



# *The Commonwealth of Massachusetts*

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December 22, 2006

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

PROJECT NAME : Betterwood Homes  
PROJECT MUNICIPALITY : Dennis  
PROJECT WATERSHED : Cape Cod Bay  
EOEA NUMBER : 13915  
PROJECT PROPONENT : Betterwood Homes  
DATE NOTICED IN MONITOR : November 22, 2006

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) 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.

As described in the Environmental Notification Form (ENF), the project involves the following: demolition and removal of an existing five-bedroom duplex; removal of existing concrete patio, bituminous parking area, and retaining wall; and the construction of a four-bedroom single-family dwelling with attached garage, decks, dry block patio, upgraded septic system to include I/A and UV treatments, retaining walls, and reconfiguration of the parking area.

The project is undergoing review pursuant to Section 11.03 (3)(b)(1)(a) of the MEPA regulations, because the project requires a Superseding Order of Conditions from the Department of Environmental Protection (MassDEP) and involves alteration of coastal dune, barrier beach or coastal bank. MEPA jurisdiction exists over issues related to the required state permit (land alteration and wetlands issues).

Based on the most recent Federal Emergency Management Agency (FEMA) Flood

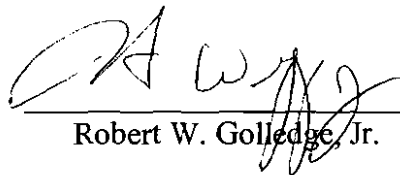
Insurance Rate Map (FIRM) the property is located within land subject to coastal storm flowage. The site borders on Cape Cod Bay and falls within Barrier Beach Unit DN-12 as mapped by the Massachusetts Office of Coastal Zone Management, Barrier Beach Inventory, Sheet 40. The project site is also within the buffer zone to a Bordering Vegetated Wetland and salt marsh. The project will include the demolition of buildings and other structures. Therefore, I advise the project proponent that demolition activity must comply with both Solid Waste and Air Quality Control regulations.

The Massachusetts Historical Commission (MHC) has reviewed the ENF and indicated that the site is located within the Old King’s Highway Regional Historic District (a local district) which is listed in the State Register of Historic Places. MHC has determined that the proposed project will have “no adverse effect” (950 CMR 71.07(2)(b)(2)) on the Old King’s Highway Regional Historic District.

Several issues, however, remain for the proponent to resolve during permitting. I advise the proponent that the project must meet all the requirements for the Superseding Order of Conditions (SOC) permitting process. MassDEP may require additional analysis, design changes and plans for the proposed project as part of the Superseding Order permitting process. Specifically, the project proposes construction on a full foundation. MassDEP has stated that the proponent has not demonstrated that the project meets the performance standards for coastal dunes because garages on slab foundations may not be appropriate on barrier beaches. Therefore, prior to the issuance of an SOC, MassDEP may request a revised plan depicting the proposed building elevated on piers or pilings in order to allow the natural migration of the coastal dune. The proponent should work closely with MassDEP to address all the substantive issues raised in MassDEP’s comment letter.

The project will require state permitting and I am confident that any remaining issues regarding refinement of the project and mitigation can be resolved during this process. The review of the ENF has generated sufficient information on impacts and mitigation for purposes of MEPA review, and has demonstrated that the impacts of the project do not warrant the preparation of an EIR. No further MEPA review is required.

December 22, 2006  
Date

  
Robert W. Gollidge, Jr.

Comments received:

- 11/30/06      Massachusetts Historical Commission
- 12/12/06      Department of Environmental Protection, SERO

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