



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Conservation Commission Meeting Minutes: February 5, 2024

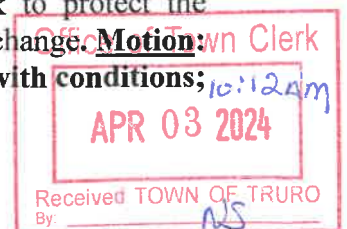
Commissioners Present: Vice Chair Linda Noons-Rose; Commissioners Clint Kershaw & Diane Messinger were present in person. Commissioner Bob White was present virtually. Absent: Chair Carol Girard-Irwin; **Others Present:** Emily Beebe, Conservation Agent; Courtney Warren, Assistant Conservation Agent.

This was a hybrid meeting with both in-person and remote participants. Vice Chair Linda Noons-Rose called the meeting and public hearings to order at 5:00 pm and provided the virtual meeting instructions.

Notice of Intent: 432 Shore Road Unit 8, Travis & Anne Zukowski (SE#75-1191): renovate existing building onto flood compliant foundation with two additions to footprint; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 9, Parcel 8.8) This matter was continued from 12/4/2023 and 1/8/2024 and the applicant has requested a continuation to the March 4, 2024 meeting. **Motion:** Commissioner Diane Messinger moved to continue the hearing until March 4, 2024. **Second:** Commissioner Clint Kershaw; **Vote:** 4-0; the motion carried.

Notice of Intent: 17 Coast Guard Road, Outer Shore Nominee Trust (SE#75-1195): Due to a scheduling issue, no representative was available, so the Commission moved on to the next hearing.

Notice of Intent: 4 River View Road, Stephen & Sharon Patrice (SE#75-1196): landscaping; Riverfront Area & Buffer Zone to a Coastal Bank. (Map 50, Parcel 266) *continued from 1/8/2024* Landscaper Ethan Poulin described the proposed work in a systematic fashion including the removal and replacement of all rotting steps and retaining walls. Native species will be added in bare areas. Both proposed patios will be permeable (gravel). The second driveway access that was originally proposed is no longer being requested. The proposal shows the existing parking area expanded slightly, regraded, and the catch basin either cleaned or replaced. The driveway will be gravel with cobblestone edging. Vice chair Linda Noons-Rose asked if the work limit in the back of the house could be brought in to protect the bearberry. Ethan Poulin confirmed this. The Agent asked for a revised plan to show the proposed changes, particularly the elimination of the driveway. Mr. Poulin submitted a sketch to the Commission which will be added to the file. The Agent suggested a condition that an actual plan be submitted as a field change. Commissioner Clint Kershaw asked about the other open order of conditions (SE75-1163) for this property and if it would be closed. After discussion, it was decided that since the work under that order is not yet complete, it should remain open along with this new order of conditions so that both projects are covered. Both orders will be closed when the work on both projects is completed. Conditions: Tighten the limit of work to protect the bearberry in the rear of the house.; Submission of revised plan as a field change. **Motion:** Commissioner Clint Kershaw moved to approve the Notice of Intent with conditions;



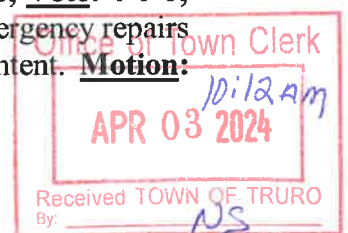
Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried.

Notice of Intent: 17 Coast Guard Road, Outer Shore Nominee Trust (SE#75-1195): Restoration of beach stairs; Coastal Bank, Coastal Beach, Land Subject to Coastal Storm Flowage. (Map 34, Parcel 3) *continued from 1/8/2024* Attorney Ben Zehnder and Marshall Puffer from Tighe & Bond were on the call. Marshall Puffer noted that the limit of work had been delineated. The number of treads to be replaced and information on the railings was provided. **Motion: Commissioner Clint Kershaw moved to approve the filing; Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried.** It was noted that Alternative 2 is being approved and that the NHESP conditions will be included in the Order of Conditions.

Notice of Intent: 402 Shore Road, Kevin Shea (SE#75-1193): install seasonal beach access stairs within a shared easement with Ms. Murtagh; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 10, Parcel 22) *continued from 1/8/2024*. A continuation was requested until the March 4, 2024 meeting. **Motion: Commissioner Diane Messinger moved to continue the hearing until March 4, 2024. Second: Commissioner Clint Kershaw; Vote: 4-0; the motion carried.**

Request for Determination of Applicability: 258 Route 6, Christine Avila: septic upgrade; Buffer Zone to a Coastal Bank. (Map 46, Parcel 14) Jason Ellis was representing the project, a cesspool upgrade to a Title 5 system. The cesspools are located on the south side of the property toward the wetland. The well is currently located in the highway layout so will need to be relocated. The new septic system will be on the northeast side of the house. Vice Chair Linda Noons-Rose stated that during the site visit the commissioners noted there was a lot of cutting of trees in jurisdiction. The Agent suggested an after-the-fact filing to address the tree cutting as opposed to tying that issue to this request. She noted that it is important for the property owners to understand where the jurisdictional limits are and that no new lawn area is created w/in jurisdiction. This should be added as a condition. The Agent asked about the Ford Explorer that is on the property. Jason Ellis has spoken with the property owner and agrees that a mitigation filing to remove the abandoned vehicle and other debris and possibly adding a no-mow zone would be the best course of action. Vice Chair Linda Noons-Rose also pointed out that several trees have been damaged and are likely to die and endanger the house. Her concern was being able to remove the trees before the septic system that can't be driven over is installed. Commissioner Clint Kershaw asked if the cesspools should be removed. The Agent replied that was only necessary on an eroding coastal bank. **Motion: Commissioner Diane Messinger moved for a negative 3 determination with conditions; Second: Commissioner Clint Kershaw; Vote: 4-0-0; the motion carried.**

Emergency Certifications: (1) **566 Shore Road**, storm damage repair; This property suffered erosion in a location where prior approval was given for a fence/coir logs. They have asked to change the project and move the fence location further landward. They will file for an Amended Order of Conditions. **Commissioner Clint Kershaw moved to ratify the emergency certification; Second: Commissioner Linda Noons-Rose; Vote: 4-0-0; the motion carried.** (2) **466 Shore Road:** repairs to seawall; This is for emergency repairs to a badly damaged sea wall. They will follow up with a Notice of Intent. **Motion:**



Commissioner Diane Messinger moved to ratify the emergency certification. Second: Commissioner Clint Kershaw; Vote: 4-0; the motion carried. (3) 416 Shore Road: sand replenishment; (4) 416 Shore Road: repair bulkhead & additional sand replenishment – The first emergency certification for sand nourishment and the second was for bulkhead repair. This will also require follow-up with a longer-term plan. Motion: Commissioner Diane Messinger moved to ratify both emergency certifications for this address. Second: Commissioner Clint Kershaw; Vote: 4-0; the motion carried.

Administrative Review applications: (1) 542 Shore Road, storm damage repair; The sand nourishment is covered under an existing order of conditions, and this is for 1:1 replacement/repair of what was damaged in the recent storms. Motion: Commissioner Clint Kershaw moved to approve the administrative review permit; Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried. (2) 544 Shore Road: sandbags & nourishment – This is a ratification of an emergency permit signed by the Chair. Motion: Commissioner Clint Kershaw moved to ratify the administrative review permit; Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried. (3) 522 Shore Road, septic repair and adding sand cover. This item was removed from the agenda. (4) 618 Shore Rd U:6 60-day extension request.; Motion: Commissioner Diane Messinger moved to approve the extension. Second: Commissioner Clint Kershaw; Vote: 4-0; the motion carried.

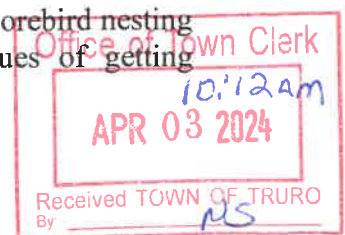
Discussion on Triggers for Beach Nourishment

The Agent wants the Commission to start thinking about this topic. Other communities in southeast MA have requirements in place of for at least annual beach nourishments of approved sea walls/revetments/etc. Beach Point needs a lot of sediment because of the acceleration of the wave action due to all the sea walls and bulkheads. She recommends looking for triggers for nourishment or creating an annual nourishment program for all bulkheads on Beach Point.

Adding nourishment as an annual requirement may ensure enough sediment enters the system to help manage the short-term starvation. A longer-term plan including a sediment source needs to be developed and conversation has begun with the Center for Coastal Studies.

Vice Chair Linda Noons-Rose asked about the conditions that the Commission puts on coastal projects as nourishment is in the property owner's interest. Commissioner Diane Messinger asked if this is a losing battle. The Agent replied that it was, without a good long-term plan. The purpose of nourishment is to grow the beach and bring wave action back away from structures. Commissioner Clint Kershaw asked how the Commission could require certain properties to nourish and noted that a strong front would be necessary to protect that area. The Agent replied that a parcel-by-parcel approach would be the best option at this time; she suggested that we continue to monitor what other towns are doing.

Vice Chair Linda Noons-Rose also pointed out that all properties on Beach Point have different access issues. Clint Kershaw asked if we could just decide to make nourishment a condition on repair projects. The Agent said yes, but the Commission could also look at making a change in regulations. This option would not allow nourishment for this calendar year, due to the April 1st deadline to complete nourishment ahead of the shorebird nesting season. Vice Chair Linda Noons-Rose pointed out the logistical issues of getting contractors and beach access permission issues.



Citizen Karen Ruymann noted that at the last Board of Health meeting, Vice Chair Jason Silva pointed out the damage done during the last storm and that the beach had eroded to within 3ft of Shore Road. He made a critical point that infrastructure- including the water supply for Provincetown runs under that road. She said that something needs to be done to prevent the loss of infrastructure and that public welfare should be considered in addition to personal property.

Minutes: **Motion: Commissioner Clint Kershaw moved to approve the minutes from January 8, 2024; Second: Commissioner Bob White; Vote: 3-0-1 with Commissioner Diane Messinger abstaining; the motion carried.**

Commissioner Diane Messinger moved to adjourn the meeting; Second: Commissioner Clint Kershaw; Vote: 4-0-0; the motion passed.

The meeting was adjourned at 6:08 PM.

Respectfully Submitted by Courtney Warren *cw*

