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September 5, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Cardan Realty Trust – 87 Santuit Road
PROJECT MUNICIPALITY : Falmouth
PROJECT WATERSHED : Buzzards Bay
EEA NUMBER : 14291
PROJECT PROPONENT : Cardan Realty Trust
DATE NOTICED IN MONITOR : August 6, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

As described in the Environmental Notification Form (ENF), the project includes the renovation and maintenance of an existing single-family house, including second floor additions above the existing house and garage, the construction and maintenance of an addition within the footprint of the existing structure, the upgrade of the existing septic system with no increase in design flow, driveway re-surfacing, the installation of driveway drainage, dune restoration, and all excavation, re-paving, and landscaping associated with such activities.

Work will take place in a coastal dune, a coastal beach, the A-Zone portion of Land Subject to Coastal Storm Flowage (LSCSF), and within 100-feet of a coastal beach, coastal dune, and coastal bank. The ENF estimates wetland resource area impacts to be approximately 1,300 square feet (sf) of temporary impact to coastal dune and 1,600 sf of impact to LSCSF.

Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03(3)(b)(1)(a) because the project requires a State agency action and will alter a coastal dune. The project will require a Superseding Order of Conditions (SOC) from the Massachusetts Department of Environmental Protection (MassDEP). The project received an Order of Conditions from the Falmouth Conservation Commission, which was appealed by an abutter.

Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that may have significant environmental impacts and that are within the subject matter of required or potentially required state permits. In this case, MEPA jurisdiction exists over wetlands.

Wetlands

The project site contains several coastal wetland resource areas. The existing septic system, which is located entirely within a coastal dune, will be filled and abandoned. A new pressure-dosed septic system will be located underneath the driveway landward of the house as far from the coastal beach as possible. New fill or structures will not be placed within the Federal Emergency Management Agency (FEMA)-designated Velocity Zone of record. The ENF has indicated that all existing grades of the dune will be re-established and dune vegetation will be transplanted or supplemented as part of the dune restoration post-construction. MassDEP has indicated that, as part of the review for the SOC, the impact of the proposed project on the applicable wetland resource areas will be assessed and proposed work will be appropriately conditioned to meet the applicable performance standards of the Wetlands Protection Act.

Based on the information in the ENF and after consultation with relevant public agencies, I find that no further MEPA review is required at this time. The project may proceed to State permitting.

September 5, 2008

Date



Ian A. Bowles

Comments received:

08/18/2008	Carr Research Laboratory, Inc.
08/22/2008	Rosemary Macero, Macero & Associates, P.C.
08/26/2008	Division of Marine Fisheries
08/26/2008	Lynch, DeSimone & Nylen, LLP
08/26/2008	Massachusetts Department of Environmental Protection – SERO

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