205B Lowell Street  
Wilmington, MA 01887

**Natural Heritage and Endangered  
Species Program**

Division of Fisheries and Wildlife 1 1  
Rabbit Hill Road  
Westborough, MA 01581

**February 28, 2020**



# **HUGHES ENVIRONMENTAL CONSULTING**

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## **Application Contents:**

- 1. Project Narrative**
- 2. WPA Form 3 Notice of Intent**
- 3. USGS Map**
- 4. 2019 Orthophoto**
- 5. 2013 Orthophoto with NHESP**
- 6. 2013 Orthophoto with FEMA**
- 7. Site Photos**
- 8. Abutters List and copy of Abutter Notice (to be provided)**
- 9. DEP Fee Transmittal form with copy of checks**
- 10. Notice of Intent Plan, prepared by Winter GEC, LLC, dated 2/26/2020 with sheet 2, details**



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**PROJECT NARRATIVE**  
**to Accompany a**  
**NOTICE OF INTENT**  
**For**  
**Michael and Kerrin Costello**  
**Renovation and Addition to Historic Residence**  
**249 - 251 Water Street**  
**Newburyport**  
**March 13, 2020**

## **Overview**

Michael and Kerrin Costello are looking to repair and renovate the home at 249 - 251 Water Street in Newburyport. The existing building is a two family house that is historically significant. The structure was built in 1895 and was the home of the South End Gun Club. The Newburyport Historic Commission has determined that the structure is historically significant. The work will expand the structure and includes landscaping which will provide for both outdoor space for the Costellos and restoration of a riparian buffer in an area of lawn.

Additionally the work will include the replacement and relocation of an existing drain line for which the City does not have an easement. This work is expected to be done either by the City or by the Costellos in cooperation with the City (or a combination of both City and private work). The Costellos will then grant the City an easement for the drainage line, providing a significant public benefit.

## **Current site conditions**

The property consists of approximately 4,352 square feet and is entirely within the Riverfront Area associated with the Merrimac River. The property has a seawall that runs the perimeter of the property along the water side. The seawall consists of a revetment with concrete blocks on top. The seawall extends along a significant portion of the Water Street shoreline. In some places along the wall in the general area of the site, soil has been washing through the revetment, resulting in sink holes and some settling of the concrete blocks. The top of this wall is coastal bank. At the bottom of the revetment is salt marsh and/or tidal flats. The entire property is within the buffer zone to those resource areas. Lastly, the lot is entirely located within the VE15 floodplain as mapped by FEMA.

The existing two family structure's foundation is fieldstone below grade and continues as brick wall above grade. The foundation was evaluated by a structural engineer and found to be in good condition given its age, however, the fieldstone and brick are "more vulnerable to damage than a new cast-in-place concrete wall."

The upland portion of the property consists of the historic building, the driveway and a lawn. A portion of the lawn has regularly been used for parking as an extension of the driveway.

## **Proposed Project**

The proposed project consists of renovation and an addition to the existing structure as well as landscaping and replacing a City drain line.

Exhibit D. As part of the project, the Petitioner proposes to construct a new foundation wall to support an addition at the rear of the Structure. The addition will be located over the footprint of an existing enclosed porch, however, there is no basement or foundation beneath the porch. This new foundation on the waterside of the existing foundation would serve as a measure of protection against the effects of storm-driven wind, water or waves. The protection afforded by

the new foundation will allow the Costellos to preserve the existing foundation and the historic structure it supports.

The work proposed qualifies for exceptions available under the FEMA and Massachusetts Building Code regulations for historically significant houses. In February, the Historical Commission affirmed the historical significance of the original structure and the original structure in the historic setting of the Joppa Historic District with consideration given to the proposed work.

In addition to the work on the proposed home, the applicant is proposing landscaping, including conversion of lawn to patio space and native plantings, installation of driveway stripes for the area in the lawn that has been used for driveway space for many years, replacement of the City storm drain with area drains connecting to it, and installation of filter fabric to prevent sink holes along the back of the seawall.

Overall, the project provides for significant plantings in the buffer zone and inner riparian zone along Joppa Flats where very little exists today other than lawn. Additionally, the project results in the City being able to legally maintain a drain line that runs through the property.

## ***Wetlands Protection Act***

### **Buffer Zone to Salt Marsh and Bank**

Erosion controls are being installed along the top of the seawall to prevent any sediment from entering the wetland resource area and to confine the limit of work, other than the minor maintenance and repairs to the seawall which will be done by hand.

### **Land Subject to Coastal Storm Flowage**

There are no performance standards for work in Land Subject to Coastal Storm Flowage. The project is unique in that due to the historic nature, it is not possible to elevate the structure as would normally be required by the building code. However, the design is sensitive to the location in the floodplain and the new mudroom expansion will be constructed with a breakaway structure on the first floor, and the second floor will be supported by piers with the lowest horizontal structural member at least 2 feet above the flood elevation of 15.

### **Riverfront**

The project complies with the requirements under 310 CMR 10.58(4) as the alterations are within the limits for a single-family home. The applicant evaluated options, such as doing nothing, which would result in the demise of the structure, a demolition and construction of a new structure, which would have similar impacts on the riverfront since there is no room to move away from the river, and the project as proposed. The project as proposed was chosen and both improves the riverfront area through native vegetation and maintains important historical elements of the home.

It is also important to note that conversion of lawn to patio is greater than 50 feet from MHW it would qualify as an exempt minor activity, so the work that is being proposed within lawn is generally considered low impact.

### ***Newburyport Wetlands Ordinance & Regulations***

In addition to the Wetlands Protection Act, the project falls under the Newburyport Wetlands Ordinance. The work includes the filter fabric for the seawall, landscaping, patio and planting of native vegetation within the buffer zone. Overall, the project results in the benefit of establishing native plants within this area which currently consists of lawn. We believe that the work proposed, when considered in the context of the mitigation offered through the plantings will represent an improvement to all of the values and interests of the wetland ordinance. The performance standards are addressed below:

#### **Ordinance, 6.5-34.B.**

***...Disturbance of any kind is prohibited within this 25-Foot No-Disturbance Zone including but not limited to grading, landscaping, vegetation removal, pruning, cutting, filling, excavation, roadway construction and /or driveway construction. Within the No Disturb Zone established by the Commission, no grading, planting, site work, construction, or storage of materials is allowed. Vegetation in the No Disturb Zone shall not be cut or trimmed in any manner unless authorized by the Commission as part of regular maintenance required for man-made drainage systems (such as seasonal mowing).***

***Notwithstanding the above limitations, no activity which will result in the alteration of land within the presumptive No Disturbance Zone shall be permitted by the Commission with the following exceptions:***

***...H. Construction of accessory structures/uses associated with lawfully existing single family houses where the Conservation Commission finds that alternatives outside the buffer area are not available; the size and impacts of the proposed structure/use have been minimized; and the structure/use is located as far from the resource as possible...;***

***...J. Where a lot is located entirely within buffer area, the Commission may permit activities within the buffer area when the applicant has demonstrated that the proposed work has been designed to minimize impacts to the buffer area. As mitigation, the Commission may require the applicant to plant or maintain a naturally vegetated buffer of the maximum feasible width given the size, topography, and configuration of the lot...***

The proposed increase in non-vegetated surfaces is offset by the conversion of lawn areas to native plantings. The project qualifies under both subsections of the Ordinance above for relief from the 25 foot no-disturb zone since it is both associated with a single family home and on a lot entirely located within the buffer zone.



#### **Regulations, Section 8.A.4. 4. Performance Standards for Buffer Zones**

*The following standards apply to the Buffer Zone of all the resource areas identified in Sections 6(A)(2)(a through d) of these Regulations:*

*(a.) 25-Foot No-Disturbance Zone. Except as otherwise provided in these Regulations, no activity is permitted within 25 feet of the delineated edge of the above-mentioned wetland resource areas as defined in Section 6(A)(2)(a through d). The Commission has adopted this standard because the alteration of land immediately adjacent to a wetland or water body is likely to result in the alteration of the wetland itself. Alterations typically result from extension of lawns, depositing/dumping of yard waste, over-grading, siltation, extension of impervious areas, deposition of construction debris, unregulated filling, and clearing of vegetation, all of which is prohibited.*

The ordinance provides the Commission with discretion to approve projects in the buffer zone that are accessory to existing single family homes. Regulations can not be more stringent than the enabling ordinance.

*(b.) No-Disturbance Zone Demarcation. To maintain the perpetual integrity of the No-Disturbance Zone and to ensure that there will be no encroachments into this Zone by the applicant or future owners of the subject property, the Commission may require the No-Disturbance Zone to be marked on the ground, at the applicant's expense, with permanent markers. These markers shall be made of weather resistant material (e.g., granite, or concrete), and the Commission shall determine their number, size and location. The Commission may require one or more of these markers to bear, on their upland side, writing (i.e. permanent plaque or engraving) that shall read "No Disturbance Beyond This Point By Order of the Newburyport Conservation Commission."*

In this case, it would make no sense to mark the No-disturb zone at 25 feet given the developed nature of the lot and the surrounding area.

*(c.) Limit on scope of alteration. In addition to complying with the above setbacks, the total disturbance to the Buffer Zone by any project or projects cumulatively shall not exceed twenty percent (20%) of the Buffer Zone existing on the project site (e.g., if a project site has a total of 100 square feet of Buffer Zone and Project "A" disturbs 20 square feet of that Buffer Zone, any subsequent development of that site will have to avoid any disturbance of the Buffer Zone).*

The entire lot has been disturbed prior to the adoption of the regulations and ordinance.

*(d.) Minor activities in the outer 50 feet of the Buffer Zone. Minor activities that are proposed within the outer 50 feet of the Buffer Zone (50 feet or more from the delineated edge of the wetland resource) may be allowed through a "Letter Permit" at the discretion of the Commission's agent. Minor activities are those that in the judgment of the Commission's agent or the Commission will not have an impact on the resource area.*

As the project includes not only buffer zone work, this section does not apply.

*(e.) Activities prohibited in the Buffer Zone. Underground fuel storage tanks and other structures or facilities for the storage of gasoline, oil, or other fuels or hazardous materials located outside of any dwelling or building shall not be located in any Buffer Zone.*

No such structures or facilities are proposed.

***(f.) Additional conditions. For work in the Buffer Zone, the Commission may impose conditions to protect the adjacent resource area. The potential for adverse impacts to resource areas from work in the buffer zone may increase with the extent of the work and the proximity to the resource area. The Commission may consider the characteristics of the buffer zone, such as the presence of steep slopes, which may increase the potential for adverse impacts on resource areas. Conditions may include limitations on the scope and location of work in the buffer zone as necessary to avoid adverse impact on resource areas. The Commission may require erosion and sedimentation controls during construction, a clear plan of work, and the preservation or addition of natural vegetation adjacent to the resource area and/or other measures commensurate with the scope and location of the work within the Buffer Zone.***

The Notice of Intent includes provisions to protect the wetlands during work in the form of erosion controls.

### ***8.E. 3. Performance Standards for Land Subject to Coastal Storm Flowage***

***When the Commission determines that Land Subject to Coastal Storm Flowage (A, AO, AH and/or V-Zones) overlays other resource areas listed in these Regulations, the applicable performance standards for each resource area shall be independently as well as collectively applied and the project shall be appropriately conditioned to protect all stated interests. When Land Subject to Coastal Storm Flowage (A, AO, AH and/or V-Zones) is significant to the interests of flood control and storm damage prevention, or any other interest in Section 2 above, the following performance standards shall apply:***

***(a) Any activity shall not have an adverse effect by increasing the elevation or velocity of flood waters or by increasing flows due to a change in drainage or flowage characteristics (e.g. change in direction) on the subject site, adjacent properties, or any public or private way.***

The proposed changes do not significantly alter flow patterns given the location of the proposed addition and the existing home.

***(a) Relative sea level rise and the landward migration of resource areas in response to relative sea level rise shall be incorporated into the design and construction of structures and other activities proposed in Land Subject to Coastal Storm Flowage.***

***(i) At a minimum, for activities proposed in A and V-Zones, a rate of relative sea level rise in Massachusetts of 40 inches by the year 2070 shall be incorporated into the project design and construction. (40 inches of SLR by 2070 was selected because it is consistent with both the National Oceanic and Atmospheric Administration's (NOAA's) and the BRAG Report's likely SLR scenarios, is the basis for the City of Boston's neighborhood coastal resilience plans and was adopted by the Boston Planning and Development***

***Agency as part of their “Coastal Flood Resilience Design Guidelines” in 2019);***

The proposed design is limited by the presence of an existing historic structure. The Boston resilience plans referenced recognize the competing needs to preserve historic properties. In this case, we are attempting to make the structure more resilient by protecting the existing foundation with the new foundation on the seaward side.

- (ii) ***Any activity within the ten (10) year floodplain of Land Subject to Coastal Storm Flowage shall not have an adverse effect by impeding the landward migration of other resource areas within this area of the floodplain.***

FEMA flood insurance studies for coastal floodplains do not typically provide 10 year flood elevations. We did go through the existing study and did not find that data available for the location of the project. This is a feature found in inland flood studies. If the Commission can provide us with the elevation of a ten year flood we can attempt to address this standard more directly. However, the project will not

- (c) ***When the AH-Zone (or an A-Zone which is hydraulically constricted) is significant to the interests of flood control or storm damage prevention, the following additional performance standards shall apply:***

- (i) ***A proposed activity shall not result in flood damage due to filling which causes lateral displacement of flood waters that, in the judgment of the Commission, would otherwise be confined within said area, unless,***
- (ii) ***Compensatory storage is provided for all flood storage volume that will be lost as the result of a proposed project within this area when, in the judgment of the Commission, said loss will cause an increase or contribute incrementally to an increase in the horizontal extent and level of flood waters. Compensatory flood storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100 year flood elevation, which would be displaced by the proposed activity. Compensatory flood storage shall be provided within the same general area as the lost area and must maintain or create an unrestricted hydraulic connection within said area.***

This site is not within those zones.

- (d) ***When Land Subject to Coastal Storm Flowage is significant to wildlife and their habitat a proposed activity shall not impair the capacity of those portions of Land Subject to Coastal Storm Flowage to provide***

***important wildlife habitat functions. Alterations may be permitted only if they will have no adverse effect on wildlife and their habitat.***

The NHESP mapped habitat runs along the seawall. The work is proposed within existing lawn area and has no current habitat value. It is exempt under MESA as well.

- (e) ***When Land Subject to Coastal Storm Flowage is significant to the prevention of pollution there shall be no adverse effects to the critical characteristic of this area to remove suspended solids and other contaminants from runoff before entering into other wetland resource areas.***

The installation of filter fabric along the seawall will limit the pollution of Joppa Flats by ongoing sediment erosion through the seawall.

- (f) ***The following activities proposed within velocity zones (V-Zones) of Land Subject to Coastal Storm Flowage are likely to have an adverse effect on the protected interests and are therefore prohibited (unless the applicant proves with a preponderance of credible evidence that the proposed activity and resultant alteration will not have an adverse effect on said interests):***

- (i) ***Construction or placement of new structures, including buildings, sheds, garages, additions, and substantial improvements to existing structures supported on a solid foundation or proposed below the base flood elevation plus two (2) feet;***

The proposed project is an addition to an existing structure. It is modest and designed to protect a historic structure while not having an adverse effect on the floodplain.

- (ii) ***New parallel/shear walls or vertical walls for existing structures;***

The proposed project is an addition to an existing structure. It is modest and designed to protect a historic structure while not having an adverse effect on the floodplain.

- (iii) ***Impermeable paving for new roads, driveways and parking lots;***

The proposed work constitutes improvements to existing driveway and parking area.

- (iv) ***New or proposed expansions of coastal engineering structures;***

The project only proposes to maintain the existing structure.

- (v) ***New or expanded septic systems;***

This does not apply.

- (vi) ***New or expanded stormwater management systems/discharges;***

The project includes improvements to the City stormwater system.

- (vii) ***New or expanded utilities;***

This does not apply.

(viii) *New underground storage tanks; and*

This does not apply.

(ix) *New activities and uses that change the physical characteristics of the land through draining, excavating, dredging, dumping, filling, removing vegetation, removing or transferring loam, peat, sand, soil or other material substance which will reduce the natural storage capacity of the land, interfere with the landward migration of coastal resources in response to sea level rise, interfere with the natural drainage/tidal patterns of any watercourse, or degrade the water quality of surface or groundwater.*

The proposed will not impact these items and is making improvements to the existing condition.

(g) *A proposed activity within a velocity zone of a beach or coastal bank shall not destroy or otherwise impair the function of any portion of said landform and/or shall not have an adverse effect on adjacent wetland resources. Activities and their ancillary uses in velocity zones which result in alteration to vegetative cover, interruptions in the supply of sediment to other wetland resources, and/or changes to the form or volume of a dune or beach will have an adverse effect on said landform's ability to provide storm damage prevention and flood control and are therefore prohibited.*

The project is not located on a beach and is located behind a coastal bank that is armored. While not within these resource areas, the project will convert significant areas from lawn to more beneficial vegetative cover.

*These activities include, but are not limited to:*

(i) *Construction of new structures, including buildings, sheds, garages, additions, and substantial improvements to existing structures;*

(ii) *Foundations other than open pilings or columns;*

(iii) *New or proposed expansions of roads, driveways, parking lots, impermeable paving for existing unpaved roads, driveways or parking lots;*

(iv) *New or proposed expansions of coastal engineering structures;*

(v) *New or expanded septic systems;*

(vi) *New or expanded stormwater management systems/discharges;*

(vii) *New or expanded utilities;*

(viii) *New underground storage tanks; and*

(ix) *New activities and uses that change the physical characteristics of the land through draining, excavating, dredging, dumping, filling, removing vegetation, removing or transferring loam, peat, sand, soil or other material substance which will reduce the natural storage capacity of the land, interfere with the landward migration of coastal resources in response to sea level rise, interfere with the natural drainage/tidal patterns of any*

*watercourse, or degrade the water quality of surface or groundwater.*

- (h) *The following activities proposed within the AO-zone of a beach or coastal bank of Land Subject to Coastal Storm Flowage are likely to have an adverse effect on the protected interests and are therefore prohibited (unless the applicant proves with a preponderance of credible evidence that the proposed activity and resultant alteration will not have an adverse effect on said interests):***

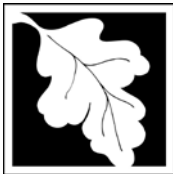
The project is not located within the A0 zone.

- (i) *Construction of new structures, including buildings, sheds, garages, additions, and substantial improvements to existing structures supported on a solid foundation or proposed below the base flood elevation plus one (1) foot or three (3) feet above the highest adjacent ground elevation (whichever is higher);***
  - (ii) *New parallel walls/shear walls, vertical walls or breakaway walls, foundation piers, grade beams, or foundation/structural slabs for existing structures;***
  - (iii) *New or proposed expansions of roads, driveways, parking lots, or impermeable paving for existing unpaved roads, driveways or parking lots;***
  - (iv) *New or proposed expansions of coastal engineering structures;***
  - (v) *New or expanded septic systems;***
  - (vi) *New or expanded stormwater management systems/discharges;***
  - (vii) *New or expanded utilities;***
  - (viii) *New underground storage tanks; and***
  - (ix) *New activities and uses that change the physical characteristics of the land through draining, excavating, dredging, dumping, filling, removing vegetation, removing or transferring loam, peat, sand, soil or other material substance which will reduce the natural storage capacity of the land, interfere with the landward migration of coastal resources in response to sea level rise, interfere with the natural drainage/tidal patterns of any watercourse, or degrade the water quality of surface or groundwater.***
- (i) *Notwithstanding the provisions of (a) – (h) above, the Commission may permit the following activities provided that the applicant demonstrates, to the satisfaction of the Commission, that best available measures are utilized to minimize adverse effects on all critical characteristics of Land Subject to Coastal Storm Flowage, and provided that all other performance standards for underlying resource areas are met:***

- (i) ***Beach and bank nourishment and restoration projects, including fencing, native plantings and other devices designed to increase stabilization and decrease erosion;***  
A portion of the project includes native plantings.
- (ii) ***Pedestrian walkways for public shoreline access and non-motorized use;***
- (iii) ***Elevated decks or walkways with appropriate height and spacing between planks to allow sufficient sunlight and precipitation penetration;***
- (iv) ***Boat launching facilities, navigational aids, piers, docks, wharves, dolphins, float stops;***
- (v) ***Improvements necessary to maintain or improve the structural integrity/stability of existing coastal engineering structures;***  
A portion of the work is designed to maintain the stability of the existing structure.
- (vi) ***A project which will restore, rehabilitate or create a salt marsh or freshwater wetland;***
- (vii) ***Projects that are approved, in writing, or conducted by the Division of Marine Fisheries that are specifically intended to increase the productivity of land containing shellfish, including aquaculture, or to maintain or enhance marine fisheries; and***
- (viii) ***Projects that are approved, in writing, or conducted by the Division of Fisheries and Wildlife that are specifically intended to enhance or increase wildlife habitat.***
- (ix) ***Projects designed to protect critical public infrastructure from storm surge and sea level rise.***

***Conclusion:***

In summary, the project as proposed complies with the Wetland Protection Act, the Newburyport Wetlands Ordinance, and the Newburyport Wetlands Regulations. We ask that the Commission approve this unique project as proposed.



**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:

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MassDEP File Number

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Document Transaction Number

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Newburyport

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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**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>249 - 251 Water Street</u>	<u>Newburyport</u>	<u>01950</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>42.804737</u>	<u>-70.855182</u>
	d. Latitude	e. Longitude
<u>30</u>	<u>3</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Michael and Kerrin</u>	<u>Costello</u>	
a. First Name	b. Last Name	
<u></u>	<u></u>	
c. Organization		
<u>249-251 Water Street</u>		
d. Street Address		
<u>Newburyport</u>	<u>MA</u>	<u>01950</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>	<u></u>	
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

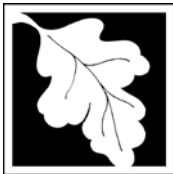
4. Representative (if any):

<u>Thomas</u>	<u>Hughes</u>	
a. First Name	b. Last Name	
<u>Hughes Environmental Consulting</u>		
c. Company		
<u>44 Merrimac Street</u>		
d. Street Address		
<u>Newburyport</u>	<u>MA</u>	<u>01950</u>
e. City/Town	f. State	g. Zip Code
<u>978-465-5400</u>	<u>978-465-8100</u>	<u>thughes@hughesenvr.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>750.00</u>	<u>362.50</u>	<u>387.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid





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:

Substantial renovation and small expansion of historic single family home, with associated landscaping

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. 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 CMR10.24(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 South

a. County

38048

c. Book

b. Certificate # (if registered land)

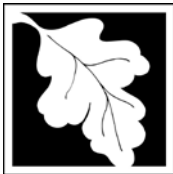
363

d. Page Number

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

- 1.  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.
- 2.  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.



**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

**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. <input checked="" type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input checked="" type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		4215+/- square feet
4. Proposed alteration of the Riverfront Area:		
a. total square feet	885 +/-	0
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.



**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:

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MassDEP File Number

---

Document Transaction Number

---

Newburyport

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City/Town

**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 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 type="checkbox"/> Coastal Dunes	_____	_____
	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	885	
	_____	
	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



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:
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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

- 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](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**

- August 1, 2019  
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\*

- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage

- Assessor's Map or right-of-way plan of site

- 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 <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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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Newburyport  
City/Town

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

- (c)  MESA filing fee (fee information available at [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/mesa/mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_fee_schedule.htm)). 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, [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/mesa/mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/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 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:

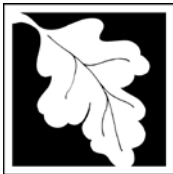
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

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](mailto:DMF.EnvReview-South@state.ma.us)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto: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.



Massachusetts Department of Environmental Protection  
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**WPA Form 3 – Notice of Intent**

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

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

**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.

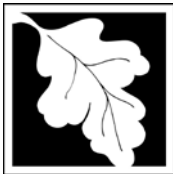
**D. Additional Information**

- 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.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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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.

Notice of Intent Plan

a. Plan Title

Winter GEC, LLC

Everett J Chandler, PLS

b. Prepared By

c. Signed and Stamped by

2/26/20209

1"=10'

d. Final Revision Date

e. Scale

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:

375

2. Municipal Check Number

2/28/2020

3. Check date

376

4. State Check Number

2/28/2020

5. Check date

Michael

6. Payor name on check: First Name

Costello

7. Payor name on check: Last Name



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent



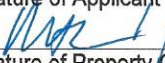


Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Newburyport
City/Town

## 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.

		<u>2/28/20</u>
1. Signature of Applicant		2. Date
		<u>2/28/20</u>
3. Signature of Property Owner (if different)		4. Date
		<u>4/13/2020</u>
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:

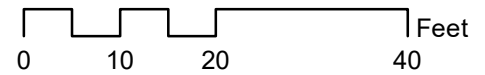
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.





# 249-251 Water Street, Newburyport MA 2019 Orthophoto





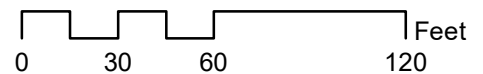


# 249-251 Water Street, Newburyport MA 2013 Orthophoto with NHESP



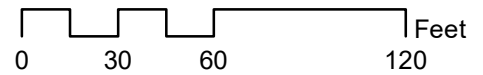
## Legend

-  NHESP Priority Habitats of Rare Species
-  NHESP Estimated Habitats of Rare Wildlife





# 249-251 Water Street, Newburyport MA 2013 Orthophoto with FEMA Floodzone





# 249 Water Street - Site Photos



View to east along wall



View of house from seawall



Right hand side of existing house



Water side of existing building  
View along wall



View along water street. Note  
storm drains. Line to be replaced



View along seawall







**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

**February 20, 2020**

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**To: Newburyport Conservation Commission**

**From: Newburyport Board of Assessors**

**Re: Abutters List: 259-251 WATER STREET**

**Newburyport Map: 30 Lot: 3**

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**The following are the abutters of the above mentioned property:**

**Board of Assessors**

*Gill 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 1<sup>st</sup>, 2020. The city Assessor is not certifying that the persons so listed are the persons who are required to receive notification under applicable law.*

30/ 2/ / /  
NIETSCH ELISABETH PERRY  
247 WATER ST  
NEWBURYPORT, MA 01950

30/ 3/ / /  
COSTELLO MICHAEL A  
KERRIN M T/E  
249-251 WATER ST  
NEWBURYPORT, MA 01950

30/ 4/ / /  
SAYWARD ARLENE P  
255 WATER ST  
NEWBURYPORT, MA 01950

30/ 5/ / /  
LUCY IAN C & SUSAN A CORSO T/E  
DIANA K LUCY L/I  
259 WATER ST  
NEWBURYPORT, MA 01950

30/ 51/ / /  
BERKOWITZ MURRAY  
LYNDA T/E  
2 WOODWELL AVE  
NEWBURYPORT, MA 01950

30/ 53/ / /  
METZ HELON ALDEN  
STEPHEN MATTHEW PETERSEN T/E  
15 UNION ST  
NEWBURYPORT, MA 01950

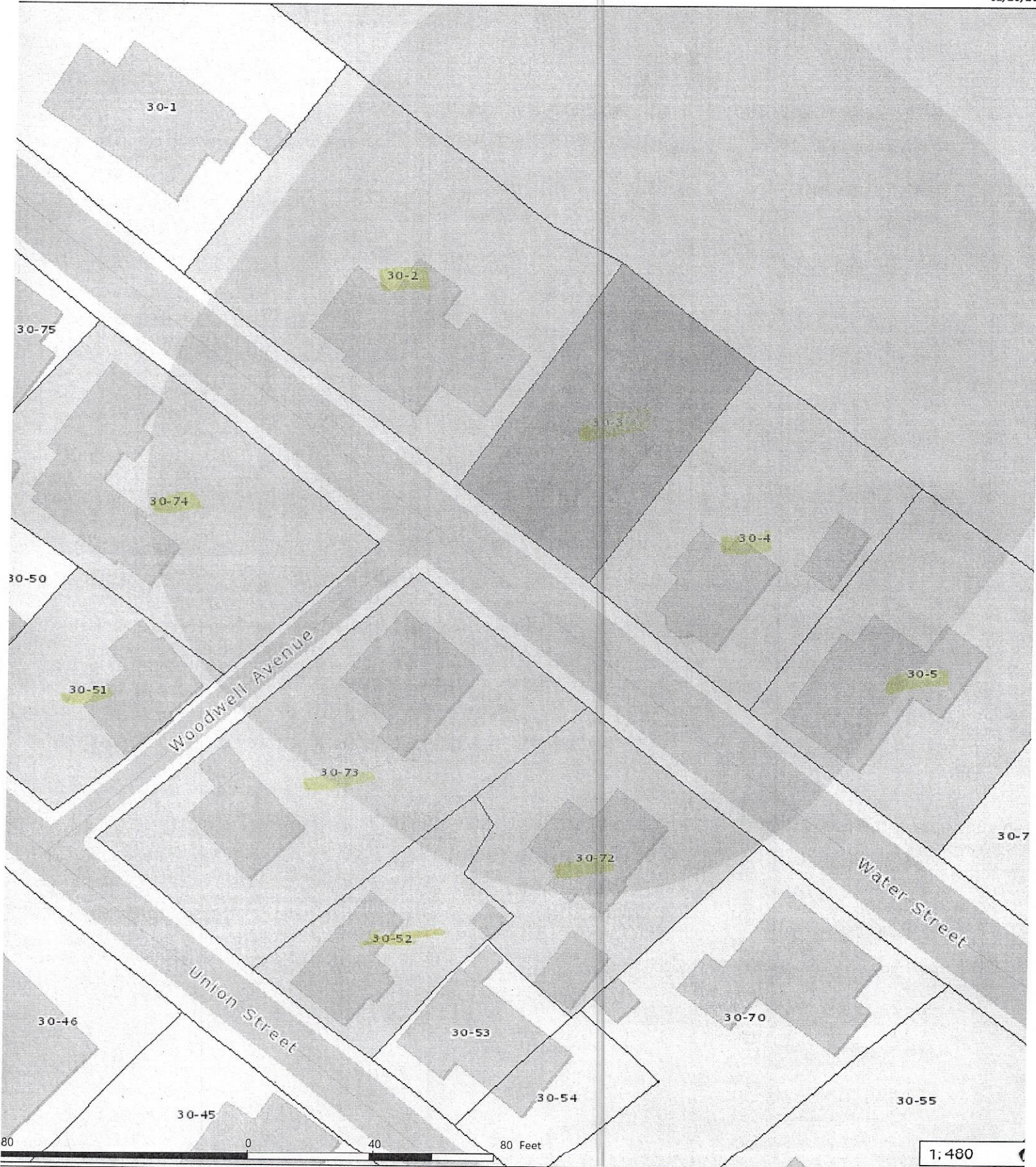
30/ 72/ / /  
BERARDI JUNE TRUSTEE  
244 WATER ST TRUST  
244 WATER ST  
NEWBURYPORT, MA 01950

30/ 73/ / /  
COUSINS FRANK G JR  
242 WATER ST  
NEWBURYPORT, MA 01950

30/ 74/ / /  
MACDONALD REGINA  
238 WATER ST  
NEWBURYPORT, MA 01950

# City of Newburyport

02/20/202



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS/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.



- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Municipal Boundary</li> <li><input type="checkbox"/> Roads             <ul style="list-style-type: none"> <li>— Interstate</li> <li>— Major Road</li> <li>— Local Road</li> </ul> </li> <li><input type="checkbox"/> Parcels</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Unpaved</li> <li><input type="checkbox"/> Hydrographic Featu             <ul style="list-style-type: none"> <li>— Streams</li> <li>— Stream</li> <li>— Intermittent Str</li> </ul> </li> </ul> |
|---|--|

Legend

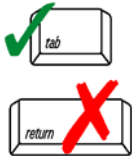
1:480





**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:

249 - 251 Water Street  
 a. Street Address  
 376  
 c. Check number  
 Newburyport  
 b. City/Town  
 362.50  
 d. Fee amount

2. Applicant Mailing Address:

Michael and Kerrin  
 a. First Name  
 Costello  
 b. Last Name  
 c. Organization  
 249 - 251 Water Street  
 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.

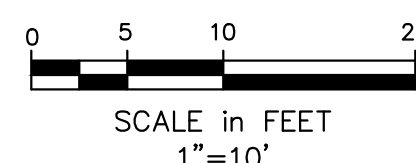
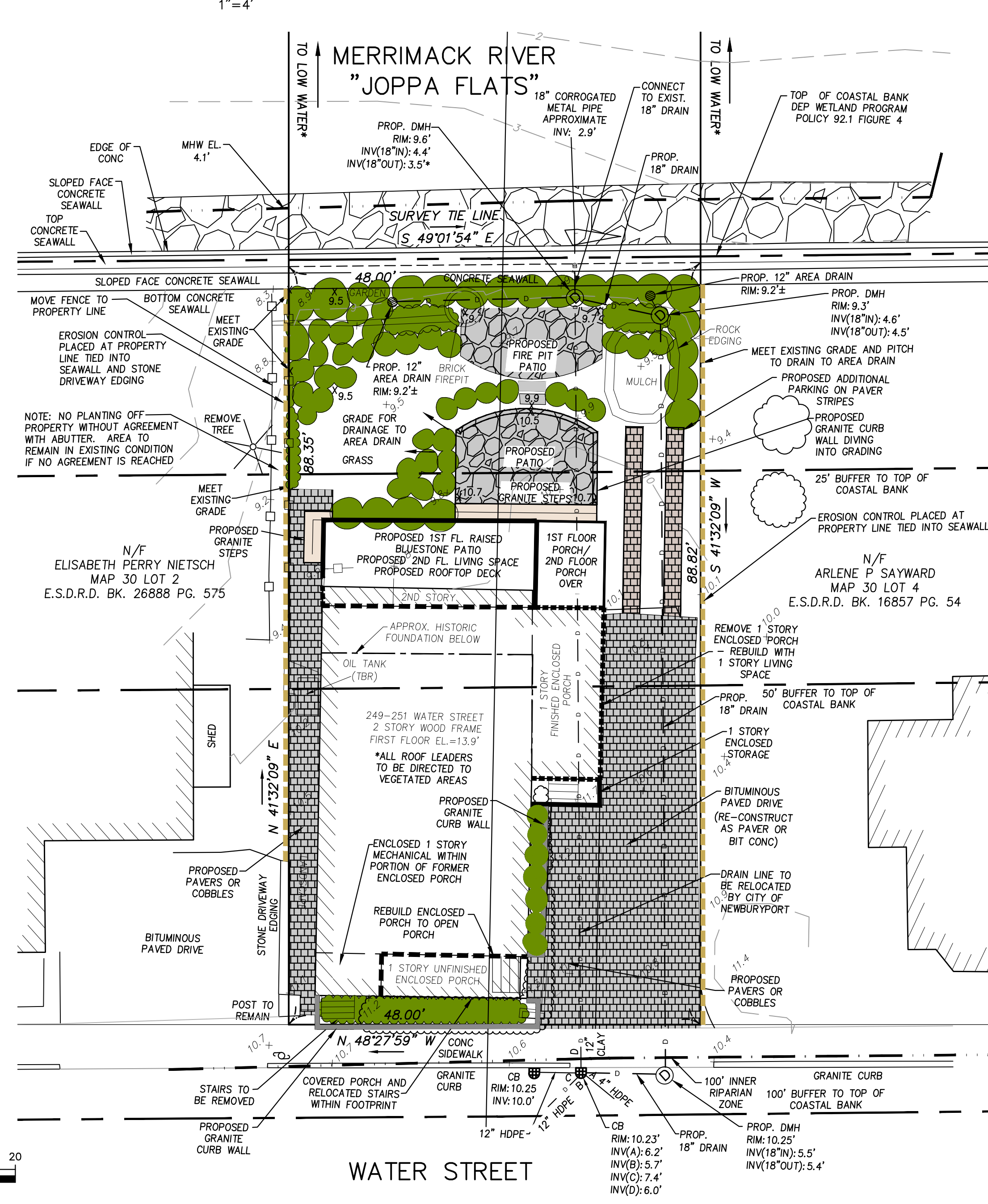
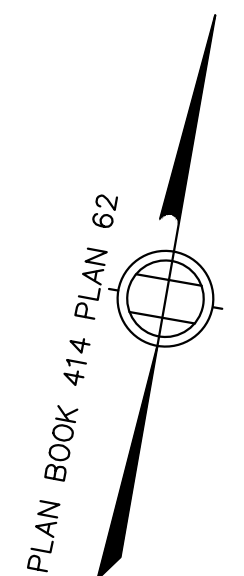
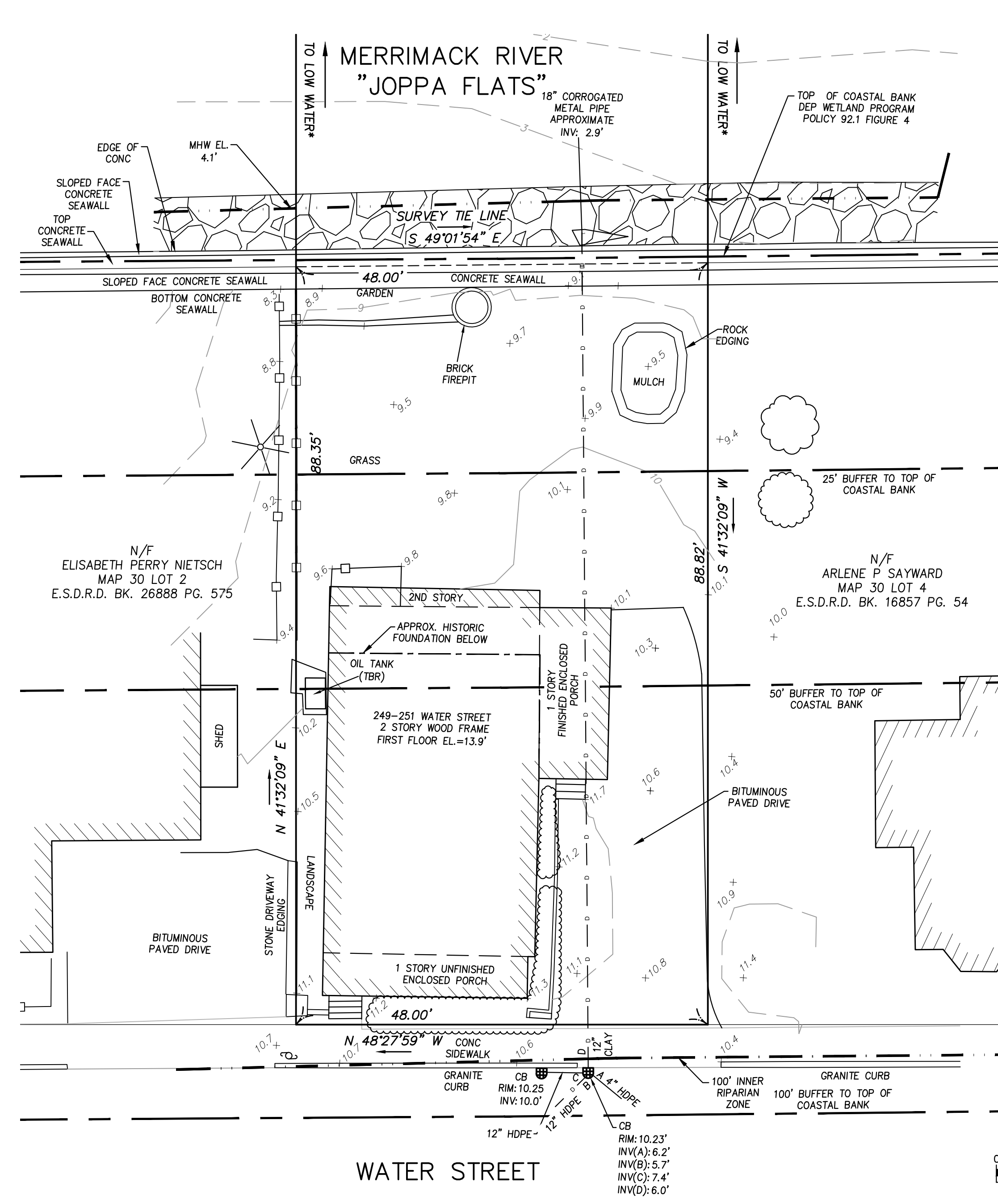
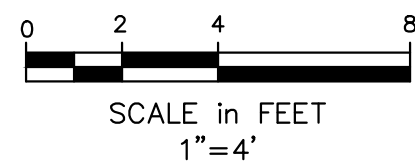
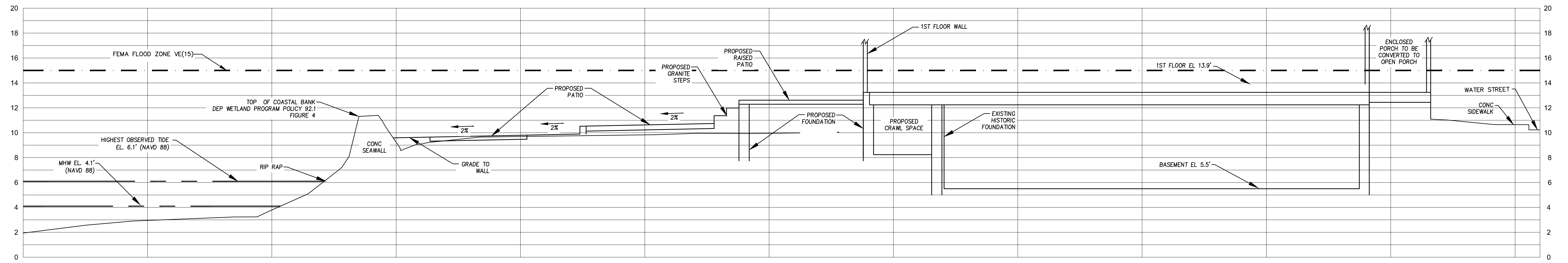
**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**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.









**NOTES**

THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON THE LOT AS OF THE DATE OF THIS SURVEY. INFORMATION IS THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED ON OCTOBER 25, 2019.

DESIGN INFORMATION RELATED TO BUILDING ADDITIONS AND PROPOSED SITE IMPROVEMENTS IS AS PROVIDED BY THE CLIENT'S ARCHITECT, THE CLIENT, CLIENT'S ENVIRONMENTAL CONSULTANT, ENGINEER AND CLIENT'S LANDSCAPE ARCHITECT. INFORMATION SHOWN HEREON IS FOR REFERENCE ONLY. SEE ARCHITECTURAL AND LANDSCAPE PLANS FOR ANY RELEVANT DETAILS.

OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE VE(15), A SPECIAL FLOOD HAZARD AREA, OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 25009C0136G, WHICH BEARS AN EFFECTIVE DATE OF 7/16/2014.

TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THIS PLAN CONFORMS TO THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

P.L.S. *Everett J. Chandler*  
 EVERETT J. CHANDLER, P.L.S.  
 MASS. REGISTRATION NO. 41783

**LOCUS TITLE INFORMATION**  
 249-251 WATER STREET  
 OWNER: 249 WATER STREET NOMINEE TRUST  
 DEED REFERENCE: BOOK 36892 PAGE 323  
 ASSESSORS: MAP 30 PARCEL 3

	Existing	Proposed	Existing	Proposed	Existing	Proposed
Inner Riparian Zone						
Existing 100' Buffer	1334	1471				
Building	0	83				
Covered Porch	0	301				
Patio	18	47				
Uncovered Steps	701	635				
Driveway	0	87				
Paver Parking Strips	66	30				
Landscape Edging Etc	20	0				
Concrete	7	7				
Concrete Sidewalk (City)	0	370				
Pavers Areas	241	241				
Seawall	223	223				
Rip Rap						
	2610	3495				

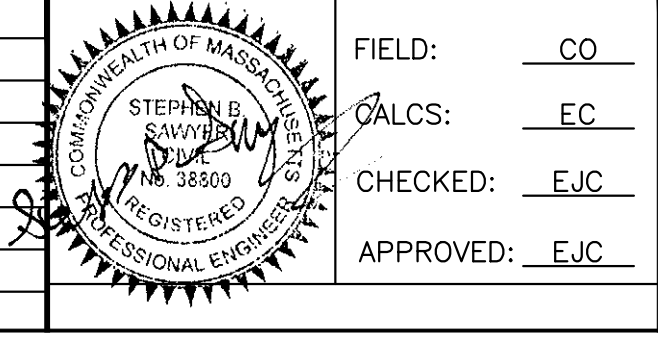
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Building	0	0	361	558	973	913
Covered Porch	0	0	0	0	0	83
Patio	0	241	0	60	0	0
Uncovered Steps	0	0	0	47	18	0
Driveway	0	0	90	89	611	546
Paver Parking Strips	0	20	0	67	0	0
Landscape Edging Etc	52	0	0	0	14	30
Concrete	0	0	9	0	11	0
Concrete Sidewalk (City)	0	0	0	0	7	7
Pavers Areas	0	0	0	77	0	293
	52	261	460	898	1634	1579

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Winter GEC, LLC  
 44 MERRIMACK STREET  
 NEWBURYPORT, MA 01950  
 978-270-8626

**DCI**  
 Design Consultants Inc.  
 Somerville - Quincy - Newburyport  
 www.dci-ma.com

SCALE:			
HORIZ:	AS NOTED		
VERT:	N.A.		
NO.	DATE	BY	REVISIONS

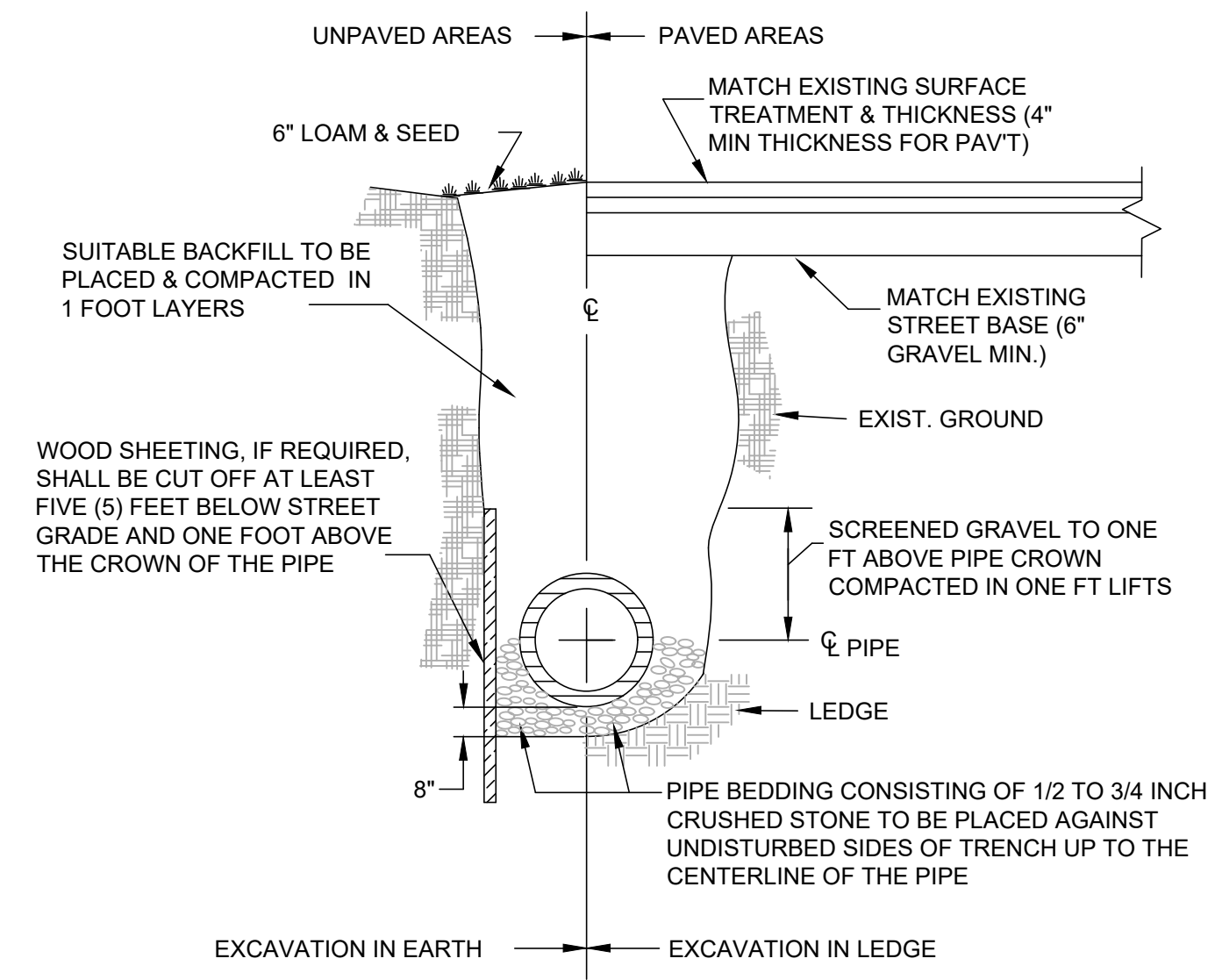


FIELD: CO  
 CALCS: EC  
 CHECKED: EJC  
 APPROVED: EJC

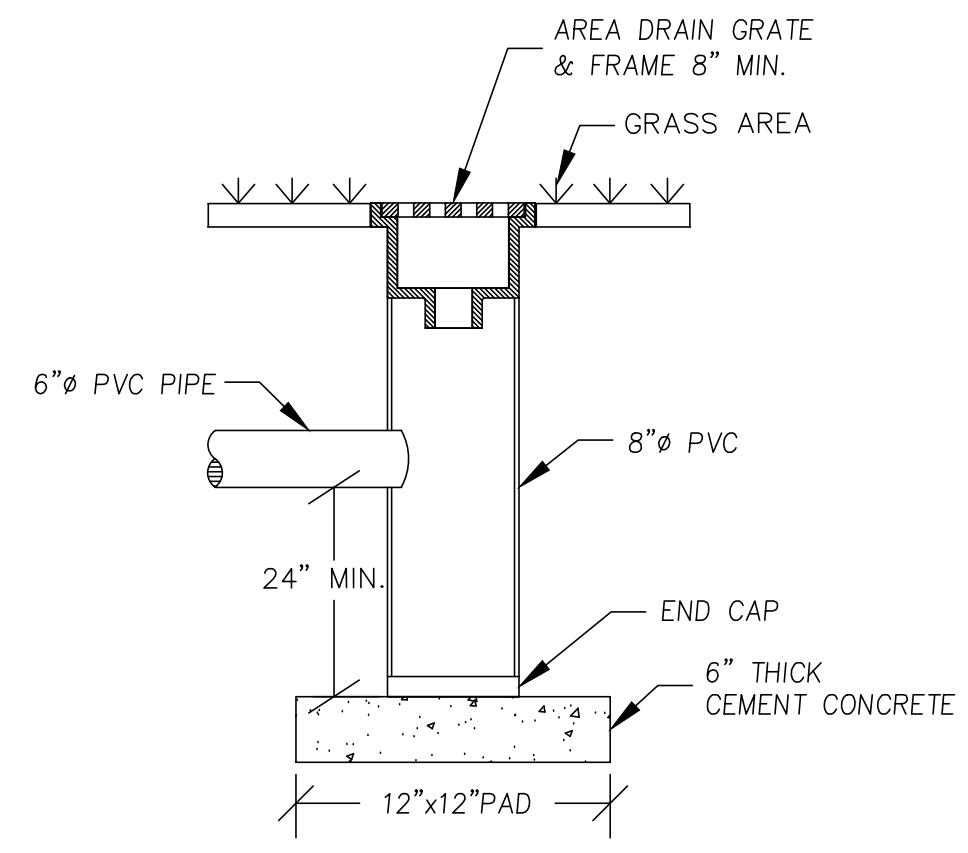
**NOTICE OF INTENT PLAN**  
 249-251 WATER STREET

PLAN OF LAND IN  
 NEWBURYPORT, MASSACHUSETTS  
 SURVEYED FOR  
 MICHAEL COSTELLO

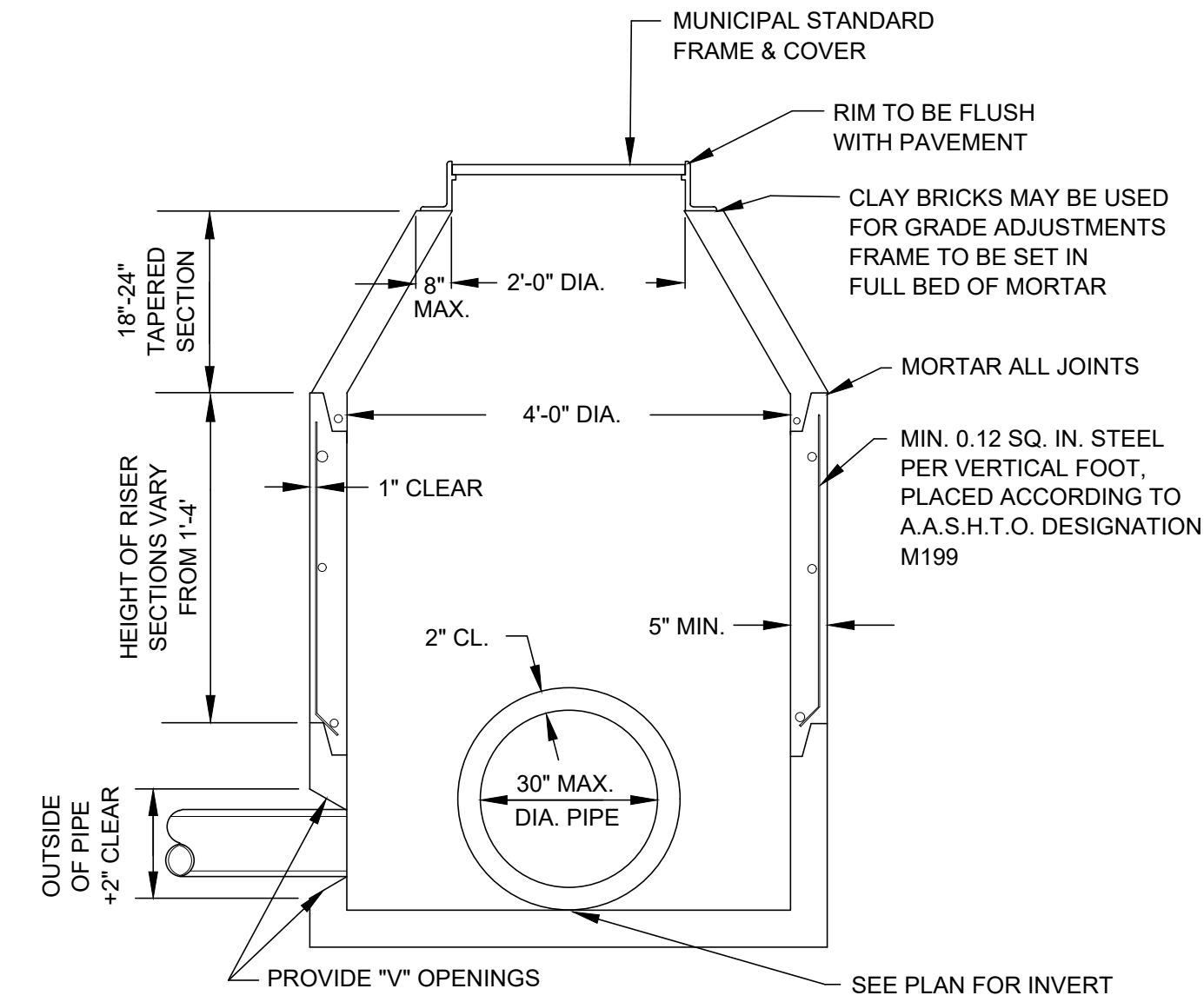
PROJECT NO.  
 2019-249WATER  
 DATE: FEB 26, 2020  
 SHEET NO.  
 1 OF 2



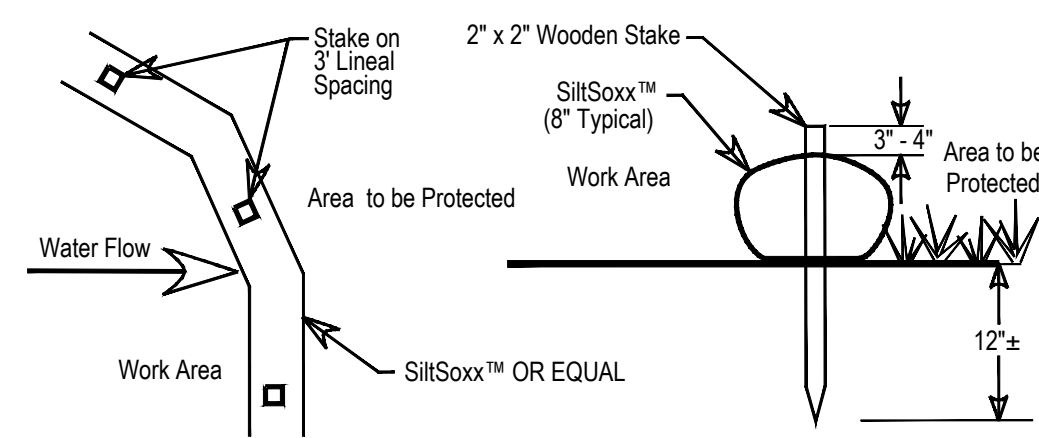
**1 UTILITY TRENCH**  
NOT TO SCALE



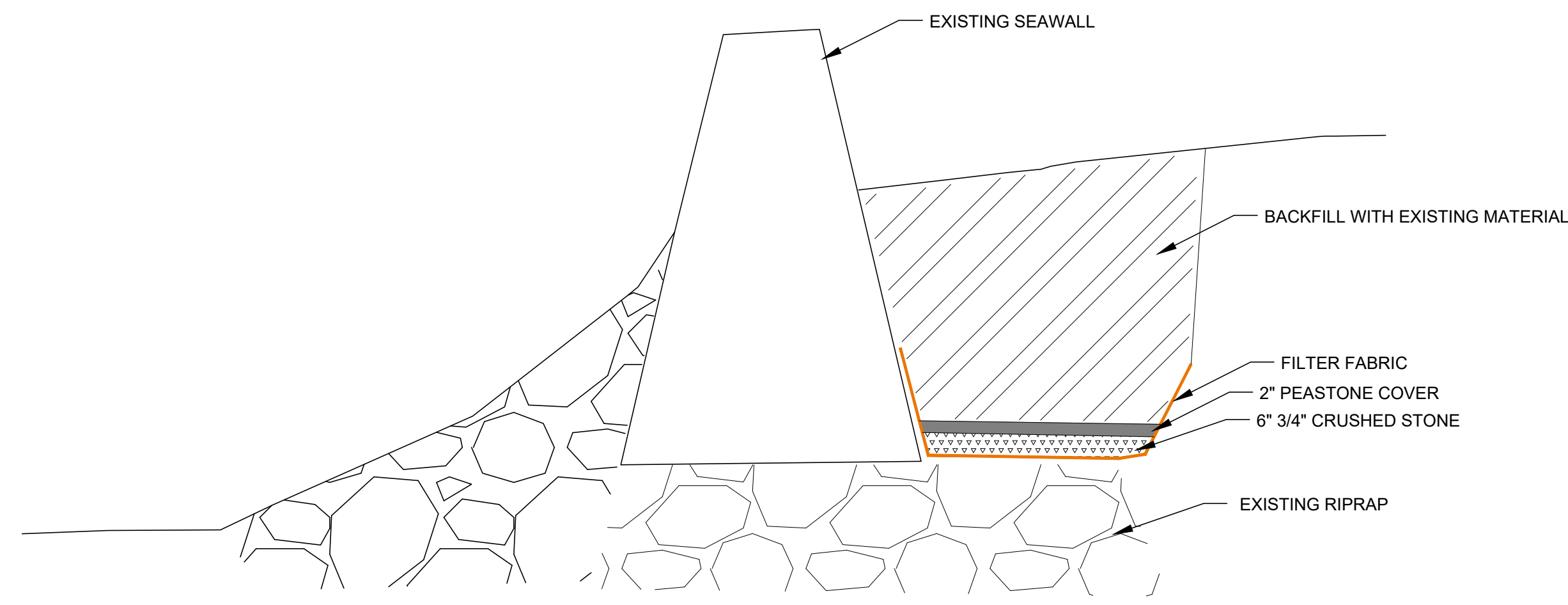
**1 AREA DRAIN W/SUMP**  
NOT TO SCALE



**3 PRECAST CONCRETE DRAIN MANHOLE**  
NOT TO SCALE



**4 EROSION CONTROL**  
NOT TO SCALE



**5 SEAWALL EROSION MITIGATION DETAIL**  
NOT TO SCALE



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SCALE:  
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VERT: N.A.

NO.	DATE	BY	REVISIONS

FIELD: CO  
CALCS: EC  
CHECKED: EJC  
APPROVED: EJC

**NOTICE OF INTENT PLAN  
CONSTRUCTION DETAILS**  
  
249-251 WATER STREET

**PLAN OF LAND IN  
NEWBURYPORT, MASSACHUSETTS**  
  
**SURVEYED FOR  
MICHAEL COSTELLO**

PROJECT NO.  
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2 OF 2