



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Conservation Commission Meeting Minutes: March 4, 2024

Commissioners Present: Chair Carol Girard-Irwin and Commissioners Bob White & Diane Messinger were present in person. Vice Chair Linda Noons-Rose was present virtually.

Absent: Clint Kershaw; **Others Present:** Emily Beebe, Conservation Agent; Courtney Warren, Assistant Conservation Agent.

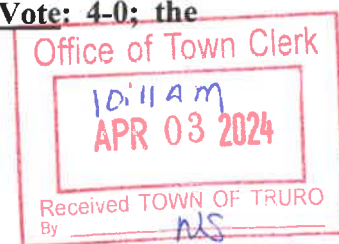
This was a hybrid meeting with both in-person and remote participants. Chair Carol Girard-Irwin called the meeting and public hearings to Order at 5:00 pm and provided the virtual meeting instructions.

Discussion: Boat racks at Corn Hill and Great Hollow

Damion Clements, Director of Community Services, updated the Commission on a paddle craft and non-motorized watercraft storage program to be implemented at both Corn Hill and Great Hollow Beaches. Regulations are in place to protect the coastal environment. Upon consultation with the Conservation Agent, Emily Beebe, and the DPW Director, Jarrod Cabral, the racks will be located in the northwest corner of the Corn Hill Beach parking lot and in the upper parking lot at Great Hollow Beach. Chair Carol Girard-Irwin commented that this would be a much-needed program. Commissioner Bob White asked how they planned to keep track of the various crafts and maintain Order. Damion Clements reported that the beach supervisor will be monitoring the racks. Stickers will be sold through the regular sticker software that is already used in town for other stickers. The rules and regulations for this program describe what will happen to unpermitted craft.

Emergency Certification Extension Request: Robert Martin for Ellie Collins at 466 Shore Road. Bobby Martin represented the owner for this request for a 30-day extension to the emergency certification granted in January 2024 and ratified at the February 5, 2024 Conservation Commission meeting. Due to weather and tides a 30-day extension is needed to finish the work. **Motion:** Commissioner Bob White moved to approve the emergency certification extension request; **Second:** Commissioner Diane Messinger; **Vote:** 3-0-1 with Commissioner Linda Noons-Rose abstaining; the motion carried.

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, 1/8/2024, and 2/5/2024. John O'Reilly and builder Andrew Philbrook were on the call to describe the project. They will remove the existing structure and rebuild with two small additions. An existing deck will be re-built with less area. The total increase in coverage will be 10-sf. A pile foundation is proposed. All concrete will be removed. Chair Carol Girard-Irwin stated that the new plans showing the pile foundation were an improvement. Commissioner Bob White agreed, stating that the proposal was now approvable. Commissioner Diane Messinger asked if there was room for any beach grass planting. There is not much space for any planting and the mitigation is that the structure is being raised. **Motion:** Commissioner Diane Messinger moved to approve the Notice of Intent; **Second:** Commissioner Bob White; **Vote:** 4-0; the motion carried.

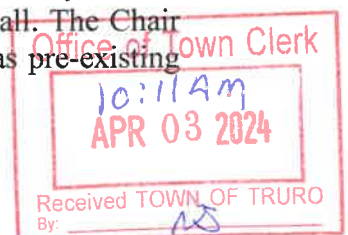


Notice of Intent: 402 Shore Road, Kevin Shea (SE#75-1193): install seasonal beach access stairs within a shared easement with Ms. Murtagh; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 10, Parcel 22) *continued from 2/5/2024*
The applicant has requested a continuance until April 1, 2024. **Motion: Commissioner Diane Messinger moved to continue the hearing until April 1, 2024. Second: Commissioner Bob White; Vote: 4-0; the motion carried.**

Notice of Intent: 16 Great Pond Road, Darryl Cutter & Cortney Oliver: remove cottage and rebuild further from pond; upgrade septic system; Buffer Zone to Great Pond. (Map 55, Parcel 24) Gordon Peabody from Safe Harbor and the homeowners, Darryl Cutter and Cortney Oliver were present in-person to represent the project. This project was previously permitted but not constructed. The new proposal is nearly identical to what was previously approved. The CCNS supported the project and NHESP approval has been submitted to the Conservation Department. Any disturbed areas will be revegetated to match existing site vegetation. Gordon Peabody described the resource protection protocols. The Commissioners all complimented the project including the well-staked site. Commissioner Linda Noons-Rose asked about the septic system. Gordon Peabody stated that the cesspool on site had been filled and abandoned. Moving the road was the only part of the original project that was completed and that the Order of Conditions has been closed. **Motion: Commissioner Linda Noons-Rose moved to approve the Notice of Intent; Second: Chair Carol Girard-Irwin; Vote: 4-0; the motion carried.**

Request for Determination of Applicability: 6 Great Hills Road, Carl & Patricia Hagberg: expansion of an elevated deck; Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 53, Parcel 17) Gordon Peabody of Safe Harbor represented the project for a small expansion to an elevated deck using diamond pier footings. A large area will be interplanted with native species as mitigation. The Agent noted that this was planting in an area with three different habitats. The Agent commented that the dumpster currently on-site is not covered and should be as a condition of any approval. Commissioner Bob White asked if the beach grass would need irrigation. Gordon Peabody explained no, not at this time of year and that irrigation might encourage the growth of undesirable species. **Motion: Chair Carol Girard-Irwin moved to approve a negative 3 determination with the condition; Second: Commissioner Diane Messinger; Vote: 4-0; the motion carried.**

Notice of Intent: 10 Thornley Meadow Road, Roland & Lucia Letendre: after-the-fact filing for beach stair replacement and beach grass trimming; Coastal Bank & Coastal Dune. (Map 53, Parcel 87) Stephanie Sequin, PE from Ryder & Wilcox and homeowner Roland Letendre were virtually present at the meeting. Stephanie Sequin described the property and stated that there were existing steps in the location and the work merely replaced them. Stephanie Sequin had technical issues with her connection that prevented her from presenting. While those issues were being addressed, the Agent stated that she had received an email from the former property owner indicating that there were steps in the ground, prior to Mr. Letendre's purchase of the property. That person was Blair Thornley; she was on the call in support of the current homeowner. The Agent asked Blair Thornley to send any photos via email. Representative Stephanie Sequin returned to the call. The Chair stated that sufficient proof had not been submitted demonstrating what was pre-existing

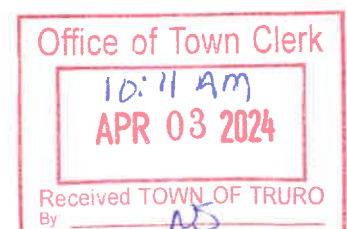


and opined that the Commission would not likely approve the stairs they viewed on the site visit, if they had been proposed as new construction. The Agent stated that it was important to clarify which areas were being discussed. The photos with the application seem to show pre-existing stairs higher up on the coastal bank while the Chair was talking about the lowest portion of steps coming up the toe of the bank. Stephanie Sequin clarified what documentation the Commission required. The Chair confirmed they need photos to show what existed and the width of the path.

Homeowner Roland Letendre explained that the existing pressure treated steps with rebar had deteriorated so he simply replaced them with wider pressure treated steps believing that the steps helped to prevent the bank from eroding; he also sought permission to trim the grass near the path because of the danger of ticks. The Chair noted that the path already seemed very wide and appears to have been made much wider than is shown in the photographs. Commissioner Bob White explained that with after-the-fact filings, the Commission considers whether the already built project was something they would have approved if the proper filing process had been followed. He stated that more delineation of the coastal dune and the southernmost part of the coastal bank should be added to the current as-built plan. Commissioner Diane Messinger noted that compared to the earlier photos, quite a bit of disturbance along the entire path was evident and may need to be restored. The Agent empathized with the applicant about ticks and suggested that low growing plants like bearberry would not transmit ticks and could be utilized to stabilize the slope. The Chair stated that the current stairs in the lower section were not helping and that elevated stairs would allow sand movement. Commissioner Bob White asked about the standards for "at grade" stairs. The Agent replied that the DEP prefers 12-18" raised stairs.

Homeowner Roland Letendre described the maintenance work that he had done and thought he was helping the area by using something more natural. He offered to meet on the site with the Commission. Representative Stephanie Sequin clarified what was needed in terms of the necessary documentation. She understands that they will need to document the before conditions along with the as-built condition but asked questions about the typical allowable width for footpaths, the amount of restoration, and what would be allowed. The Agent responded that the work does not appear to be a 1:1 replacement. She explained the WPA requirement for review prior to an activity taking place and noted that although this appears to be the same design concept, it is larger and not something that would normally be approved. A plan showing an elevated stair (lower) and restoration of the damage that has been done, with mitigation and the fully delineated resource areas was needed. The applicant requested a continuance until the May 6, 2024 meeting. **Motion: Chair Carol Girard-Irwin moved to continue the hearing until May 6, 2024.; Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried.**

Request for Determination of Applicability: 18 Pond Road, Sheila Coleman: footing for small addition & concrete pad for landing; Buffer Zone to Pilgrim Pond. (Map 36, Parcel 58) No representative was available, and the Commission moved on to the next agenda item.



Request for Determination of Applicability: 23 Bay View Road, Matthew & Paula McCue: repair of beach access stairs; Coastal Beach, Coastal Bank; (Map 39, Parcel 311)
Motion: Chair Carol Girard-Irwin moved for a negative 3 determination; **Second:** Commissioner Bob White; **Vote:** 4-0; the motion carried.

Field Change: 2 Ryder Hollow Road, SE# 75-1192
This is a minor change at the very outside of the buffer zone including a shift in shower location to accommodate a stairway. **Commissioner Bob White moved to approve the field change; Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried.**

Emergency Certifications: (1) 352 Shore Road, Oceana: bulkhead repair
Motion: Commissioner Bob White moved to ratify the emergency certification;
Second: Commissioner Diane Messinger; **Vote:** 3-0-1 with Commissioner Linda Noons-Rose abstaining; the motion carried.

Certificates of Compliance: (1) 367-369 Shore Road, SE# 75-737
Motion: Chair Carol Girard-Irwin moved to approve the certificate of compliance;
Second: Commissioner Diane Messinger; **Vote:** 4-0; the motion carried.

Administrative Review applications: (1) 372 Shore Road: replace beach stairs; (2) 0 Fishermans Road: beach fence repair; (3) 482 Shore Road: septic tank repair; (4) 6 Ryder Beach Way: trim/remove damaged trees; (5) 2 Heron Lane: sand nourishment.
The Commission had a brief discussion to clarify the proposed work at 6 Ryder Beach Way. **Motion:** Commissioner Linda Noons-Rose moved to approve all of the administrative review applications; **Second:** Commissioner Bob White; **Vote:** 4-0; the motion carried.

Minutes: There were no minutes ready for this meeting.

Request for Determination of Applicability: 18 Pond Road, Sheila Coleman: footing for small addition & concrete pad for landing; Buffer Zone to Pilgrim Pond. (Map 36, Parcel 58) There was still no representative but since the project was simple, the Commission decided that they could approve it with a condition that the pad for the stairs not be a poured concrete slab. **Motion:** Commissioner Bob White moved for a negative 3 determination with a condition; **Second:** Commissioner Diane Messinger; **Vote:** 4-0; the motion carried.

Commissioner Bob White moved to adjourn the meeting; Second: Commissioner Diane Messinger; Vote: 4-0-0; the motion carried.

The meeting was adjourned at 6:27 PM.

Respectfully Submitted by Courtney Warren CW

