



**Notice of Intent for
Marina at Amesbury Point
2 and 13 Merrimac Street
Amesbury, MA
March 11, 2024**

1.0 Project Location

The project site consists of two parcels. The main project area is 2 (14) Merrimac Street which consists of 1.63- acres and is entirely developed with an existing marina facility, maintenance buildings and parking areas. Across the street is 13 Merrimac Street, a 0.42-acre parcel containing a dwelling and gravel parking area. The project site is located near the confluence of the Merrimack River and the Pow Wow River as indicated in Figures 1 and 2 below.



Fig. 1: USGS Topographic Quadrangle Site Locus



Fig. 2: MassGIS Ortho 2021

2.0 Project Description

The project consists of the redevelopment of the marina site, including the construction of a new marina facility and restaurant, largely within the same footprint of the existing structures, as well as supporting parking areas at 2 Merrimac Street and improvements to the existing parking area at 13 Merrimac Street which will be used to support the new facilities at the marina site. Work at 2 Merrimac includes the demolition of the existing marina facility and one of the two maintenance buildings, with the smaller of the two existing maintenance buildings proposed to be renovated. No in-water work or work on the riverbanks is proposed. The entire site is presently developed, and the proposed work does not extend closer to resources than existing conditions. The project results in significant improvements including the reduction of impervious surface area by 7,295 square feet, creation of green space including installation of native plantings (refer to Sheet L-1 for complete plant list) and the installation of stormwater management facilities to renovate stormwater prior to discharge to the river and improvements in the ability of the site to provide flood storage capacity. Presently there are no stormwater management facilities on site. The project proposes the installation of deep sump catch basins, a Contech CDS unit for stormwater renovation, and a rain garden to improve infiltration, provide additional water quality improvements and mitigate peak runoff rates. Attached is a Stormwater Report including DEP Stormwater Checklist prepared by Millennium Engineering, demonstrating compliance with MassDEP Stormwater Management Regulations for redevelopment as well as an Operation and Maintenance Plan describing measures to maintain stormwater facilities following completion of construction.

At 13 Merrimack, the project proposes improvements to the existing gravel parking area. The parking area is proposed to be re-graded but will remain gravel with a peastone diaphragm around the perimeter to aid infiltration. Also included is the installation of a privacy fence. This work is located within the 100-foot buffer zone to an intermittent stream located just off-site to the west

between the site and the adjacent wastewater treatment facility, the bank of which was delineated by Rimmer Environmental Consulting using flags A1-A6. The stream channel is contained within a paved sluiceway where it passes the project site, essentially functioning as an open culvert. Buffer Zone enhancements are proposed, including 1,200+/- sf plantings in this area. Plantings shall include native, shade tolerant understory shrubs such as sweet pepperbush (*Clethra alnifolia*), chokeberry (*Aronia arbutifolia*) or Virginia sweetspire (*Itea virginica*).

3.0 Wetland Resources and Performance Standards

Wetland Resources at the site are depicted on the attached Site Plans prepared by Millennium Engineering. The following is a description of resource areas and the project's compliance with relevant performance standards.

Riverfront Area:

As the project location is tidally influenced, the Riverfront Area is measured from mean high water (MHW), estimated to be elevation 4.0 (NAVD88 datum) at this location. This elevation occurs along the seawall bordering the Merrimack River and along the riprap and natural banks bordering the Pow Wow River. The 200-foot Riverfront Area extent includes all the project area at 2 Merrimac Street, but only the easternmost portion of the driveway accessing 13 Merrimac Street.

The project is proposed as a redevelopment under 310 CMR 10.58(5). Under this provision, the Commission may allow work to redevelop a previously developed Riverfront Area, provided:

- 1) The proposed work improves existing conditions,
- 2) Stormwater is managed according to MassDEP Standards,
- 3) Work is not located closer to the river than existing conditions,
- 4) Work is located outside the Riverfront Area as much as possible, and
- 5) The area of work does not exceed the amount of the existing degraded area.

At this site, the project results in significant improvements to existing conditions by reducing impervious area from 60,829 sf to 53,535 sf (7,295 square foot or 12% reduction) with a corresponding increase in greenspace, and improvements to flood storage capacity. The site presently does not contain any stormwater management facilities, so bringing the site into compliance with MassDEP Standards is also a significant improvement. The redevelopment is proposed over existing paved surfaces which extend to the seawall and existing buildings. It does not extend closer to the river than existing conditions. As the entire site is within Riverfront Area, it is not possible to locate work outside of this resource. The area of work does not exceed the amount of existing degraded area and in fact reduces it by 12%. Native plantings are proposed to improve overall site quality.

RIVERFRONT CALCULATIONS		
2 MERRIMAC STREET		
EXISTING CONDITIONS		
	0'-100'	100'-200'
IMPERVIOUS AREA	44,648 S.F.	16,181 S.F.
LANDSCAPING	5,623 S.F.	4,451 S.F.
PROPOSED CONDITIONS		
	0'-100'	100'-200'
IMPERVIOUS AREA	36,089 S.F.	17,446 S.F.
LANDSCAPING	14,182 S.F.	3,186 S.F.
13 MERRIMAC STREET		
EXISTING CONDITIONS		
	0'-100'	100'-200'
IMPERVIOUS AREA	0 S.F.	246 S.F.
LANDSCAPING	0 S.F.	558 S.F.
PROPOSED CONDITIONS		
	0'-100'	100'-200'
IMPERVIOUS AREA	0 S.F.	246 S.F.
LANDSCAPING	0 S.F.	558 S.F.

Inland Bank:

Though the Merrimack River is still tidally influenced at this location, the site is above the limit of the coastal zone as delineated by MassCZM and therefore the Banks to the Merrimack and Pow Wow Rivers are regulated as Inland Bank. The Merrimack Riverbank consists primarily of concrete retaining wall. The Pow Wow Riverbanks include some remnants of a concrete block wall, stone masonry walls, timber and natural banks. A 100-foot Buffer Zone extends from the limits of this resource.

No work is proposed on the Bank and the project site will not affect the stability of the Bank or its ability to continue to provide storm damage and flood control functions. New plantings will be installed to improve habitat and green space along the river.

There is also an unnamed, intermittent stream channel which flows through a paved sluiceway between 13 Merrimac Street and the adjacent sewage treatment plant delineated by flags A1-A6. This channel flows out of an upgradient, off-site wetland and discharges under Merrimac Street to the Merrimack River. Bank resource is located just off site but the 100-foot Buffer Zone extends into the project site at 13 Merrimac.

Work is proposed within the buffer zone to this bank at 13 Merrimac, including re-grading of the parking area and installation of a privacy fence. To improve site conditions an area of 1,200 sf +/- of the buffer zone near this channel is proposed to be enhanced through the installation of 20 native, shade tolerant shrub understory, including 10 silky dogwood (*Cornus amomum*) and 10 Black chokeberry (*Aronia melanocarpa*). The existing overstory consists of non-native Norway maple (*Acer platanoides*).

Bordering Land Subject to Flooding:

BLSF is regulated under 310 CMR 10.57 and includes land subject to rising rivers up to and including the 100-year storm event, identified by FEMA as elevation 11. Approximately 67,378 square feet of the 2 Merrimac Street site is located within BLSF as indicated on the attached site plans.

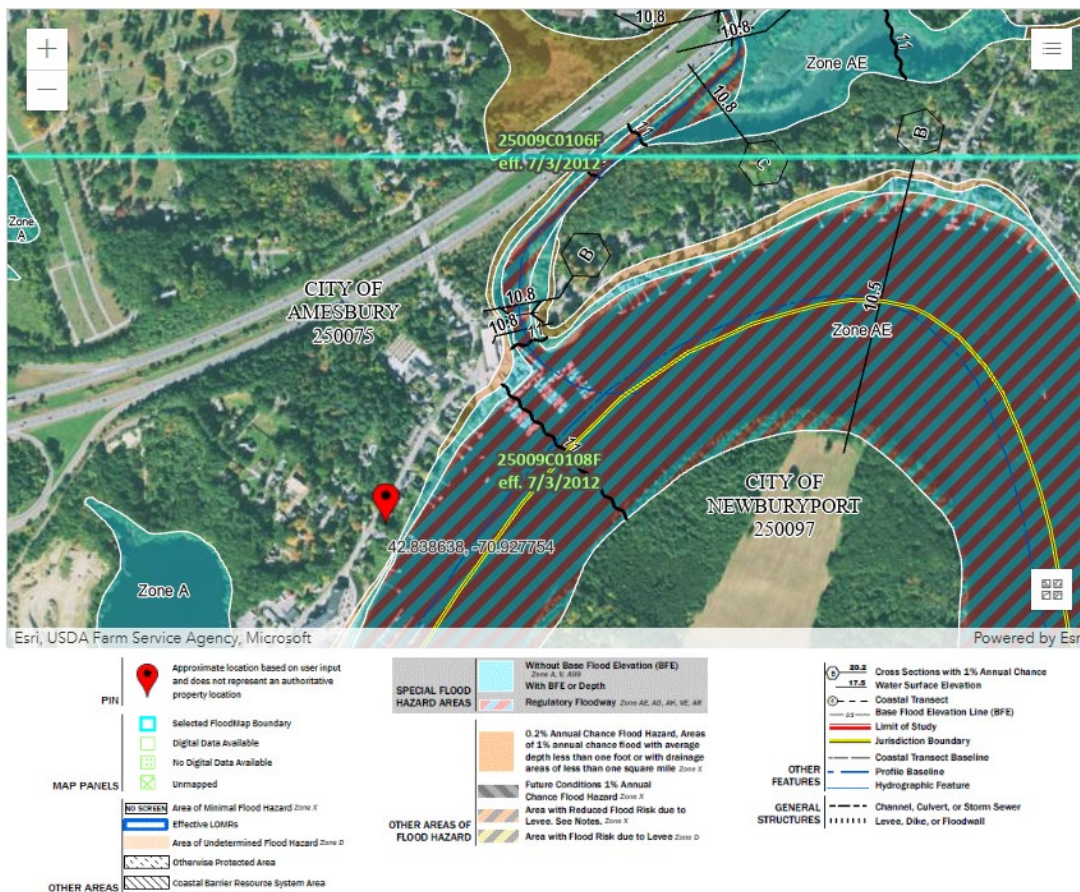


Fig. 3 FEMA Flood Map

The proposed first floor of the buildings is elevated 6'8" feet above the floodplain. Assuming 18-inches of structure and ceiling, this represents 8 feet of clearance under the building. The only structures at grade include stairs, lobby elevator and chases and all will be designed as breakaway in the event of a severe flood event.

The site has been designed to meet flood storage compensation requirements of 310 CMR 10.57. Attached is a Proposed Flood Storage Plan which indicates an increase in flood storage on site for each incremental topographic elevation. For a net increase in storage of 1,762 cubic feet, resulting in a significant improvement in the ability of the site to control and adapt to flooding.

FLOOD STORAGE

ADDRESS – ASSESSORS MAP 88, LOT 1 ZONING DISTRICT R-20				
	EXISTING	PROPOSED	NET	HATCH COLOR
6-7	4,024	4,353	329	
7-8	20,920	22,840	1,920	
8-9	8,149	12,848	4,699	
9-10	8,032	17,461	9,429	
10-11	2,400	4,162	1,762	

Other Resources:

A portion of the project area may be located within Priority Habitat and Estimated Habitat of Rare Wetlands as determined by reference to the most recently available data from the Massachusetts Division of Fisheries and Wildlife – Natural Heritage and Endangered Species Program (NHESP) available on MassGIS indicated in Figure 4 below. A copy of this NOI will be provided to NHESP for review.

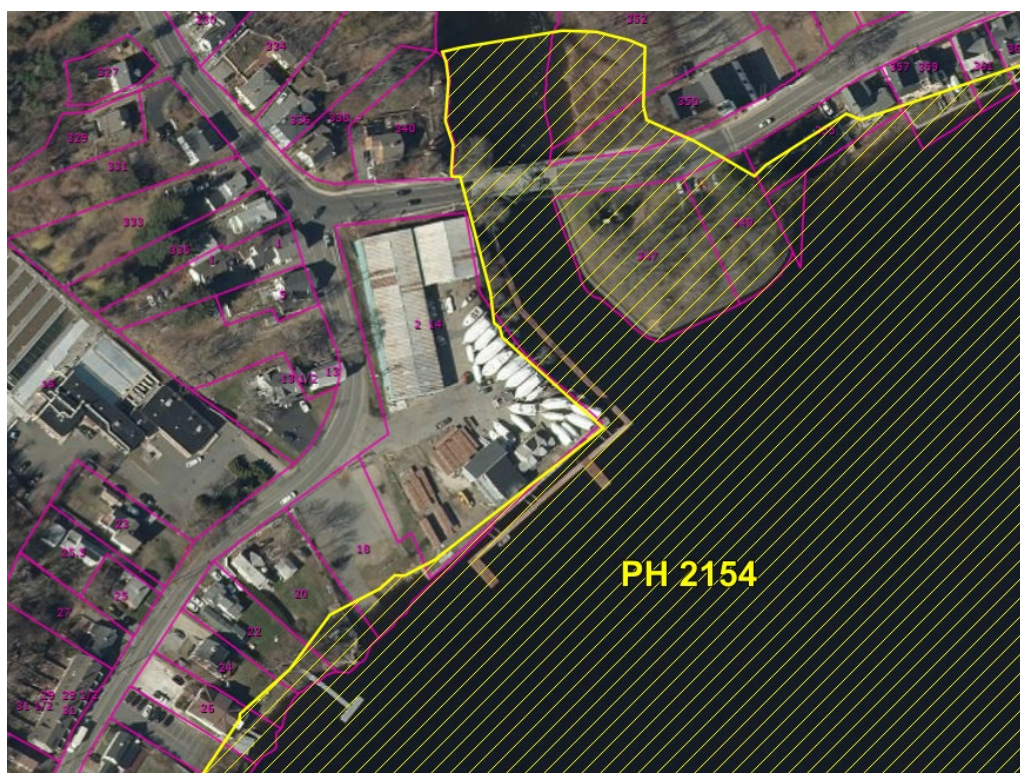


Fig. 4 Priority Habitat – MassGIS

4.0 Proposed Mitigation Measures

During construction, care will be taken to minimize the potential for introduction of sediment into resources. Standard erosion control measures will be employed around the resource-facing perimeter of the site. Materials will be stockpiled away from the river to the fullest extent feasible. All disturbed soil areas will be restored and stabilized as soon as possible.

In event of flooding forecast, all reasonable measures will be taken to move and secure materials and equipment.

As a construction site greater than 1 acre in size, the site will require the preparation of a Stormwater Pollution Prevention Plan as part of compliance with the EPA NPDES Notice of Intent a copy of which may be provided to the Amesbury Conservation Commission upon request.

Following construction, compliance with the Operation and Maintenance Plan provided in the attached Stormwater Report will include regular inspection and maintenance of stormwater management structures to ensure their long-term effectiveness.

5.0 Proposed Construction Sequence

Upon receipt of all required permits to perform revitalization work of the Marina at Amesbury Point, the Construction Operations Group proposes the following sequence of activities:

<u>Activity</u>	<u>Duration</u>
· Establish Erosion controls and inlet protections and stockpile necessary emergency erosion controls on project site	2 weeks
· Install construction fencing and signage including DEP signage	1- week
· Conduct preconstruction inspections (erosion control, building dept)	1- week
· Demolish existing structures (Storage building first)	3- weeks
· Install parking lot drainage and utilities into 14 Merrimack St.	6- weeks
· Excavate for and place new foundations	4- weeks
· Vertical building construction	50- weeks
· Landscape and hardscape including 13 Merrimack St	6- weeks
· Construction demobilization & clean up	2- weeks
· Final Inspections	3- weeks

Total construction duration for the project from mobilization to project completion is estimated to be 14 to 16 months depending on actual start date and weather during winter months.

6.0 Operation and Maintenance

Operation and maintenance of stormwater management facilities to maintain their effectiveness following construction and into the future is described in the attached Operation and Management Plan prepared by Millennium Engineering as part of the Stormwater Report and DEP Stormwater Management Regulations.

7.0 City of Amesbury Wetlands Ordinance – Waiver Request

The proposed project requires work within the 100-foot Buffer Zone to Inland Bank Resource, as well as to Land Under Water resource. All the Buffer Zone has been previously developed with either pavement or gravel surfaces or structures and lacks vegetation, except for a few remaining non-native trees along the Pow wow River. Under the Amesbury Wetlands Ordinance, Section 20, “If the Resource Area buffer is not present (i.e., has already been altered and/or encroached upon), the Commission shall presume that there already exists a significant adverse effect or cumulative adverse effect upon the wetland values of the Resource Area. This presumption may be overcome upon a clear showing that there is no significant or cumulative effect the protection of said wetland values.” Under the Performance Standards in Section d. (3) the Commission may require that already-altered buffer zone be restored to protect or improve Resource Area values. Restoration means planting native vegetation, grading, correcting site drainage, removing debris, or other measures which will improve, restore and protect the wetland values of the Resource Area.

Based on the extent of previous development on site, the entire Buffer Zone has been altered and no longer serves to provide many of the important functions for protection of resource areas. The project proposes significant improvements to the Buffer Zone through installation of native plantings, removal of debris, reduction of impervious surfaces, improvements to stormwater and improvements to flood control functions of the site. For these reasons, we request a waiver to the 35-foot No Build Zone for construction of the structure with open pile foundations and for the 25-foot No Build zone to allow for proposed landscaping.

2 (14) Merrimack Street 2-14-24



1. View NE along Merrimack River



2. View SW along Merrimack River



3. View E Confluence of Pow Wow and Merrimack River



4. View NW of Pow Wow River bank



5. View E toward Pow Wow River



6. View NE toward Pow Wow River



7. View N of existing buildings and parking



8. View south of existing marina office



9. View south at west end of site

13 Merrimac Street 2-14-24



10. View west toward treatment plant



11. View NW of parking area



12. View NW (upstream) of channel



13. View SE (downstream) of channel



14. View toward E toward Merrimac Street