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September 5, 2008

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

PROJECT NAME : Anchorage by the Bay Condominium Trust  
 PROJECT MUNICIPALITY : 596 Shore Road - Truro  
 PROJECT WATERSHED : Cape Cod  
 EOE A NUMBER : 14299  
 PROJECT PROPONENT : Anchorage by the Bay Condominium 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 determine that this project does not require the preparation of an Environmental Impact Report (EIR).

According to the Environmental Notification Form (ENF), the proposed project consists of the installation of about 750 square feet (sf) of temporary wooden boardwalks (about four-feet wide) within the condominium complex in order to maintain pedestrian access in existing common open space areas. The proponent is proposing additional vegetation in adjacent areas. It will install an enclosure surrounding an existing dumpster. The 2.72-acre site contains approximately 9,500 sf of residential space in the developed area of a Coastal Dune/Barrier Beach. There are 13 buildings with fourteen units. According to the proponent, the project will impact approximately 750 sf of Coastal Dune/Barrier Beach.

The project is subject to review pursuant to Section 11.03(3)(b)(1)(a) of the MEPA regulations because it will alter coastal dune and barrier beach. It will require a Superseding Order of Conditions from the Department of Environmental Protection (MassDEP). On April 17, 2007, the Truro Conservation Commission issued an Order of Conditions. The Truro Conservation Commission (TCC) denied two of the proposed walkways and has prohibited the removal of beach grass between and seaward of the row of oceanfront condominiums. All other proposed work was approved by the TCC. The Order was appealed by the proponent. MEPA


jurisdiction is limited to those aspects of the project within the subject matter of state permits and that may cause Damage to the Environment, as defined in the MEPA regulations (in this case: wetlands and stormwater).

Existing and proposed site runoff is sheet flow. The proponent is proposing to remove approximately 300 sf of impervious area (asphalt pavement) and replace it with landscaping.

MassDEP has sufficient permitting authority to ensure that no significant impacts occur because of this project. Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR and can be handled by MassDEP during its permitting process. I direct MassDEP to determine whether or not this project should be built as described in this ENF. No further MEPA review is required.

September 5, 2008

Date



Ian A. Bowles

Comments received:

Jacqueline Truesdale-Eccles, 8/10/08

Joyce and Ken Guild, 8/17/08

Steven Hirschboeck, 8/19/08

Phyllis Dixon, 8/19/08

Ellen Friedman, 8/19/08

Division of Marine Fisheries, 8/25/08

Julie A. McCusker, 8/25/08

NHESP, 8/25/08

MassDEP/SERO, 8/26/08

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IAB/WTG/wg