



# *The Commonwealth of Massachusetts*

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May 10, 2006

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME: Zitzkat Residence  
PROJECT MUNICIPALITY: Truro  
PROJECT WATERSHED: Cape Cod  
EOEA NUMBER: 12597  
PROJECT PROPONENT: W. David Zitzkat  
DATE NOTICED IN MONITOR: April 10, 2006

Pursuant to the Massachusetts Environmental Policy Act (M. G. L. c. 30, ss. 61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** further MEPA review.

As originally outlined in the Environmental Notification Form (ENF), the project involved the construction of a pile-supported three-bedroom accessory building with a deck on two sides; and a Title V septic system to serve both the new building and an existing two-bedroom dwelling. Both structures are located on a barrier beach on a 40-foot wide by 340-foot deep lot at 574 Shore Road in Truro. The proponent filed the ENF with MEPA for the original project in November of 2001. The project was subject to Section 11.03 (3)(b)(1)(a) of the MEPA regulations because it involved alteration of a barrier beach. The project required a Superceding Order of Conditions (OOC) from the Department of Environmental Protection (DEP). On October 9, 2001, a Certificate on the ENF was issued that determined that an Environmental Impact Report (EIR) was not required for the project. On February 11, 2002, DEP issued the Superceding OOC (SE-75-504) for the project as proposed in the ENF.

Since the issuance of the Certificate on the ENF, the proponent has proposed changes to

the project that required a new Notice of Intent filing with the Truro Conservation Commission, pursuant to the MA Wetlands Protection Act. The proponent now proposes to site the accessory building 15 feet further seaward than the previous location. The relocated dwelling would be moved onto a new concrete column foundation via a "roller system". The site is within the coastal dune portion of Barrier Beach Unit Tr-1 as designated by the MA Office of Coastal Zone Management (CZM). The local OOC for the revised project has again been appealed, and therefore the project requires another Superceding OOC from DEP (SE 75-658) and the filing of this NPC with MEPA.

The proponent states in the NPC that the proposed change will not result in any changes to anticipated impacts as described in the ENF. In its comments on the NPC, DEP states that the proposed change does not appear to be significant, but voices concern about the impacts of relocating the structure closer to mean high water (MHW) and into the 100-year floodplain on the barrier beach. According to DEP, this concern is reinforced due to the dynamic nature of the shoreline in the project area. The proponent will be required to demonstrate to DEP that the project will not adversely affect coastal dune functions. DEP states that the project's compliance with the wetlands regulations can be addressed during permitting.

### Conclusion

Based on a review of the information provided in the NPC, and after consultation with the relevant public agencies, I find that the potential impacts of this project change do not warrant the preparation of an EIR. No further MEPA review is required at this time.

May 10, 2006  
Date

  
Stephen R. Pritchard

### Comments Received:

4/27/2006 Division of Marine Fisheries  
4/28/2006 Department of Environmental Protection, Southeast Regional Office

SRP/BA/ba