

M-14760-011-02
March 29, 2021

Massachusetts Department of Environmental Protection, Waterways Program
Dep.waterways@mass.gov
Attn: Alice Doyle, alice.doyle@state.ma.us

Re: **Transmittal #X286196 - Chapter 91 License Application**
Central Street Bridge Replacement Project
Central Pond/Sawmill Brook Restoration Project
Central Street and Elm Street, Manchester-by-the-Sea

Dear Ms. Doyle,

As previously discussed, on behalf of the Town of Manchester-by-the-Sea, please find attached a revised Chapter 91 Waterways License Application form for Transmittal No. X286196 that modifies the previous submittal for the Central Pond/Sawmill Brook Restoration Project to include the proposed Central Street Bridge Replacement Project. This project is part of a tidal restoration of Central Pond. The submittal describes the activities necessary for the replacement of the Central Street bridge, the removal of the tide gate structure in Sawmill Brook, and roadway improvements at Central Street. The proposed project qualifies as a water-dependent use pursuant to 310 CMR 9.12(2)(a)(12) as a flood, water level, or tidal control facilities (tidal gate and bridge).

The Chapter 91 Waterways License Application for the Central Pond/Sawmill Brook Restoration Project and Central Street Bridge Replacement Project is provided as Attachment A. License Plans for the Central Street Bridge Replacement Project are provided as Attachment B, and a project narrative for the Central Street Bridge Replacement Project is provided as Attachment C. Abutter information for the Central Street Bridge Replacement Project is included as Attachment D. License plans, narrative, and abutter information for the Central Pond/Sawmill Brook Restoration project, and copies of other permit applications and approvals submitted to date were previously submitted to the Waterways Program under Transmittal X286196.

We appreciate your review of the proposed project. Should you have any questions or require additional information please contact Emily Tully at (413) 875-1622 or ETully@TigheBond.com, or Rick Canavan at (508) 471-9631 or RCanavan@TigheBond.com.

Very truly yours,

TIGHE & BOND, INC.



Richard Canavan, PWS, PhD
Principal Environmental Scientist

Copy: Greg Federspiel, Town Administrator, Manchester-by-the-Sea
Sue Brown, Town Planner, Manchester-by-the-Sea
Chris Bertoni, Conservation Administrator, Town of Manchester-by-the-Sea
Town of Manchester-by-the-Sea Zoning Board
Ruthann Brien, Army Corps of Engineers, New England Division
Eric Hutchins, NOAA Restoration Center
Kathryn Glenn, MA Office of Coastal Zone Management
Georgeann Keer, Division of Ecological Restoration, Mass. Department of Fish & Game

Attachment A

Chapter 91 Waterways License Application (Transmittal X286196)
Central Pond/Sawmill Brook Restoration Project &
Central Street Bridge Replacement Project
Town of Manchester-by-the-Sea

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Waterways Regulation Program
Chapter 91 Waterways License Application - 310 CMR 9.00
Water-Dependent, Nonwater-Dependent, Amendment

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



For assistance in completing this application, please see the "Instructions".

A. Application Information (Check one)

NOTE: For Chapter 91 Simplified License application form and information see the **Self Licensing Package for BRP WW06**.

Name (Complete Application Sections)	Check One	Fee	Application #
WATER-DEPENDENT -			
General (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$215.00	BRP WW01a
	<input checked="" type="checkbox"/> Other	\$330.00	BRP WW01b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW01c
Amendment (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$100.00	BRP WW03a
	<input type="checkbox"/> Other	\$125.00	BRP WW03b
NONWATER-DEPENDENT -			
Full (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW15a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW15b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW15c
Partial (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW14a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW14b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW14c
Municipal Harbor Plan (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW16a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW16b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW16c
Joint MEPA/EIR (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW17a
	<input type="checkbox"/> Other	\$2,005.00	BRP WW17b
	<input type="checkbox"/> Extended Term	\$3,350.00	BRP WW17c
Amendment (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$530.00	BRP WW03c
	<input type="checkbox"/> Other	\$1,000.00	BRP WW03d
	<input type="checkbox"/> Extended Term	\$1,335.00	BRP WW03e

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B. Applicant Information Proposed Project/Use Information

1. Applicant:

Note: Please refer
to the "Instructions"

Gregory Federspiel Name	federspielg@manchester.ma.us E-mail Address
10 Central Street Mailing Address	
Manchester-by-the-Sea City/Town	MA State
(978) 526-2000 Telephone Number	01944 Zip Code
	(978) 526-2001 Fax Number

2. Authorized Agent (if any):

Tighe & Bond, Inc. (c/o Richard Canavan) Name	RCanavan@tighebond.com E-mail Address
120 Front Street, Suite 7 Mailing Address	
Worcester City/Town	MA State
(508) 471-9631 Telephone Number	01608 Zip Code
	[REDACTED] Fax Number

C. Proposed Project/Use Information

1. Property Information (all information must be provided):

[REDACTED] Owner Name (if different from applicant)		
N/A- Road right-of-way Tax Assessor's Map and Parcel Numbers	42.575262 Latitude	-70.772963 Longitude
Central Street (Route 127) Street Address and City/Town	MA State	01944 Zip Code

2. Registered Land Yes No

3. Name of the water body where the project site is located:

Sawmill Brook/Central Pond

4. Description of the water body in which the project site is located (check all that apply):

<u>Type</u>	<u>Nature</u>	<u>Designation</u>
<input type="checkbox"/> Nontidal river/stream	<input checked="" type="checkbox"/> Natural	<input type="checkbox"/> Area of Critical Environmental Concern
<input checked="" type="checkbox"/> Flowed tidelands	<input type="checkbox"/> Enlarged/dammed	<input type="checkbox"/> Designated Port Area
<input checked="" type="checkbox"/> Filled tidelands	<input type="checkbox"/> Uncertain	<input type="checkbox"/> Ocean Sanctuary
<input type="checkbox"/> Great Pond		<input type="checkbox"/> Uncertain
<input type="checkbox"/> Uncertain		

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C. Proposed Project/Use Information (cont.)

Select use(s) from Project Type Table on pg. 2 of the "Instructions"

5. Proposed Use/Activity description

The Town of Manchester-by-the Sea proposes to repair and replace failing retaining walls, construct living shoreline stabilization elements, and establish native plantings. In addition, the Town proposes to replace the Central Street bridge, remove the tide gate structure in Sawmill Brook, and conduct roadway improvements at Central Street. Please refer to the attached narrative for additional details.

6. What is the estimated total cost of proposed work (including materials & labor)?

\$4,356,800

7. List the name & complete mailing address of each abutter (attach additional sheets, if necessary). An abutter is defined as the owner of land that shares a common boundary with the project site, as well as the owner of land that lies within 50' across a waterbody from the project.

Please see attached list

Name	Address

D. Project Plans

1. I have attached plans for my project in accordance with the instructions contained in (check one):

- Appendix A (License plan) Appendix B (Permit plan)

2. Other State and Local Approvals/Certifications

- | | |
|---|------------------------------------|
| <input checked="" type="checkbox"/> 401 Water Quality Certificate | March 26, 2021
Date of Issuance |
| <input checked="" type="checkbox"/> Wetlands | 039-0832/039-0824
File Number |
| <input type="checkbox"/> Jurisdictional Determination | JD-
File Number |
| <input checked="" type="checkbox"/> MEPA | EEA #16127
File Number |
| <input checked="" type="checkbox"/> EOE Secretary Certificate | 1/10/2020
Date |
| <input type="checkbox"/> 21E Waste Site Cleanup |
RTN Number |

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E. Certification

All applicants, property owners and authorized agents must sign this page. All future application correspondence may be signed by the authorized agent alone.

"I hereby make application for a permit or license to authorize the activities I have described herein. Upon my signature, I agree to allow the duly authorized representatives of the Massachusetts Department of Environmental Protection and the Massachusetts Coastal Zone Management Program to enter upon the premises of the project site at reasonable times for the purpose of inspection."


"I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge."


Applicant's signature

March 18, 2021
Date

Property Owner's signature (if different than applicant)

Date


Agent's signature (if applicable)

March 29, 2021
Date

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F. Waterways Dredging Addendum

1. Provide a description of the dredging project

Maintenance Dredging (include last dredge date & permit no.) Improvement Dredging

Replacement of the existing bridge and retaining wall, removal of the tide gate, and the placement of bioengineering structures

2. What is the volume (cubic yards) of material to be dredged?

3,082

3. What method will be used to dredge?

Hydraulic Mechanical Other

4. Describe disposal method and provide disposal location (include separate disposal site location map)

The sediment will be reused onsite to the extent practicable. Any other material will be disposed of at a Massachusetts Lined or Unlined Landfill to be used as cover or grading material. Please refer to the attached narrative and site plans for additional details.

5. Provide copy of grain size analysis. If grain size is compatible for beach nourishment purposes, the Department recommends that the dredged material be used as beach nourishment for public beaches. **Note:** In the event beach nourishment is proposed for private property, pursuant to 310 CMR 9.40(4)(a)1, public access easements below the existing high water mark shall be secured by applicant and submitted to the Department.

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G. Municipal Zoning Certificate

Town of Manchester-by-the-Sea

Name of Applicant

0 Elm Street

Project street address

Sawmill Brook

Waterway

Manchester-by-the-Sea

Description of use or change in use:

This project entails the repair and replacement of failing retaining walls, construction of living shoreline stabilization elements, and establishment of native plantings to improve the stability of the shoreline of Central Pond and Sawmill Brook. It also includes the replacement of an existing roadway bridge due to structural deficiencies. The existing use of public roadway and sidewalk will be maintained. As part of the bridge replacement work, the removal of a tide gate under the bridge, and roadway and drainage improvements will be conducted.

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans is not in violation of local zoning ordinances and bylaws."

PAUL M. ORLANDO

Printed Name of Municipal Official

3/13/2021

Date

R. M. Orlando

Signature of Municipal Official

Inspector of Buildings

Title

MANCHESTER

City/Town

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H. Municipal Planning Board Notification

Notice to Applicant:
Section H should be completed and submitted along with the original application material.

Town of Manchester-by-the-Sea
Name of Applicant
0 Elm Street
Project street address
Sawmill Brook
Waterway
Manchester-by-the-Sea

Description of use or change in use:

This project entails the repair and replacement of failing retaining walls, construction of living shoreline stabilization elements, and establishment of native plantings to improve the stability of the shoreline of Central Pond and Sawmill Brook. It also includes the replacement of an existing roadway bridge due to structural deficiencies. The existing use of public roadway and sidewalk will be maintained. As part of the bridge replacement work, the removal of a tide gate under the bridge, and roadway and drainage improvements will be conducted.

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans have been submitted by the applicant to the municipal planning board."

Susan Brown
Printed Name of Municipal Official
3/18/2021
Date

Susan Brown
Signature of Municipal Official
Town Planner
Title
Manchester-by-the-Sea
City/Town

Note: Any comments, including but not limited to written comments, by the general public, applicant, municipality, and/or an interested party submitted after the close of the public comment period pertaining to this Application shall not be considered, and shall not constitute a basis for standing in any further appeal pursuant to 310 CMR 9.13(4) and/or 310 CMR 9.17.

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Appendix A: License Plan Checklist

General View

- PE or RLS, as deemed appropriate by the Department, stamped and signed, in ink, each sheet within 8 1/2 inch by 11 inch border
- Format and dimensions conform to "Sample Plan" (attached)
- Minimum letter size is 1/8 of an inch if freehand lettering, 1/10 of an inch if letter guides are used
- Sheet number with total number in set on each sheet
- Title sheet contains the following in lower left: Plans accompanying Petition of [Applicant's name, structures and/or fill or change in use, waterway and municipality]
- North arrow
- Scale is suitable to clearly show proposed structures and enough of shoreline, existing structures and roadways to define its exact location
- Scale is stated & shown by graphic bar scale on each sheet
- Initial plans may be printed on bond; final plans due before License issuance must be on 3mil Mylar.

Structures and Fill

- All Structures and Fill shown in full BLACK lines, clearly labeling which portions are existing, which are Proposed and indicating Existing Waterways Licenses
- Cross Section Views* show MHW* and MLW* and structure finish elevations
- Dredge or Fill*, actual cubic yardage must be stated and typical cross sections shown
- All Structures and Fill shown in full BLACK lines, clearly labeling which portions are existing, which are Proposed and indicating Existing Waterways Licenses
- Cross Section Views* show MHW* and MLW* and structure finish elevations
- Dredge or Fill*, actual cubic yardage must be stated and typical cross sections shown
- Actual dimensions of structures(s) and or fill and the distance which they extend beyond MHW* or OHW*
- Change in Use of any structures on site must be stated

* See 310 CMR 9.02, Waterways Regulations definitions of High Water Mark, Historic High Water Mark, Historic Low Water Mark, and Low Water Mark. *Note:* DEP may, at its discretion, accept appropriately scaled preliminary plans in lieu of the plans described above. In general, DEP will

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accept preliminary plans only for non-water dependent projects and projects covered by MEPA to address site design components such as visual access, landscaping & site coverage. *Anyone wishing to submit preliminary plans must obtain prior approval of the DEP Waterways Program before submitting them with their application.*

Appendix A: License Plan Checklist (cont.)

Boundaries

- Property lines, full black lines, _____, along with abutters' names and addresses
- Mean High Water (MHW)* or Ordinary High Water (OHW)*, full black line _____
- Mean Low Water (MLW)*, black dotted line, (.....)
- Historic MHW* or OHW* (— — — —)
- Historic MLW* (...__...__..._)
- State Harbor Lines, black dot-dash line (- . - . - .) with indication of Chapter & Act establishing them (Ch. , Acts of)
- Reference datum is National Geodetic Vertical Datum (NGVD) or (NAVD).
- Floodplain Boundaries according to most recent FEMA maps
- Proposed & Existing Easements described in metes & bounds

Water-Dependent Structures

- Distance from adjacent piers, ramps or floats (minimum distance of 25' from property line, where feasible)
- Distance from nearest opposite shoreline
- Distance from outside edge of any Navigable Channel
- Access stairs at MHW for lateral public passage, or 5 feet of clearance under structure at MHW.

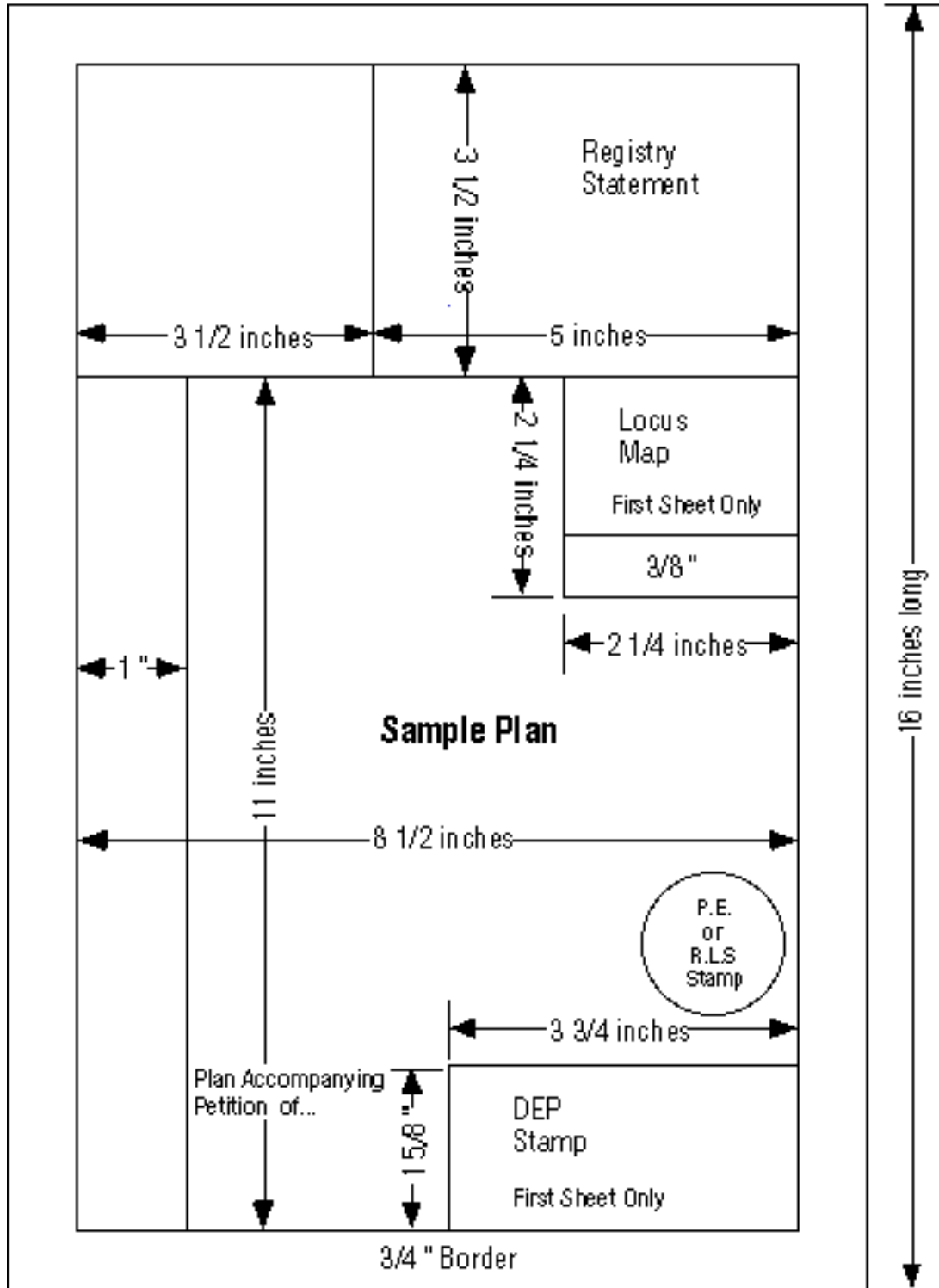
Non Water-Dependent Structures

- Depict extent of "Water-dependent Use Zone".

See Waterways Regulations at 310 CMR 9.51-9.53 for additional standards for non water-dependent use projects.

Note: Final Mylar project site plans will be required upon notice from the Department, prior to issuance of the Chapter 91 Waterways License.

Appendix A: License Plan Checklist Cont.



Appendix B: Dredging Permit Plan Checklist

For projects applying for dredging permits only, enclose drawings with the General Waterways Application that include the following information:

General View

- Submit one original of all drawings. Submit the fewest number of sheets necessary to adequately illustrate the project on 8-1/2 inch X 11 inch paper.
- A 1-inch margin should be left at the top edge of each drawing for purposes of reproduction and binding. A 1/2 inch margin is required in the three other edges.
- A complete title block on each drawing submitted should identify the project and contain: the name of the waterway; name of the applicant; number of the sheet and total number of sheets in the set; and the date the drawing was prepared.
- Use only dot shading, hatching, and dashed or dotted line to show or indicate particular features of the site on the drawings.
- If deemed appropriate by the Department, certification by the Registered Professional Engineer or Land Surveyor is included.

Plan View

- North Arrow
- Locus Map
- Standard engineering scale.
- Distances from channel lines and structures if appropriate.
- Mean high water and mean low water shorelines (see definitions of "High Water Mark" and "Low Water Mark" at 310 CMR 9.02, C. 91 Regulations).
- Dimensions of area proposed to be dredged or excavated.
- Notation or indication of disposal site.
- Volume of proposed dredging or excavation.
- Ordinary high water, proposed drawdown level, and natural (historic) high water (for projects lowering waters of Great Ponds).

Section Views

- Existing bottom and bank profiles.
- Vertical and/or horizontal scales.

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- Proposed and existing depths relative to an indicated datum.
- Elevation and details of control structure (for projects lowering waters of Great Ponds).

Appendix C: Application Completeness Checklist

Please answer all questions in the General Waterways Application form. If a question does not apply to your project write "not applicable" (n/a) in that block. Please print or type all information provided on the form. Use black ink (blue ink or pencil are not easily reproducible, therefore, neither will be accepted). If additional space is needed, attach extra 8-1/2" x 11" sheets of paper.

- Proper Public Purpose:** For nonwater-dependent projects, a statement must be included that explains how the project serves a proper public purpose that provides greater benefit than detriment to public rights in tidelands or great ponds and the manner in which the project meets the applicable standards. If the project is a nonwater-dependent project located in the coastal zone, the statement should explain how the project complies with the standard governing consistency of the policies of the Massachusetts Coastal Zone Management Program, according to 310 CMR 9.54. If the project is located in an area covered by a Municipal Harbor Plan, the statement should describe how the project conforms to any applicable provisions of such plan pursuant to 310 CMR 9.34(2).
- Plans:** Prepared in accordance with the applicable instructions contained in Appendix A-B of this application. For initial filing, meet the requirements of 310 CMR 9.11(3)(b)(3).
- Applicant Certification:** All applications must be signed by "the landowner if other than the applicant. In lieu of the landowner's signature, the applicant may provide other evidence of legal authority to submit an application for the project site." If the project is entirely on land owned by the Commonwealth (e.g. most areas below the current low water mark in tidelands and below the historic high water mark of Great Ponds), you may simply state this in lieu of the "landowner's signature".
- Municipal Zoning Certification:** If required, applicants must submit a completed and signed Section E of this application by the municipal clerk or appropriate municipal official or, for the initial filing, an explanation of why the form is not included with the initial application. If the project is a public service project subject to zoning but will not require any municipal approvals, submit a certification to that effect pursuant to 310 CMR 9.34(1).
- Municipal Planning Board Notification:** Applicants must submit a copy of this application to the municipal planning board for the municipality where the project is located. Submittal of the complete application to DEP must include Section H signed by the municipal clerk, or appropriate municipal official for the town where the work is to be performed, except in the case of a proposed bridge, dam, or similar structure across a river, cove, or inlet, in which case it must be certified by every municipality into which the tidewater of said river, cove, or inlet extends.
- Final Order of Conditions:** A copy of one of the following three documents is required with the filing of a General Waterways Application: (1) the Final Order of Conditions (with accompanying plan) under the Wetlands Protection Act; (2) a final Determination of Applicability under that Act stating that an Order of Conditions is not required for the project; or (3) the Notice of Intent for the initial filing (if the project does not trigger review under MEPA).
- Massachusetts Environmental Protection Act (MEPA):** MGL 30, subsections 61-61A and 301 CMR 11.00, submit as appropriate: a copy of the Environmental Notification Form (ENF) and a Certificate of the Secretary of Environmental Affairs thereon, or a copy of the final Environmental Impact Report (EIR) and Certificate of the Secretary stating that it adequately and properly complies with MEPA; and any subsequent Notice of Project change and any determination issued thereon in accordance with MEPA. For the initial filing, only a copy of the ENF and the Certificate

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of the Secretary thereon must be submitted.

Note: If the project is subject to MEPA, the Chapter 91 Public Notice must also be submitted to MEPA for publication in the "Environmental Monitor". MEPA filing deadlines are the 15th and 30th of each month.

Appendix C: Application Completeness Checklist (cont.)

- Water Quality Certificate:** if applicable, pursuant to 310 CMR 9.33, is included.
- Other Approvals:** as applicable pursuant to 310 CMR 9.33 or, for the initial filing, a list of such approvals which must be obtained.

Projects involving dredging:

- The term "dredging" means the removal of materials including, but not limited to, rocks, bottom sediments, debris, sand, refuse, plant or animal matter, in any excavating, clearing, deepening, widening or lengthening, either permanently or temporarily, of any flowed tidelands, rivers, streams, ponds or other waters of the Commonwealth. Dredging includes improvement dredging, maintenance dredging, excavating and backfilling or other dredging and subsequent refilling. Included is a completed and signed copy of Part F of the application.

Filing your Completed General Waterways Application:

- For all Water-Dependent applications** – submit a completed General Waterways Application and all required documentation with a *photocopy* of both payment check and DEP's *Transmittal Form for Permit Application & Payment* to the appropriate DEP Boston or regional office (please refer to Pg. 10 of the "Instructions" for the addresses of DEP Regional Offices).
- For all Non Water-Dependent applications** – submit a completed General Waterways Application and all required documentation with a *photocopy* of both payment check and DEP's *Transmittal Form for Permit Application & Payment* to DEP's Boston office.

Department of Environmental Protection
 Waterways Regulation Program
 One Winter Street
 Boston, MA 02108

- Application Fee Payment for ALL Waterways Applications:** Send the appropriate Application fee* (please refer to Page 1 of the "Application"), in the form of a check or money order, along with DEP's *Transmittal Form for Permit Application & Payment*.

Department of Environmental Protection
 P.O. Box 4062
 Boston, MA 02211

* Under extreme circumstances, DEP grants extended time periods for payment of license and permit application fees. If you qualify, check the box entitled "Hardship Request" on the *Transmittal Form for Permit Application & Payment*. See 310 CMR 4.04(3)(c) to identify

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procedures for making a hardship request. Send hardship request and supporting documentation to the above address.

NOTE: You may be subject to a **double application fee** if your application for Chapter 91 authorization results from an enforcement action by the Department or another agency of the Commonwealth or its subdivisions, or if your application seeks authorization for an existing unauthorized structure or use.

Attachment B

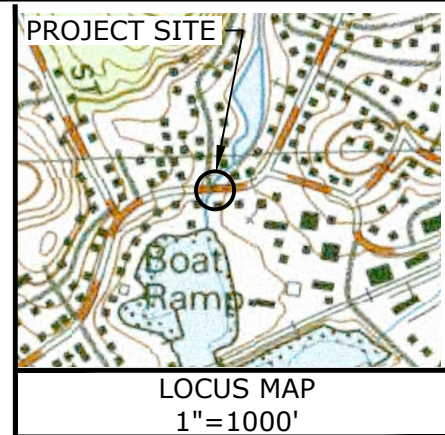
Chapter 91 License Plans
Central Street Bridge Replacement Project
Town of Manchester-by-the-Sea

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS AND I CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

DATE

PROFESSIONAL ENGINEER

**TOWN OF
MANCHESTER-BY-THE-SEA
CENTRAL STREET BRIDGE
REPLACEMENT
MANCHESTER-BY-THE-SEA, MASSACHUSETTS**



LIST OF DRAWINGS

SHEET NO.	SHEET TITLE
1	COVER SHEET
2	KEY PLAN
3	PROFILE - CENTRAL STREET
4	PROFILE - SAWMILL BROOK
5	GENERAL BRIDGE PLAN
6	ELEVATION (LOOKING NORTH)
7	SOUTHWEST WINGWALL
8	TYPICAL CAST-IN-PLACE ABUTMENT SECTION
9	ELEVATION - UPSTREAM COFFERDAM AND DOWNSTREAM COFFERDAM
10	COMPOST FILTER TUBE DETAIL
11	SEDIMENT TRAP AND DEWATERING DETAIL
12	COFFERDAMS, PUMPING, DEWATERING, AND STREAM BYPASS NOTES
13	SQUARE BRIDGE SECTION AT BL CONSTRUCTION (LOOKING NORTH)
14	TRANSVERSE SQUARE BRIDGE SECTION

Tighe&Bond

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT
MANCHESTER-BY-THE-SEA, MASSACHUSETTS

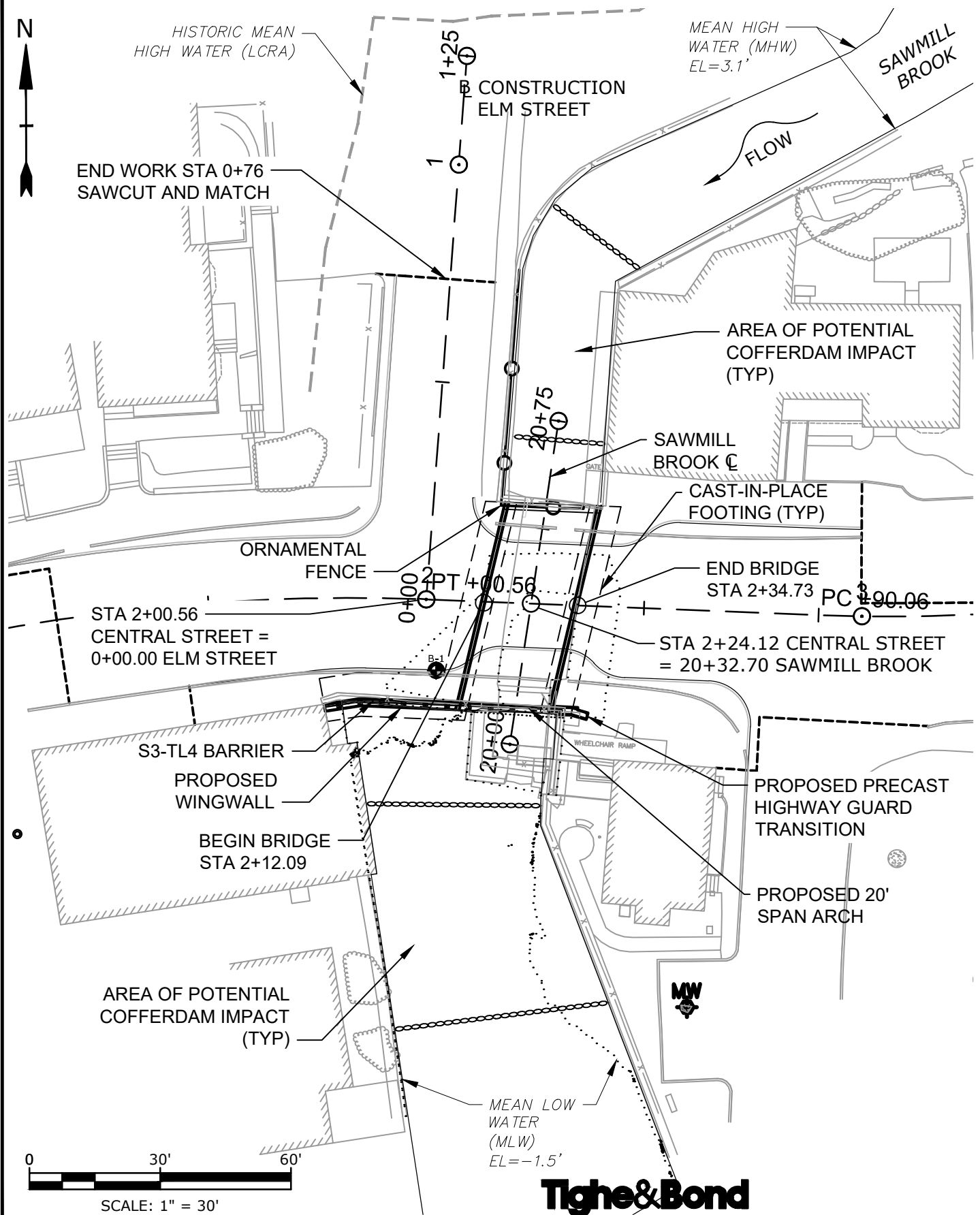
DATE: 3/26/21
SHEET 1 OF 14

PROJECT DATUM:
HORIZONTAL-NAD83
VERTICAL-NAVD88

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS AND I CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

DATE

PROFESSIONAL ENGINEER



KEY PLAN

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

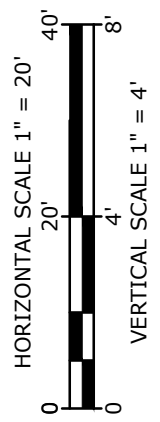
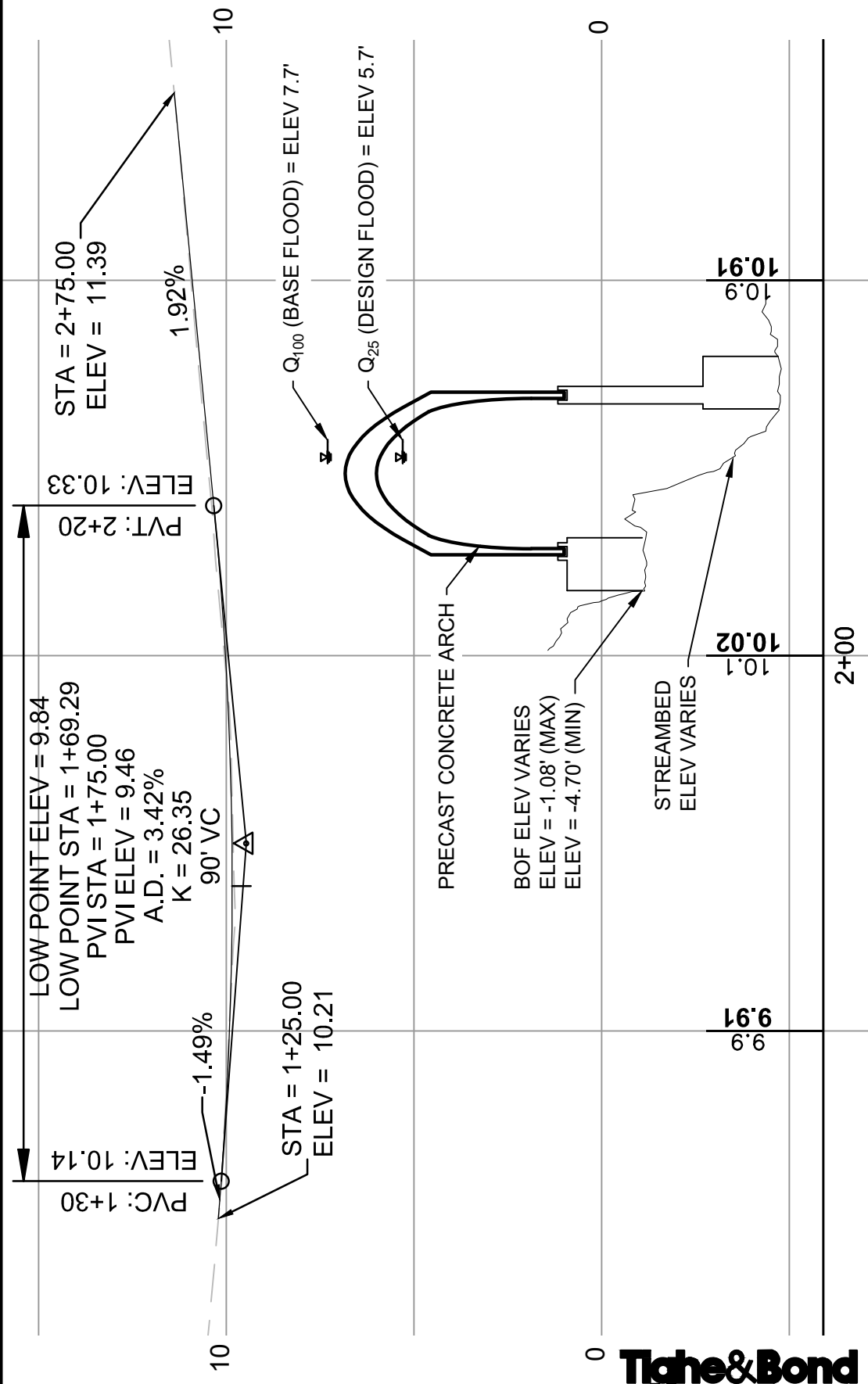
DATE: 3/26/21
SHEET 2 OF 14

PROJECT DATUM:
HORIZONTAL-NAD83
VERTICAL-NAVD88

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED ACCORDING TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS AND I CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

DATE

PROFESSIONAL ENGINEER



PROFILE - CENTRAL STREET

Tighe & Bond

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

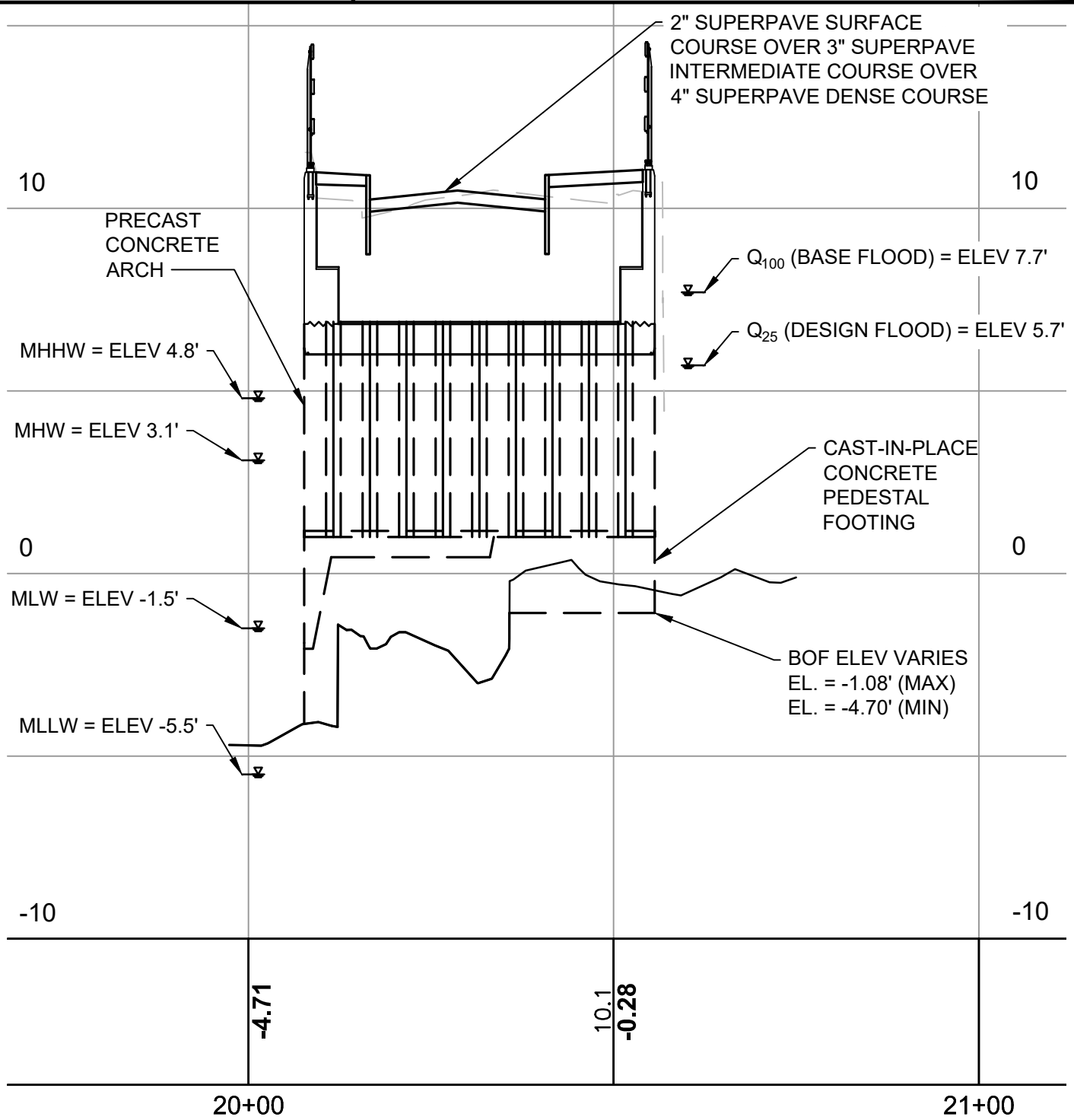
DATE: 3/26/21
SHEET 3 OF 14

PROJECT DATUM:
HORIZONTAL-NAD83
VERTICAL-NAVD88

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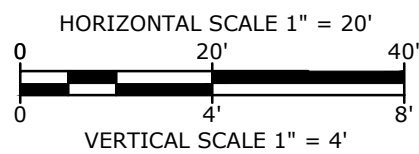
DATE

PROFESSIONAL ENGINEER



PROFILE - SAWMILL BROOK

SCALE: 1" = 20'H, 1"=4'V



Tighe&Bond

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

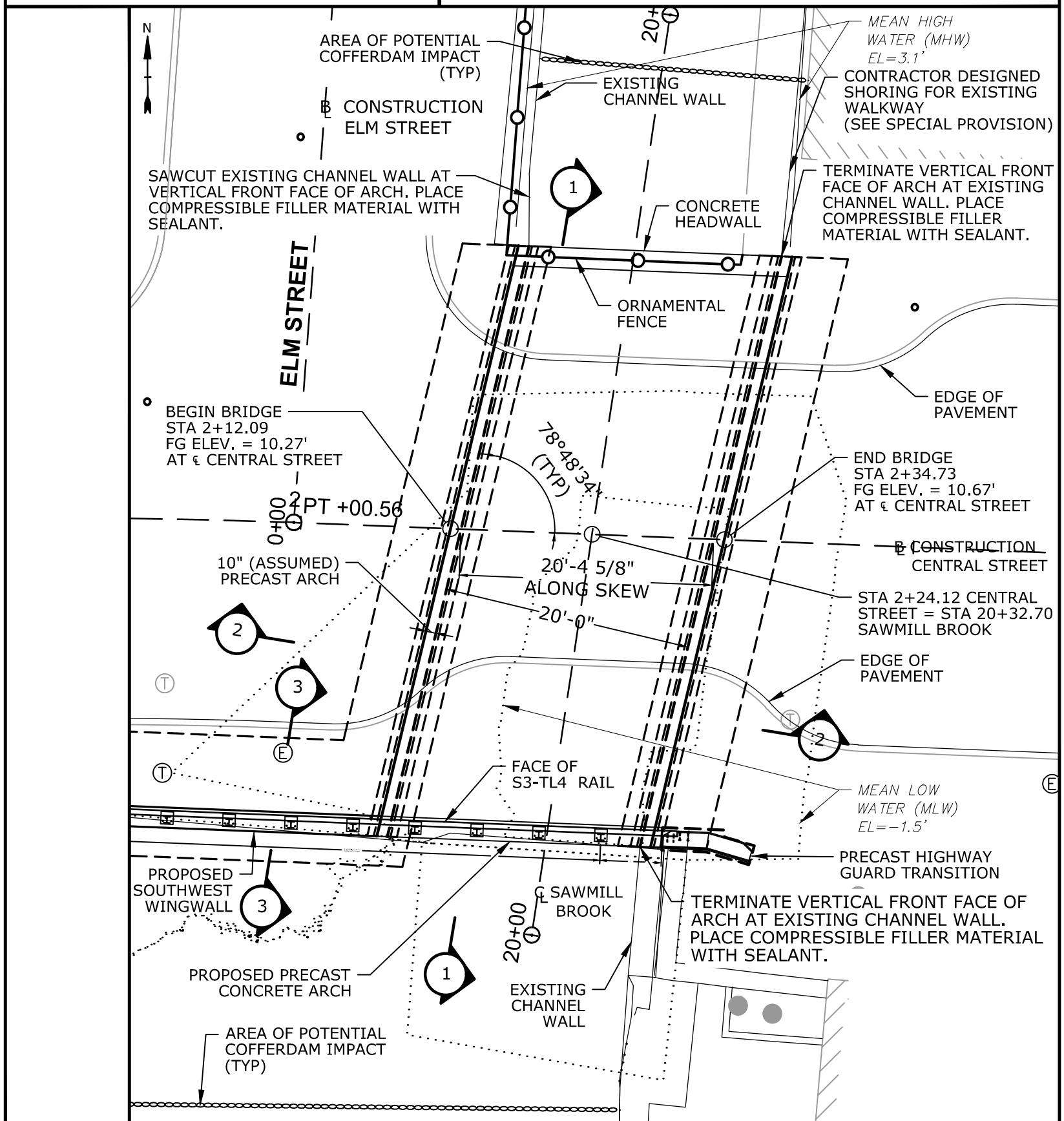
DATE: 3/26/21
 SHEET 4 OF 14

PROJECT DATUM:
 HORIZONTAL-NAD83
 VERTICAL-NAVD88

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PROFESSIONAL ENGINEER



GENERAL BRIDGE PLAN

1"=10'

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

DATE: 3/26/21
SHEET 5 OF 14

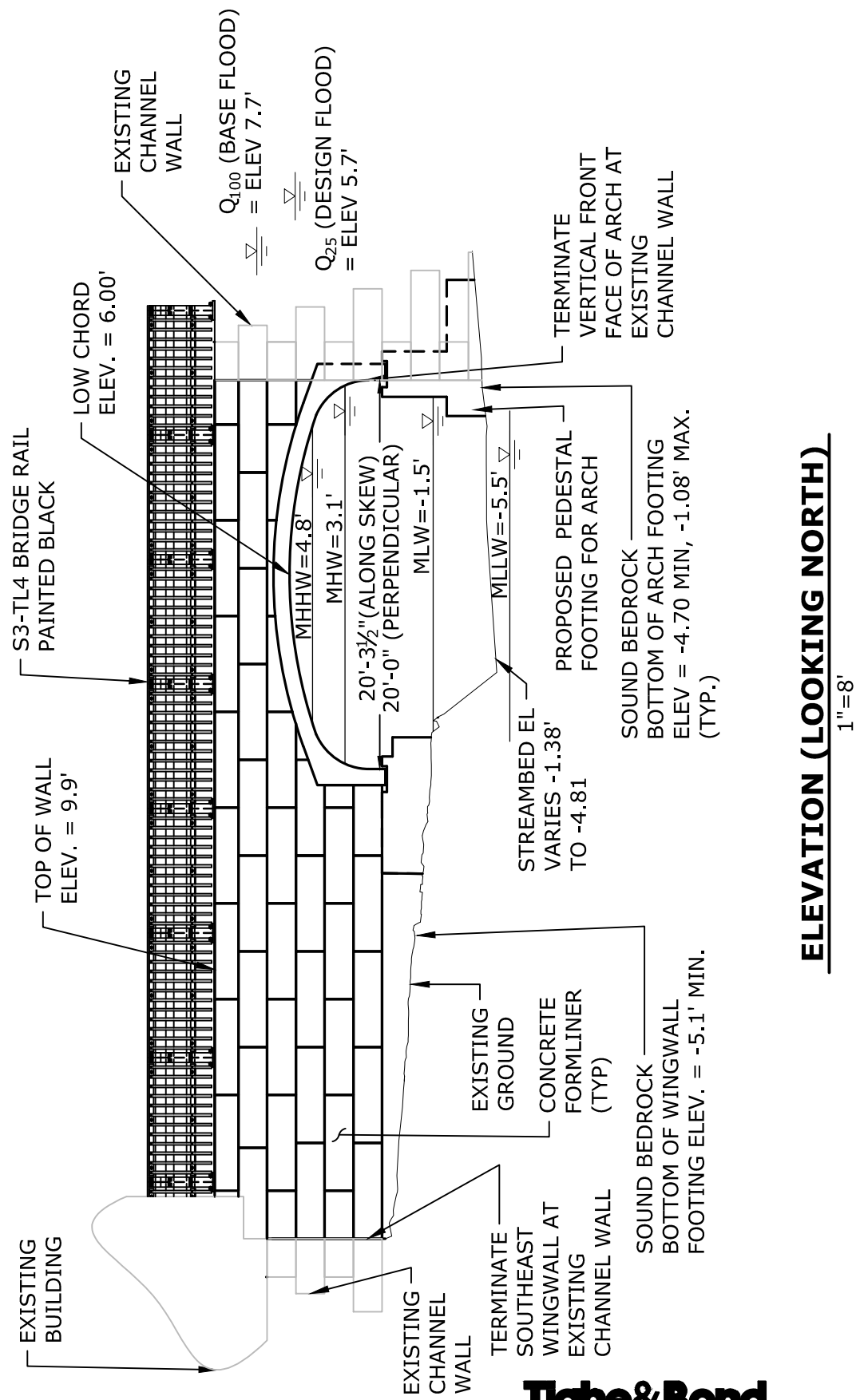
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Tighe & Bond

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PROFESSIONAL ENGINEER



ELEVATION (LOOKING NORTH)

1"=8'



PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

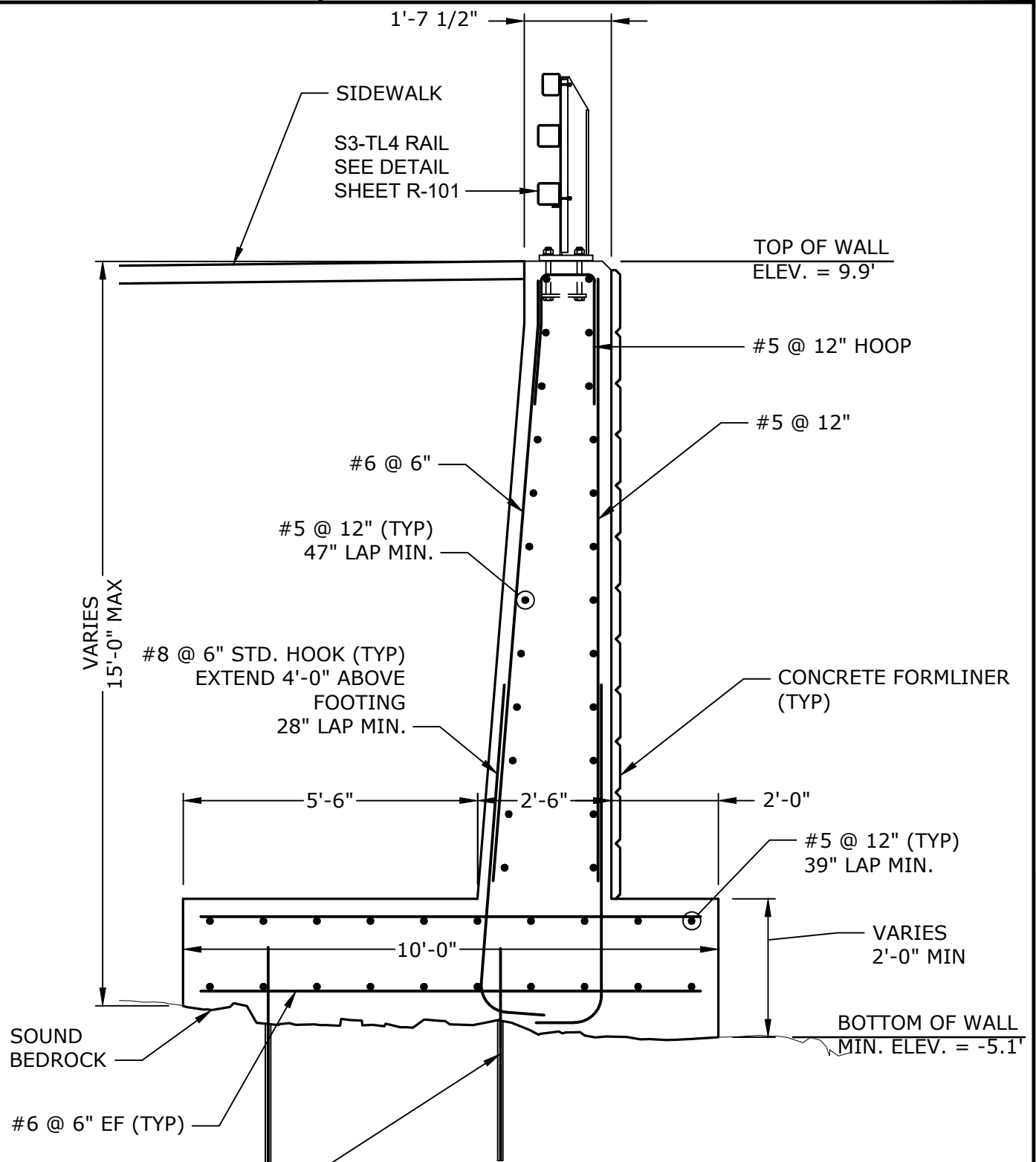
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SHEET 6 OF 14

PROJECT DATUM:
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VERTICAL-NAVD88

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#8 GALV. DOWEL AT 18" OC (TYP), STAGGER WITH OPPOSITE SIDE. DRILL AND GROUT 18" (MIN) EMBEDMENT

SECTION

3/8" = 1'-0"

SOUTHWEST WINGWALL

Tighe&Bond

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

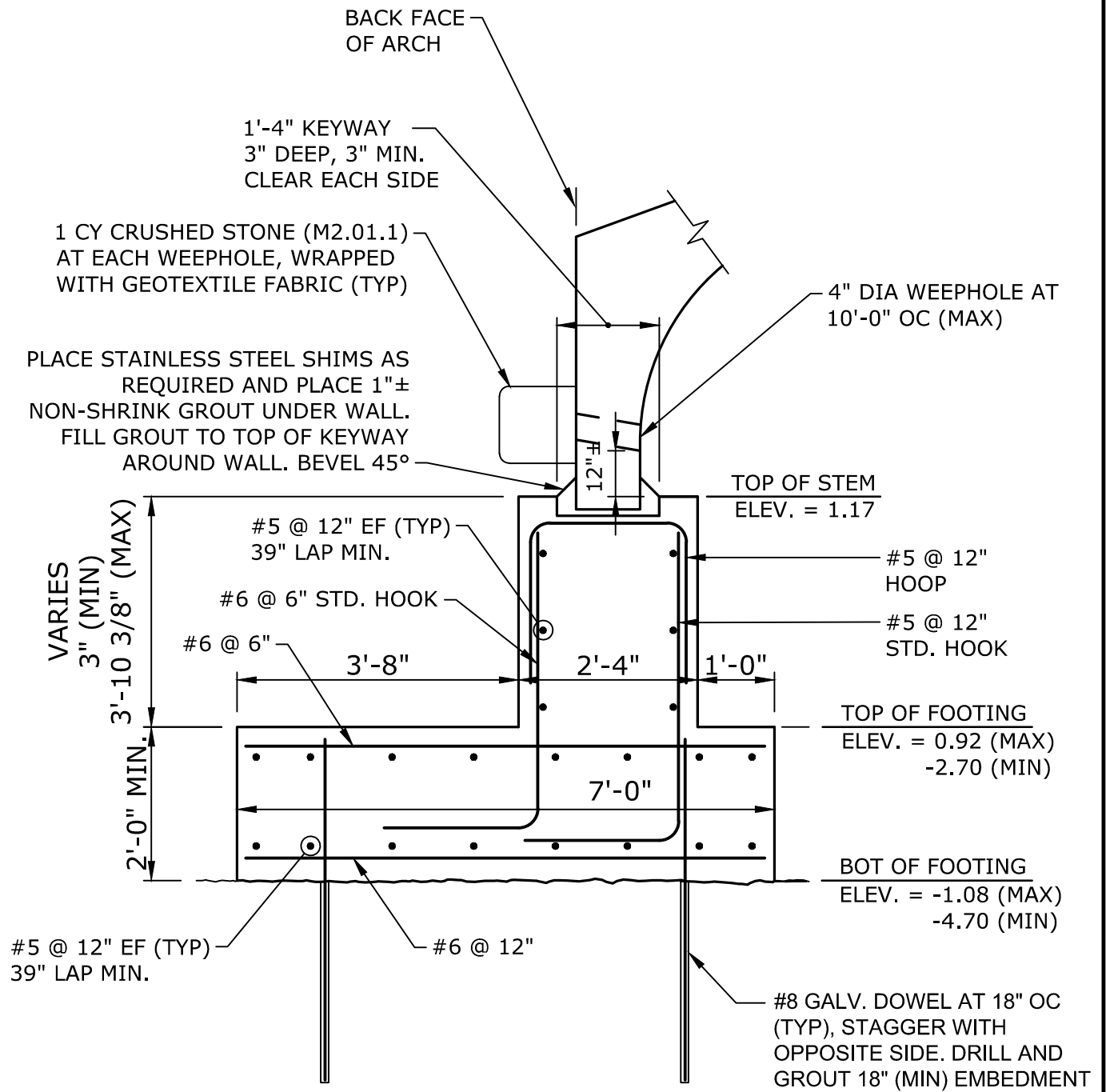
DATE: 3/26/21
SHEET 7 OF 14

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PROFESSIONAL ENGINEER



SECTION

1/2" = 1'-0"

TYPICAL CAST-IN-PLACE ABUTMENT SECTION

Tighe&Bond

PLANS ACCOMPANYING PETITION OF THE
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OF PUBLIC WORKS FOR THE CENTRAL STREET
BRIDGE REPLACEMENT
MANCHESTER-BY-THE-SEA, MASSACHUSETTS

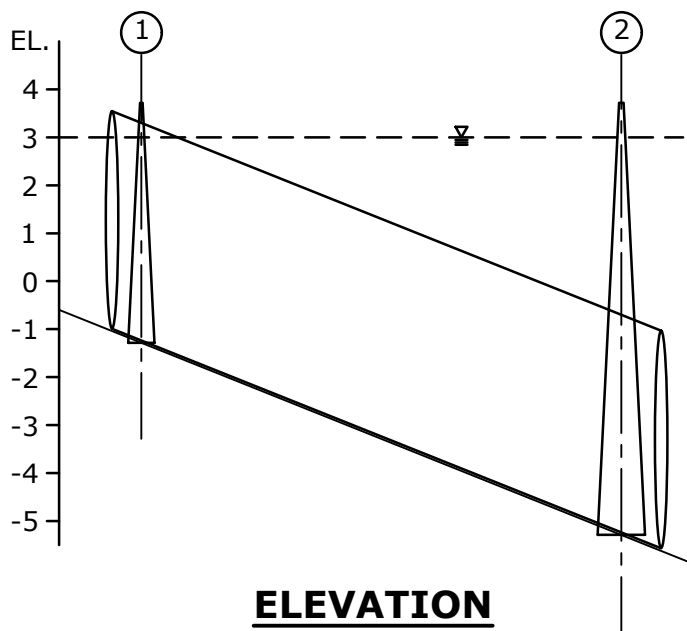
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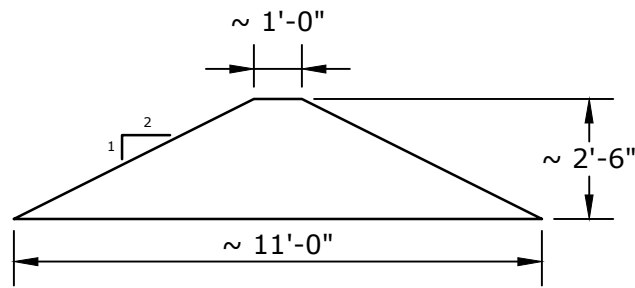
DATE

PROFESSIONAL ENGINEER



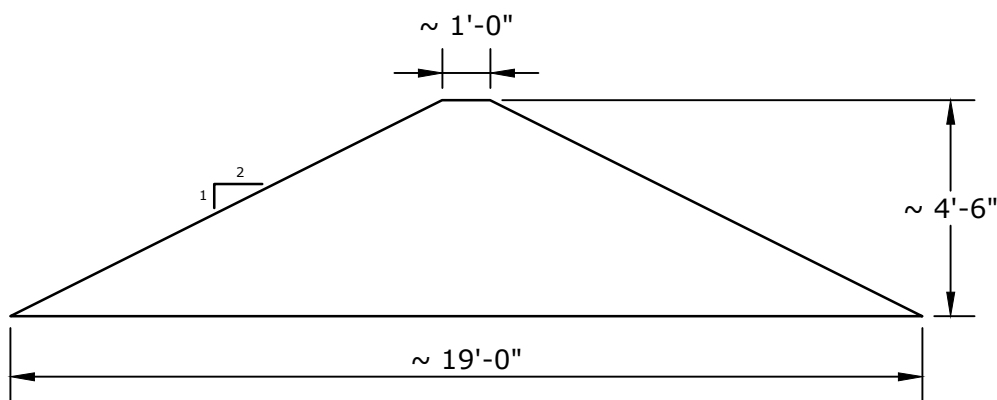
ELEVATION

NO SCALE



SECTION 1: UPSTREAM COFFERDAM

NO SCALE



SECTION 2: DOWNSTREAM COFFERDAM

NO SCALE

Tighe&Bond

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

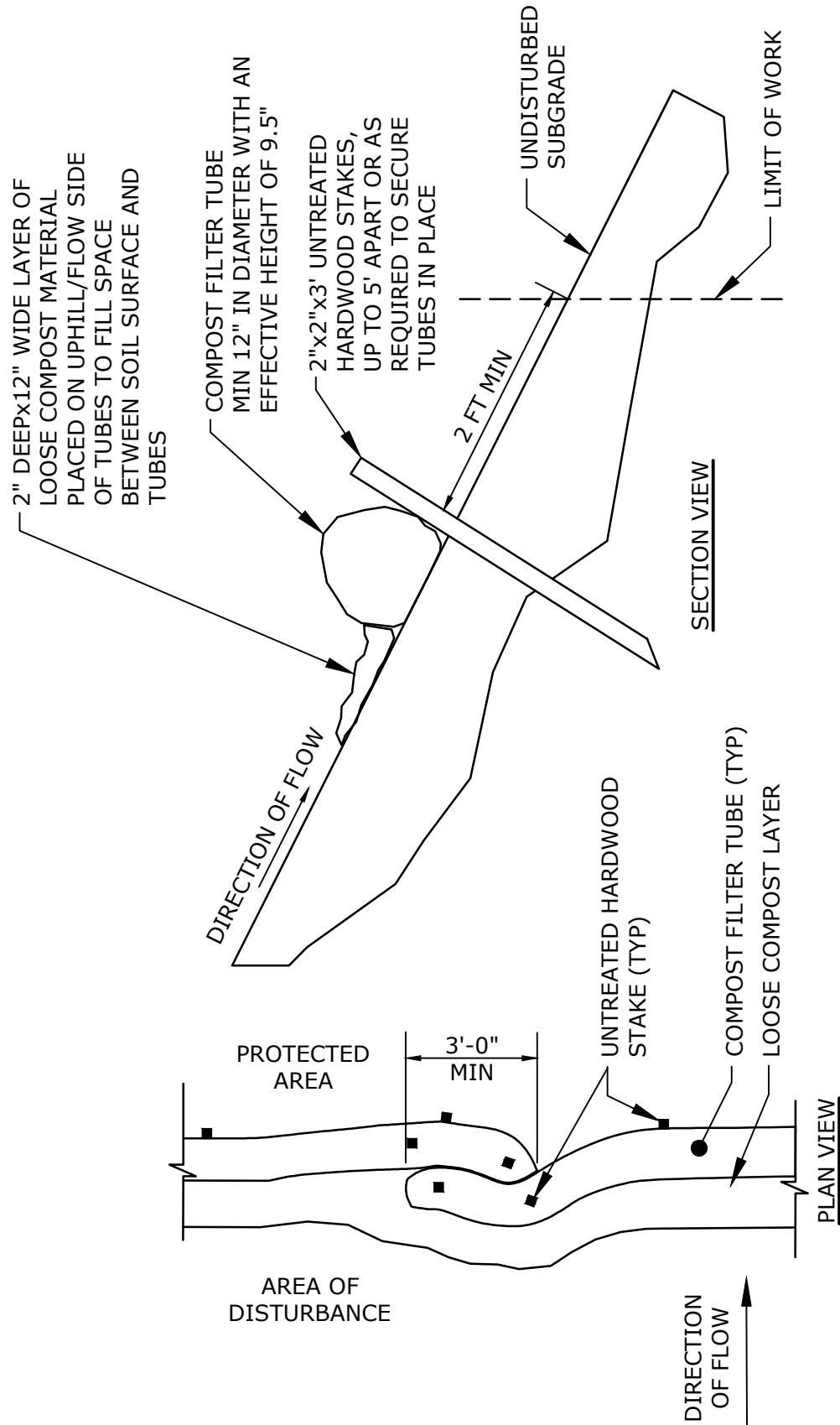
DATE: 3/26/21
SHEET 9 OF 14

PROJECT DATUM:
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PROFESSIONAL ENGINEER



COMPOST FILTER TUBE

NO SCALE

Tighe & Bond

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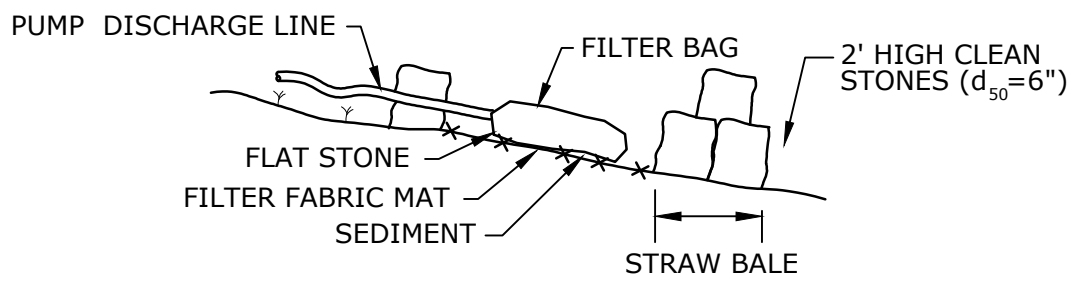
DATE: 3/26/21
SHEET 10 OF 14

PROJECT DATUM:
HORIZONTAL-NAD83
VERTICAL-NAVD88

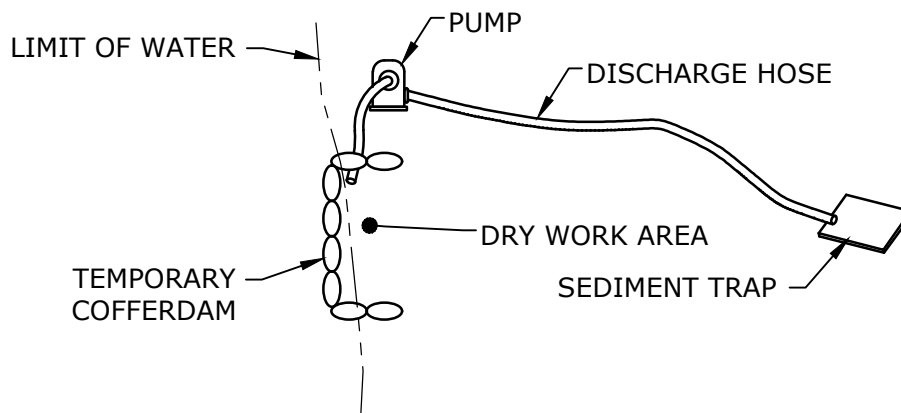
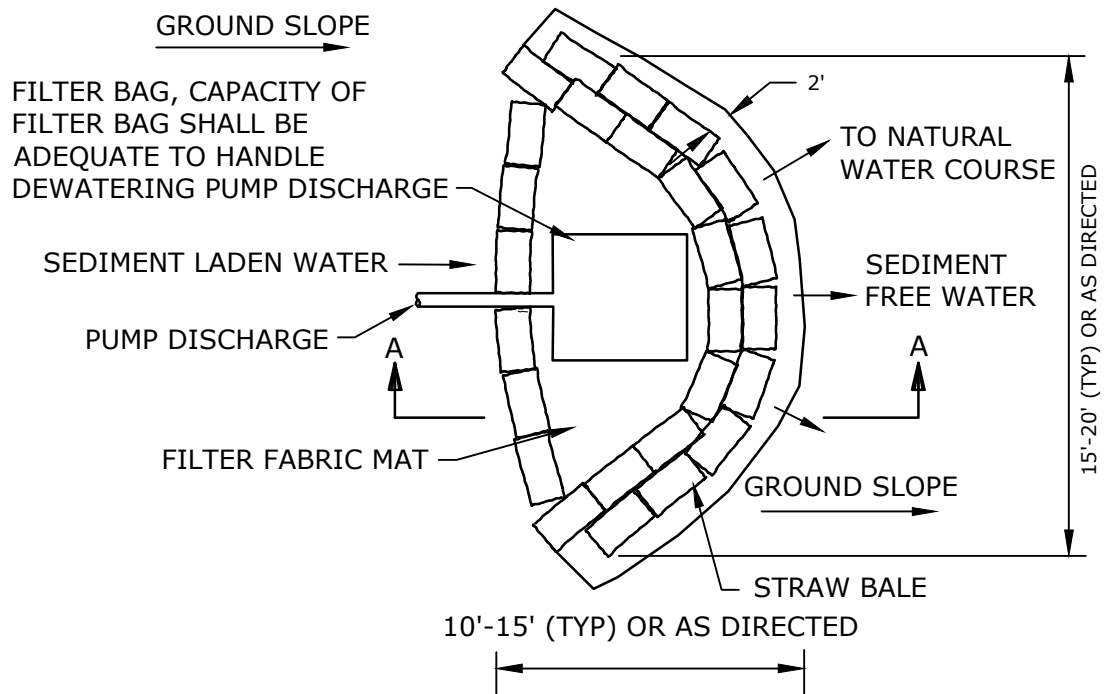
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SECTION A-A



NOTES:

1. DEWATERING EQUIPMENT SHALL REMAIN WITHIN THE PERMANENTLY IMPACTED AREAS AND SHALL DISCHARGE OUTSIDE OF THE WETLAND BOUNDARY.
2. DISCHARGE HOSE SHALL NOT CROSS THE STREAM AT ANY LOCATION.

SEDIMENT TRAP AND DEWATERING

NO SCALE

Tighe & Bond

PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

DATE: 3/26/21
SHEET 11 OF 14

PROJECT DATUM:
HORIZONTAL-NAD83
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PROFESSIONAL ENGINEER

COFFERDAMS, PUMPING, DEWATERING, AND STREAM BYPASS NOTES:

1. THE DETAILS SHOWN ON SHEETS 9, 10, AND 11 ARE AN EXAMPLE OF ACCEPTABLE METHODS TO USE DURING CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR DEVELOPING AND SUBMITTING A COFFERDAM PLAN, PUMPING AND DEWATERING PLAN FOR REVIEW AND APPROVAL BY THE CONTRACTING AGENCY OR ENGINEER. THE PLAN SHALL INCLUDE SUFFICIENT DETAIL OF MEANS AND METHODS TO SATISFY THE PROJECT SPECIFICATIONS AND PERMIT REQUIREMENTS. IF APPROVED, OTHER METHODS MAY BE USED SUCH AS UTILIZING INFLATABLE BLADDERS, PLATES, OR BARRIERS OF VARIOUS MATERIALS. COFFERDAMS SHALL INCLUDE PLASTIC LINER OR FINE MESH SILT FENCE TO REDUCE TURBIDITY AND FINES FROM ENTERING THE FREE FLOWING PORTION OF LIVE WATER.
2. THE CONTRACTING AGENCY IS RESPONSIBLE FOR MEASURING TURBIDITY HOWEVER THE CONTRACTOR SHALL ADHERE TO THE SPECIAL PROCEDURES REGARDING IN-STREAM WORK, TURBIDITY, AND DEWATERING IN THE DESIGN DRAWINGS.
3. CONSERVATION MEASURES ARE SUMMARIZED IN THE PLANS AND SHALL BE STRICTLY ADHERED TO.
4. THE CONTRACTOR SHALL NOTIFY THE OWNER AND CONTRACTING OFFICER AT LEAST 5 DAYS BEFORE EACH COFFERDAM INSTALLATION DATE. ANTICIPATED COFFERDAM LOCATIONS ARE SHOWN IN THE PLANS.
5. FILL MATERIAL FOR BULK BAGS FOR "SUPER SACKS", IF USED, SHALL BE CLEAN, WASHED, AND ROUNDED MATERIAL MEETING STANDARD SPECIFICATIONS FOR DRAIN ROCK, STREAMBED AGGREGATES, STREAMBED SEDIMENTS, OR STREAMBED COBBLES. MATERIAL USED TO FILL BULK BAGS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE PERMITS. IF PERMITS ALLOW, MATERIAL MAY BE DISPOSED OF IN UPLAND AREAS AS DIRECTED BY THE CONTRACTING OFFICER.
6. DEWATERING PUMP DISCHARGE FROM WITHIN COFFERDAM WORK AREAS SHALL BE RELEASED INTO SEDIMENT TRAPS AWAY FROM WETLANDS AND CONSTRUCTION ACTIVITIES. DISCHARGE SHALL BE COMPLETELY INFILTRATED PRIOR TO REACHING WETLANDS OR SURFACE WATERS UNLESS APPROVED BY THE CONTRACTING OFFICER. ALL RETURN FLOWS MUST MEET PERMIT REQUIREMENTS FOR TURBIDITY.
7. EXCAVATIONS ASSOCIATED WITH CHANNEL, FLOODPLAIN, AND STRUCTURES SHALL BE DEWATERED.
8. WATER SHALL BE PUMPED AND DISCHARGED AWAY FROM THE WORK AREAS TO SEDIMENT TRAPS.
9. DEWATERING PUMP DISCHARGE FROM WITHIN COFFERDAM WORK AREAS SHALL BE RELEASED INTO SEDIMENT TRAPS AWAY FROM WETLANDS AND CONSTRUCTION ACTIVITIES. DISCHARGE SHALL BE COMPLETELY INFILTRATED PRIOR TO REACHING WETLANDS OR SURFACE WATERS UNLESS APPROVED BY THE CONTRACTING OFFICER. ALL RETURN FLOWS MUST MEET PERMIT REQUIREMENTS FOR TURBIDITY.
10. ALL PUMP INTAKES SHALL BE SCREENED FOR FISH PROTECTION AS REQUIRED BY NOAA.
11. ALL EARTHWORK ACTIVITIES AND STRUCTURE CONSTRUCTION WITHIN THE ORDINARY HIGH WATER CHANNEL SHALL CONFORM TO THE WATER QUALITY STANDARDS ESTABLISHED BY REGULATORY AGENCY PERMITS FOR THIS PROJECT.



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MANCHESTER-BY-THE-SEA, MASSACHUSETTS

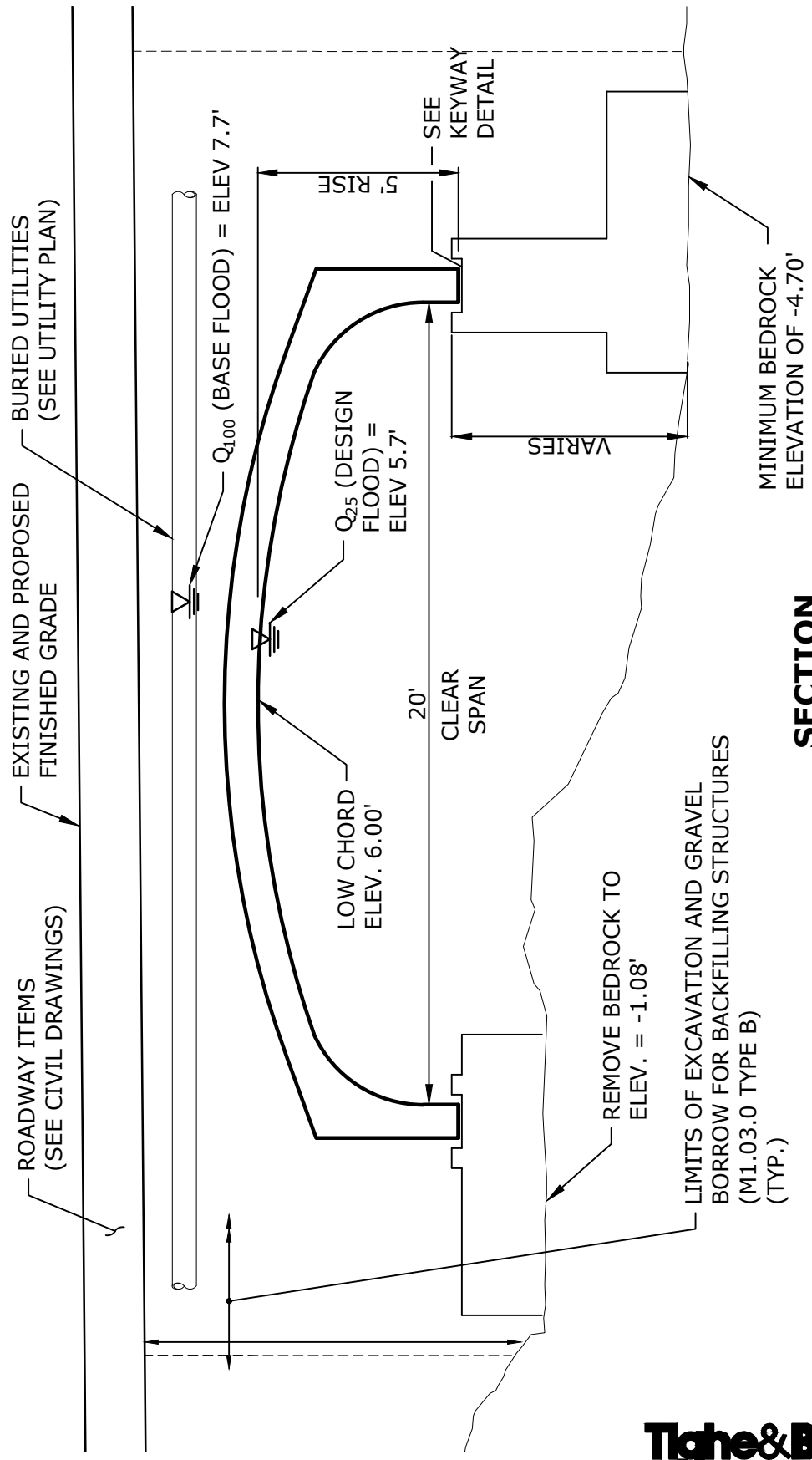
DATE: 3/26/21
SHEET 12 OF 14

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VERTICAL-NAVD88

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PROFESSIONAL ENGINEER



SECTION

1"=4'

SQUARE BRIDGE SECTION AT BL CONSTRUCTION (LOOKING NORTH)

NOTE:

- SECTION REFLECTS MAXIMUM AND MINIMUM ANTICIPATED BEDROCK ELEVATIONS. CONTRACTOR TO EVALUATE FIELD CONDITIONS AFTER DEMOLITION OF EXISTING BRIDGE AND REPORT TO ENGINEER PRIOR TO CASTING OF ARCH FOOTINGS.



PLANS ACCOMPANYING PETITION OF THE TOWN OF MANCHESTER-BY-THE-SEA DEPARTMENT OF PUBLIC WORKS FOR THE CENTRAL STREET BRIDGE REPLACEMENT MANCHESTER-BY-THE-SEA, MASSACHUSETTS

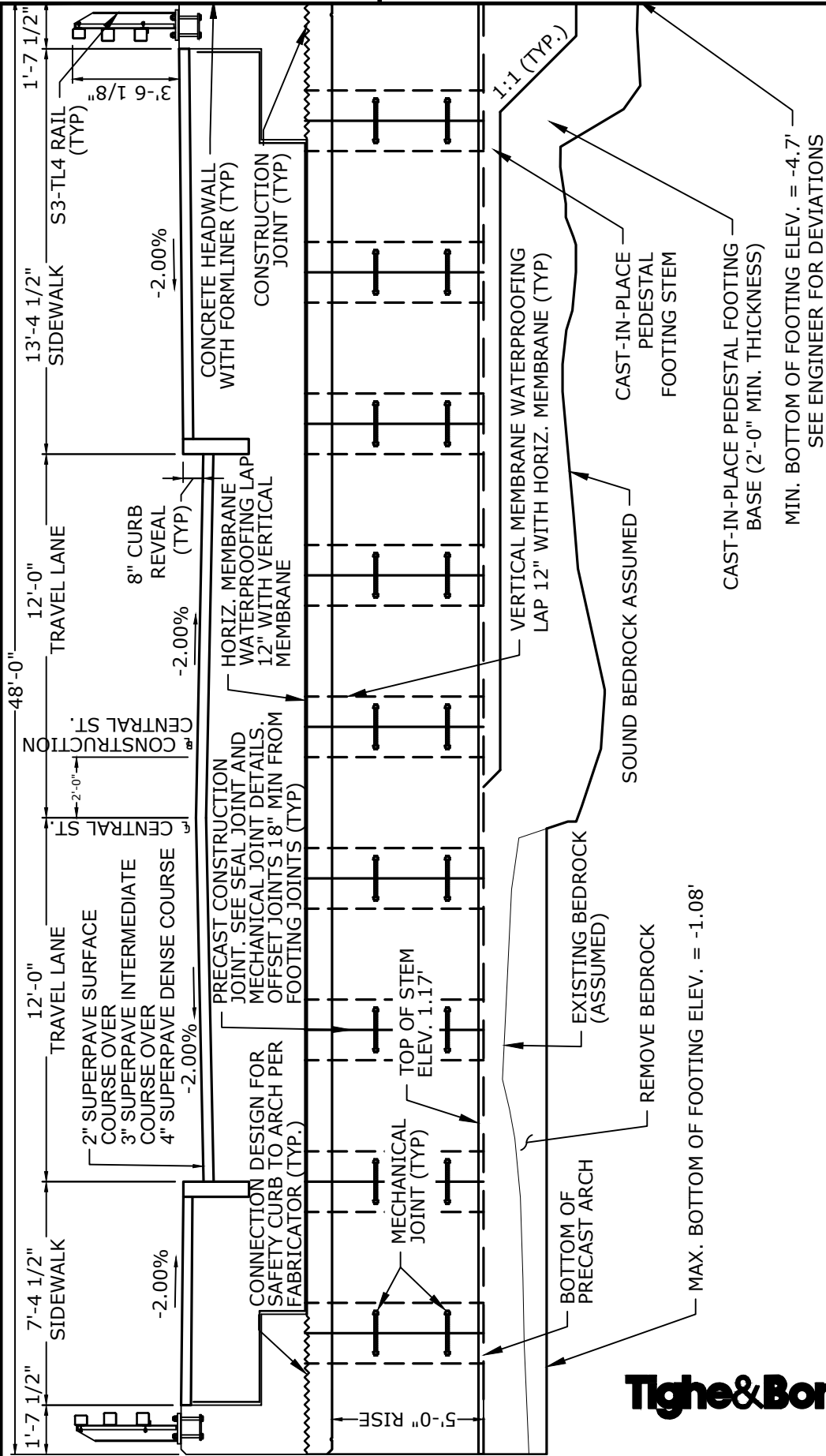
DATE: 3/26/21
SHEET 13 OF 14

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PROFESSIONAL ENGINEER



SECTION
1"=5'

TRANSVERSE SQUARE BRIDGE SECTION

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DATE: 3/26/21
SHEET 14 OF 14

PROJECT DATUM:
HORIZONTAL-NAD83
VERTICAL-NAVD88



Attachment C

Chapter 91 License Application Narrative
Central Street Bridge Replacement Project
Town of Manchester-by-the-Sea



Central Street Bridge Replacement Project
Central Street, Manchester-by-the-Sea

Chapter 91 License

Town of Manchester-by-the-Sea
10 Central Street
Manchester-by-the-Sea, Massachusetts

March 2021

Tighe&Bond

Introduction

This Chapter 91 License Application is being submitted on behalf of the Town of Manchester-by-the-Sea for the replacement of the Central Street Bridge (a water-dependent structure) and the removal of the existing tide gate structure at the downstream face of the bridge on Sawmill Brook in Manchester-by-the-Sea, Massachusetts (the site).

The bridge replacement includes roadway improvements at Central Street, including new ADA compliant sidewalks and curb ramps to enhance the walkability and accessibility of downtown Manchester-by-the-Sea. The goal of this project is to replace the existing bridge which is in poor condition with deficiencies that should be addressed as soon as possible. The bridge replacement project will include the removal of the tide gate structure which will restore the tidal flushing to Sawmill Brook and Central Pond. An ecological restoration project is proposed in these areas to occur in coordination with the tide gate removal.

The project area is located at (42.575262, -70.772963), east of the Elm Street and Central Street (Route 127) intersection. This project will require work within flowed tidelands (Sawmill Brook) and within filled tidelands adjacent to Sawmill Brook, areas subject to Chapter 91 Tidelands Jurisdiction. A project history as well as the proposed activities and project site are described in detail in the following sections.

Background, Purpose, & Need

The Town of Manchester-by-the-Sea is a vibrant coastal community with an abundance of natural coastal resources, a stable population, and thriving year-round and seasonal businesses. Flooding events have severely impacted these assets in the past, including economic loss from businesses closed due to floods and disrupted utilities, flood related safety concerns due to impassable roadways and restrained access for emergency vehicles, inoperable wastewater and stormwater systems, and environmental concerns due to loss of habitat from tidal restrictions and erosion by flood waters.

Flooding is a particular problem within the Sawmill Brook watershed. Flood events during extreme storm events are due to the combination of storm surge, hydraulic restrictions from undersized culverts and the tide gate, stormwater runoff from impervious areas, the channelized stream system in the lower portion of the watershed, and poor infiltration conditions. Flooding is most intense in the lower reaches of the Brook. There, undersized culverts and an improperly functioning tide gate have caused stream banks to overtop, leading to stream bank erosion.

The bridge is in poor condition with deficiencies that should be addressed as soon as possible based on a 2016 MassDOT bridge inspection report. That inspection notes several deficiencies including:

- The arch is missing granite keystones along the northern portion of the bridge and a majority of the arch has concrete patches throughout
- The northern headwall is covered with concrete patching and efflorescence over a majority of its surface
- The headwall also has areas of spalling with exposed reinforcement

- Moderate cracking is evident throughout the roadway surface, which suggests loss of fill material around the structure

Previous site investigations revealed significant water seepage through joints between stones in the adjacent stone wingwall, indicating significant loss of fill material around the bridge and behind the wingwall. The seepage is believed to be made worse by the presence of the tide gate. Removal of the tide gate is proposed as part of the bridge replacement to improve conditions for the bridge structure, hydraulic connectivity in Sawmill Brook, fish passage, and ecological conditions in upstream areas of Sawmill Brook and Central Pond.

The Central Street tide gate and related structures are in need of modification to provide better functionality for drainage and fish passage. The tide gate and bridge at Central Street impede stream flows in Sawmill Brook, especially during coastal storm events, resulting in localized flooding. The Central Street Bridge structure currently overtops during extreme storm events and is structurally deficient.

Existing Chapter 91 Licenses

Based on a review of the Town of Manchester-by-the-Sea historic files, there are two existing Chapter 91 license plans for projects within Manchester Bay adjacent to the project area, as summarized below.

- License Plan #197, recorded January 17, 1922, authorized building retaining walls and riprap slopes and filling in Manchester Harbor
- License Plan #650, recorded April 12, 1926, authorized building a pile pier and bulkhead and filling for an extension of an existing pier in Manchester Harbor

Existing Conditions

General Project Area

Sawmill Brook and associated tributaries have a five square mile watershed in the central portion of the Town of Manchester-by-the-Sea. Sawmill Brook flows to Manchester Harbor through a 16-foot wide bridge at Central Street (Route 127) that has a tide gate at the downstream face of the bridge. The crossing is constructed of three integrated parts including a bridge, tide gate and coastal wingwall. The bridge consists of a 16-foot span mortared stone masonry circular arch bridge with stone masonry wingwalls and headwalls. Timber cribs functioning as weirs are imbedded into the bottom of the stream bed. A concrete and iron tide gate abuts the bridge to the south. The bridge was originally constructed in the mid-1800s and rebuilt around 1938 and a tide gate was installed to control the Brook and create Central Pond just upstream. A stone and masonry wingwall abuts the bridge in the southwest quadrant, functioning as a seawall.

Tighe & Bond evaluated the condition of the bridge and tide gate in June 2015. The bridge has historically suffered due to the tide gate impounding waters upstream of the bridge, causing seepage and loss of backfill material when large precipitation events and high tide elevations are concurrent. Multiple hydrologic and hydraulic models of the watershed and bridge indicate that the bridge opening is undersized.

In June of 2016, the bridge underwent interim repairs intended to temporarily stabilize the structure. The open joints were grouted and a void below the footing was formed and

filled with cast-in-place concrete. The temporary repairs were not a long-term solution for the deficiencies noted in the project need section above.

Downstream of the Central Street Bridge is the tide gate that consists of a concrete gravity weir surrounding the Sawmill Brook outlet. The Sawmill Brook passes through an opening in the weir restricted by a 6.5 by 5.5-foot cast iron slide gate controlled with an electric actuator. The actuator is located on a modern galvanized catwalk above the gate.

The tide gate serves as a major hydraulic restriction for Sawmill Brook. When the tide gate is closed, it reduces tidal fluctuations within Sawmill Brook and Central Pond, although it is overtopped during very high tides. During rainstorms, it causes flooding of low-lying properties abutting Central Pond. To alleviate this flooding the slide gate has been left open since February 27, 2018, partially restoring upstream tidal flows.

On January 4, 2018 a record high tide event, Winter Storm Grayson, overtopped the bridge. The frequency of tidal flooding of the roadway will be increasing based on the current mean sea level rise relative to land (including land subsidence) of 0.92 feet per 100 years recorded in Boston (NOAA), and also based on forecast predictions of an increasing rate of relative sea level rise (IPCC).

Chapter 91 Jurisdictional Resource Areas

The proposed project occurs within filled and flowed tidelands as defined at 310 CMR 9.02. MassGIS online was consulted during the review process to determine the extent of Chapter 91 jurisdictional areas.

Filled tidelands are defined as former submerged lands and tidal flats which are no longer subject to tidal action due to the presence of fill. The historic high water of Sawmill Brook was shown extending landward approximately 45 feet at the greatest extent on the eastern and western banks. Currently the area consists of commercial businesses and paved roadway. The jurisdictional boundaries of the filled tidelands are depicted on the site plans in Appendix A.

Flowed tidelands are defined as presently submerged lands and tidal flats which are subject to tidal action. The project site contains a tidal segment of Sawmill Brook. The MHW (*i.e.*, MHT) line defines the upper limit of the flowed tidelands. The project site is not located within a Designated Port Area, Area of Critical Environmental Concern, or Ocean Sanctuary.

Description of Work

The proposed condition improvements include replacing the existing Central Street bridge with a 20-foot wide arch bridge and removing the tide gate structure. The proposed culvert would maintain the existing upstream and downstream invert elevations (-0.2 feet NAVD88, and -4 feet NAVD88, respectively), and provide a constant low chord elevation of 6 feet NAVD88.

The proposed project includes:

- **Replacement of the Central Street Bridge.** The existing bridge, including the concrete beam span section on the downstream side and upstream stone arch culvert, will be demolished and replaced with a concrete arch culvert with a span of approximately 20 feet, which will have greater capacity than the existing

structure. The visible elements of the replacement structure and street furnishings will have a stone appearance in keeping with the aesthetic of the adjacent stone sea wall.

- **Removal of the tide gate.** This work will include demolition of the concrete tide gate structure, slide gate, catwalk, and associated infrastructure to restore the unrestricted flow of Sawmill Brook into Manchester Harbor.
- **Central Street roadway improvements.** The bridge replacement project does require minor modifications to the approach roadway to the bridge. Proposed work in the approach roadways is limited to minimize the overall footprint of the work to limit project impacts and cost. The existing horizontal and vertical alignments were matched to the extent practicable, roadway function was matched, and drainage patterns were preserved. Minor improvements were made to curb line geometry to improve overall traffic operation.

The proposed roadway section matches with the objectives of the Town of Manchester-by-the-Sea to have a more pedestrian friendly downtown village environment. The Town has taken a “complete streets” approach to the downtown area including recent corridor improvement studies. The proposed roadway cross-section is consistent with the overall plan for the area and will interface well with future improvements. The design includes new ADA compliant sidewalks and curb ramps to enhance the walkability and accessibility of downtown. The design also includes a curb extension (“bump-out”) on the bridge to enhance pedestrian safety and provide traffic calming along the corridor. Given the limited right-of-way, bicycle accommodation is provided in the travel lane. A “take-the-lane” cycling approach is appropriate through the downtown due to low motor vehicle speeds and ample sight distance.

The increased connectivity from Sawmill Brook to Manchester Harbor is expected to improve fish passage through the project area.

Best Management Practices

Best Management Practices (BMPs) will be implemented for the project to limit the footprint of project disturbance. BMPs will include:

- Erosion control barriers, such as compost filter tubes, or silt fence and straw bale barriers, between upland limits of work and sensitive resource areas. Note that much of the separation of work area will be provided by cofferdams described below.
- Sediment filter bags at pump discharges to collect sediment that is mobilized by pumping, should pumping be necessary.
- Limiting the area of disturbance of work to the minimum necessary to allow for safe construction.
- Temporary cofferdams will be necessary to isolate the work area from normal flows. The Contractor will submit their means and methods for coffer dams for engineering and municipal review which may include such materials as Port-A-Dams, sandbags, and/or Jersey barriers but will not include unconfined earth-fill materials. The cofferdams are proposed to include dual 4.5-foot diameter CMP pipes that are anticipated to result in a 7.0 feet NAVD88 upstream water surface with flushing approximately the same as existing conditions with tide gate open.

The proposed water controls are anticipated to provide similar tidal flushing to conditions when the existing tide gate is open, and much more tidal flushing than conditions when the existing tide gate is closed and therefore are anticipated to provide adequate flushing during typical tidal cycles. The footprint of the cofferdam within Sawmill Brook will be limited to an area approved in all environmental permits.

- A turbidity curtain may be installed, if needed.

Project contractors will be required to maintain reserve supplies of erosion control barriers on-site to make repairs as necessary. Disturbed upland areas will be loamed and seeded and mulched, paved, or otherwise stabilized.

Construction Timing & Sequencing

The anticipated construction start date for this project is in late Summer 2022, with in-water work to occur during the coastal Time-of-Year work window for fish, pending receipt of all regulatory permits and approvals.

The anticipated construction sequence is based on Tighe & Bond's experience with past similar projects, with intent of providing guidance to the contractor towards meeting the terms and conditions of environmental permits and best management practices. With that in mind, the anticipated construction sequence is as follows:

- Notify pertinent regulatory agencies of the construction schedule
- Post MassDEP File Number sign at the entrance to the work areas
- Install erosion and sedimentation controls and establish work areas
- Schedule and conduct site walks with pertinent regulatory agencies to inspect construction-phase BMPs
- Install cofferdams, turbidity curtain, and oil booms for water control
- Construct temporary Elm Street roadway and establish detours and road closures
- Provide temporary utilities as necessary for demolition
- Remove tide gate and existing bridge structure with demolition shielding
- Reconstruct Central Street bridge with roadway improvements
- Remove coffer dam, temporary stream access points and in-channel BMPs
- Restore disturbed areas in-kind
- Remove erosion and sedimentation controls pending approval from the Manchester-by-the-Sea Conservation Commission

Please note that the above sequence may change and some tasks may be performed concurrently. The contractor who performs the work will determine the actual sequencing based on their means and methods of construction.

Regulatory Compliance

The existing and proposed coastal engineering structures qualify as water-dependent uses pursuant to 310 CMR 9.12(2)(a)(12) as flood, water level, or tidal control facilities (tide gate and bridge). The proposed improvements to tidal flows within Sawmill Brook include

the replacement of existing bridge and the removal of the existing tide gate. The replacement of the bridge will not preclude public access to Sawmill Brook.

In accordance with the Engineering and Construction Standards described in 310 CMR 9.37(3), the extent of the bridge that extends beyond the high-water mark is necessary to provide the structural support required to maintain the integrity footings.

Compliance with the License and Permit Requirements described in 310 CMR 9.31 is summarized below.

(1) ***Basic Requirements.** No license or permit shall be issued by the Department for any project subject to 310 CMR 9.03 through 9.05 and 9.09 unless said project:*

(a) *includes only fill and structures for uses that have been categorically determined to be eligible for a license, according to the provisions of 310 CMR 9.32;*

The proposed project includes replacement of the existing bridge and removal of a tide gate (fill and structures) for water-dependent use per 310 CMR 9.12(2)(a)(12) as tidal and flood control structures.

As described in the existing conditions section, the project area is not located within a Designated Port Area, Area of Critical Environmental Concern, or Ocean Sanctuary.

(b) *complies with applicable environmental regulatory programs of the Commonwealth, according to the provisions of 310 CMR 9.33;*

As described in the following sections, the Town submitted a Notice of Intent to the Town of Manchester-by-the-Sea Conservation Commission on September 15, 2020, and the Order of Conditions was received on November 18, 2020. The Secretary of Energy and Environmental Affairs issued a Certificate on the Environmental Notification Form on January 10, 2020. The proponent is currently applying to the U.S. Army Corps of Engineers for a Pre-Construction Notification Authorization per Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

(c) *conforms to applicable provisions of a municipal harbor plan, if any, and local zoning law, according to the provisions of 310 CMR 9.34;*

The Town of Manchester-by-the-Sea does not have a Municipal Harbor Plan. The project will adhere to all permit approvals and conditions. The project area parcel is located within the General Area zoning district and no new structures are proposed. The proposed project will assist in protecting existing infrastructure from flood events.

(d) *complies with applicable standards governing the preservation of water-related public rights, according to the provisions of 310 CMR 9.35;*

The proposed replacement and removal project will not extend seaward of the state harbor line, is not within a Designated Port Area, and will not extend into any existing channels. The replacement of the existing bridge will not impair navigation line of sight, require the alteration of an established course of vessels, or permanently interfere with access to adjoining areas.

The goal of the tide gate removal and bridge replacement design is to restore the tidal influence within Sawmill Brook and Central Pond. The existing conditions with the tide gate blocking the bridge inhibit navigation of vessels. Navigation should not be negatively impaired as a result of the project and should improve with the removal of the tide gate and widening of the bridge span. Water-borne traffic is not expected to be generated as part of the project, and the project does not include berthing facilities.

- (e) *complies with applicable standards governing the protection of water-dependent uses, according to the provisions of 310 CMR 9.36;*

The existing and proposed coastal engineering structures qualify as water-dependent uses pursuant to 310 CMR 9.12(2)(a)(12) as flood, water level, or tidal control facilities (tide gate and bridge). Private and public access to this area is limited given the existing infrastructure. There are no stairs or public access points within the proposed project area. Due to the current location of the infrastructure, the project cannot be moved to a different location away from property lines.

- (f) *complies with applicable standards governing engineering and construction of structures, according to the provisions of 310 CMR 9.37;*

The proposed project includes replacing an existing bridge, removal of a tide gate, and roadway improvements. The proposed project does not involve the construction of a coastal engineering structure.

- (g) *complies with applicable standards governing use and design of boating facilities for recreational or commercial vessels, according to the provisions of 310 CMR 9.38 and 9.39;*

The proposed project does not involve any changes to berths, marinas, boatyards, or boat launching ramps.

- (h) *complies with applicable standards governing dredging and disposal of dredge materials, according to the provisions of 310 CMR 9.40;*

Dredging for the proposed project includes dredging associated with the replacement of the existing bridge and the removal of the tide gate. Compliance with the 310 CMR 9.40 Standards for Dredging and Dredged Material Disposal 310 CMR are summarized below.

(1) Limitations on Dredging and Disposal Activity

- (a) The project shall not include any dredging of channels, mooring basins, or turnaround basins to a mean low water depth greater than 20 feet, unless said project:*

- 1. is located within a Designated Port Area; or*
- 2. serves a commercial navigation purpose of state, regional, or federal significance, and cannot reasonably be located in a Designated Port Area.*

The proposed project does not include dredging of channels, mooring basins, or turnaround basins.

(b) If the project is located in an ACEC, the project shall not include any of the following activities:

- 1. improvement dredging, unless the dredging is: for the sole purpose of fisheries or wildlife enhancement; part of an Ecological Restoration Project; or conducted by a public entity for the sole purpose of the maintenance or restoration of historic, safe navigation channels or turnaround basins of a minimum length, width and depth consistent with a Resource Management Plan adopted by the municipality(ies) and approved by the Secretary.*
- 2. dredged material disposal, except for the sole purpose of beach nourishment, dune construction, reconstruction or stabilization with proper vegetative cover, the enhancement of fishery or wildlife resources, or unless the dredged material disposal is part of an Ecological Restoration Project in accordance with 314 CMR 9.07(1)(c) and 310 CMR 10.11(6)(b) and 310 CMR 40.000: Massachusetts Contingency Plan, if applicable, provided that any fill or dredged material used in an Ecological Restoration Project may not contain a chemical above the RCS-1 concentration, as defined in 310 CMR 40.000: Massachusetts Contingency Plan.*

The Central Street Bridge Replacement project area is not located within an ACEC.

(2) Resource Protection Requirements.

(a) The design and timing of dredging and dredged material disposal activity shall be such as to avoid interference with anadromous/catadromous fish runs. At a minimum, no such activity shall occur in such areas between March 15 and June 15 of any year, except upon a determination by the Division of Marine Fisheries, pursuant to M.G.L. c. 130, § 19, that such an activity will not obstruct or hinder the passage of fish.

The DMF requested that no in-water or silt-producing work be conducted from March 1st through June 30th to protect migratory fish habitat for the rainbow smelt and American eel (*Anguilla rostrata*). Work will be conducted in accordance this time restriction. Further coordination with DMF is ongoing and any addition time frame restrictions will be incorporated into the construction schedule.

(b) The design and timing of dredging and dredged material disposal activity shall be such as to minimize adverse impacts on shellfish beds, fishery resource areas, and submerged aquatic vegetation. The Department may consult with the Department of Fish and Game or the natural resource officer of the municipality regarding the assessment of such impacts.

Tighe & Bond observed areas below the MHW during low tide conditions. No shellfish or other submergent aquatic vegetation were

observed. The Project incorporates specific design elements to avoid or minimize impacts to resource areas including maintaining existing footprints and employing best management practices.

(3) Operational Requirements for Dredging.

- (a) The extent of dredging shall not exceed that reasonably necessary to accommodate the navigational requirements of the project and provide adequate water circulation.*

The proposed dredging will occur within temporary coffer dams that will isolate the work area from normal flows. The cofferdams will include dual 4.5-foot diameter CMP pipes to maintain tidal flushing conditions that are approximately the same as existing conditions with tide gate open. Adequate water circulation and navigation outside of active work zones will be maintained during construction.

- (b) The shoreward extent of dredging shall be a sufficient distance from the edge of adjacent marshes to avoid slumping. In general, for improvement dredging projects the edge of the dredging footprint, including any side cuts, should be at least 25 feet from any marsh boundary. In areas where significant wake or wash will be generated by vessel traffic, increased setbacks may be incorporated based on appropriate design calculations.*

Dredging for the proposed project is associated with the removal of the tide gate and the existing bridge abutments. None of the proposed dredging areas include delineated salt marsh. In addition, the overall proposed project aims to restore the tidal influence within Sawmill Brook.

- (c) In general, no basin, canal, or channel shall be dredged deeper than the main channel to which it is connected.*
- (d) To the maximum reasonable extent, basins shall have wide openings and short entrance channels to promote tidal exchange within the basin.*

The proposed project does not include dredging of basins, canals, or channels.

- (e) In general, hydraulic dredging shall be favored over mechanical methods, except when open water disposal of fine-grained material is proposed.*

The proposed dredging will occur within cofferdams for the bridge replacement and removal of the tidal gate. This does not include open water dredging or disposal, mechanical dredging methods are proposed in part because dredge material may include bedrock.

- (i) does not deny access to its services and facilities to any person in a discriminatory manner, as determined in accordance with the constitution of the Commonwealth of Massachusetts, of the United States of America, or with any statute, regulation, or executive order governing the prevention of discrimination.*

The proposed project includes removal of a tide gate, replacement of a bridge, and roadway improvements. The proposed infrastructure will improve the coastal resiliency within the area and help protect the existing infrastructure. In addition, the proposed roadway improvements include new ADA compliant sidewalks and curb ramps to enhance the walkability and accessibility of downtown. The proposed project elements will not impede access nor discriminate against individuals.

Other Pertinent Regulatory Programs

Manchester-by-the-Sea Wetlands Regulations and MA WPA Order of Conditions

A Notice of Intent was submitted to the Manchester-by-the-Sea Conservation Commission on September 15, 2020, pursuant to the Massachusetts Wetlands Protection Act (MA WPA, MGL c. 131 § 40) and its implementing regulations (310 CMR 10.00) and the Town of Manchester-by-the-Sea Wetlands Regulations. The Order of Conditions was received on November 18, 2020. The Order of Conditions will function as a Water Quality Certification in accordance with 314 CMR 9.03(1) and 314 CMR 9.03(3).

Massachusetts Environmental Policy Act (MEPA)

The project is subject to environmental review pursuant to Section 11.01.2.a. of the MEPA regulations as it requires a State Agency action (*i.e.* a permit and funding). The project meets several ENF review thresholds related to wetlands, waterways, and tidelands. No mandatory Environmental Impact Report (EIR) thresholds are triggered by the proposed project. The project requires MEPA review as it will require state permits and exceeds MEPA review thresholds as defined by 301 CMR 11.00. An Environmental Notification Form (ENF) was submitted for review on December 11, 2019 (EEA #16127). The Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form was issued on January 10, 2020.

Section 404/10 Army Corps of Engineers MA General Permits

The proposed project is subject to United States Army Corps of Engineers (Army Corps) authorization jurisdiction under Section 404 of the Clean Water Act, required due to work (fill) within waters of the United States (*i.e.*, work below the High Tide Line (HTL) of coastal waters). Army Corps authorization is also required under Section 10 of the Rivers and Harbors Act due to work within navigable waters of the United States (*i.e.*, work below the MHTL).

The Army Corps General Permits (GPs) for Massachusetts cover specific activities within the limits of Army Corps jurisdiction. Specific area limits apply when 1) there is a discharge of dredged or fill material into waters of the U.S., and 2) as stated in each of the activity General Permits. The total temporary and permanent impact area is used to determine if a project is eligible for Self-Verification, Pre-Construction Notification, or Individual Permit coverage.

A Pre-Construction Notification application will be submitted to the Army Corps in March 2021, and will be concurrently reviewed by other federal agencies, including the U.S. Environmental Protection Agency (EPA), the National Oceanic and Atmospheric Administration (NOAA)/National Marine Fisheries Service (NMFS) and the U.S. Fish & Wildlife Service (USFWS).

In addition to environmental factors, the MA GPs require notification of the State Historic Preservation Office (SHPO), Tribal Historic Preservation Officers (THPOs), and Board of Underwater Archeological Resources (MA BUAR) (for underwater projects) per Section 106. Tighe & Bond provided copies of the MEPA ENF to the SHPO, THPOs, and BUAR describing the proposed activities and providing a general description of the area where construction is proposed. The applicant will continue to coordinate with these parties as the project progresses in accordance with the Section 106 review process.



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Attachment D

Chapter 91 License Application Abutting Property Owner Information
Central Street Bridge Replacement Project
Town of Manchester-by-the-Sea

Abutting Property Owner Addresses

Owner Name	Owner Address	Owner City	Owner State	Owner Zip
ASHLAND AVE LTD PARTNERSHIP	PO BOX 1522	MANCHESTER	MA	01944
WOOD DAVID N & MARYANN A	6 HIGHWOOD RD	MANCHESTER	MA	01944
WADIA-ELLS SUSAN	0 ELM ST, UNIT A	MANCHESTER	MA	01944
MARTIN KRISTIN HODGES JONATHAN	0 ELM ST., UNIT B	MANCHESTER	MA	01944
TORY ANTHONY D. TORY JEMMA	27 CENTRAL ST., UNIT C	MANCHESTER	MA	01944
DUNGENESS MANCHESTER REALTY TR	10 COUNTRY RD	BOYNTON BEACH	FL	33436
1 ELM ST LLC	5 ELM ST	MANCHESTER	MA	01944
19 CENTRAL ST. LLC	PO BOX 85	PRIDES CROSSING	MA	01965
TOWN OF MANCHESTER-BY-THE-SEA C/O Greg Federspiel	10 CENTRAL ST	MANCHESTER	MA	01915