



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

September 5, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
FINAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Dutra Residence
PROJECT MUNICIPALITY : Truro
PROJECT WATERSHED : Cape Cod
EOEA NUMBER : 14149
PROJECT PROPONENT : David and Judith Dutra
DATE NOTICED IN MONITOR : July 23, 2008

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.08 of the MEPA regulations (301 CMR 11.00), I hereby determine that the Final Environmental Impact Report (EIR) submitted for this project **adequately and properly complies** with MEPA and its implementing regulations.

In a Certificate dated July 11, 2008, I indicated that Draft EIR would be reviewed as a Final EIR in accordance with 301 CMR 11.08 (8)(b)(2)(a) because the proponent addressed the substantive issues outlined in the Scope for the Draft EIR and there were no substantive issues that remained to be addressed in a Final EIR. The availability of the Final EIR was noticed in the August 6, 2008 issue of the Environmental Monitor and subject to a 30-day public comment period. No comments were received on the Final EIR. No further MEPA review is required. The project may proceed to permitting.

Project Description

The project consists of the redevelopment of a 19,708 square foot (sf) site at 587 Shore Road in Truro. The ENF proposal consisted of demolition of an existing single family three-bedroom home and construction of six two-bedroom cottages in its place. The Final EIR describes a Reduced Build Alternative that consists of expansion of the existing house by adding another level and a fourth bedroom and construction of three two-bedroom cottages. The Reduced Build Alternative will reduce the number of bedrooms by two and associated septic flow by 220 gallons per day (gpd) or 17 percent. The number of parking spaces will be reduced from 12 to 10. The top of the pile foundation for the cottages will be elevated to 13.5 feet National Geodetic Vertical Datum (NGVD). The first floor of the reconstructed house will be elevated to 10.5 feet NGVD. All disturbed areas will be re-vegetated with native plantings such as American Beach Grass.

The site is located north of Shore Road and south of Route 6. It is located on a barrier beach (Beach Point) and within Land Subject to Coastal Storm Flowage (LSCSF). It contains a single family house, a garage, two paved driveways and a cesspool. It is located adjacent to existing residences and commercial properties. According to the 12th Edition of the *Massachusetts Natural Heritage Atlas*, a portion of the project site is located within Priority and Estimated Habitat of Rare Species.

Permits and Jurisdiction

The project is undergoing MEPA review pursuant to Section 11.03 (3)(b)(1)(a) because it requires a state permit and consists of alteration of a barrier beach. The project requires a Superseding Order of Conditions (SOC) from the Department of Environmental Protection (MassDEP).¹ Also, the project will require review as a Development of Regional Impact by the Cape Cod Commission.

Because the proponent is not seeking financial assistance from the Commonwealth, 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. These include wetlands, drainage, water quality and rare species.

Mitigation

The Draft EIR indicates that the proponent is committed to the following measures to avoid, minimize and mitigate project impacts. These include:

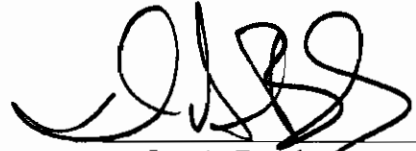
- elimination of existing impervious surfaces, including 1,882 sf of paved driveway areas;
- elevation of the cottages on pilings above base flood elevations;

¹ The Truro Conservation Commission issued an Order of Conditions denying the project described in the ENF. The denial was appealed to MassDEP by the project proponent.

- construction of a septic system consistent with Title 5 requirements;
- re-vegetation of the site with native plantings; and
- installation of two leaching catch basins for stormwater management.

September 5, 2008

Date



Ian A. Bowles

No Comments Received

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