



TOWN OF TRURO
Conservation Commission
24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission Meeting Minutes

The Commission hearing was preceded at 6:15 by an educational presentation by Shannon Jarbeau, Community Rating System and Floodplain Management Coordinator at Barnstable County/Cape Cod Cooperative Extension.

February 6, 2017. The meeting was called to order at 6:40 P.M. in the Selectman's Meeting Room. Commissioners Present: Deborah McCutcheon (Chair), Diane Messinger, Henry Lum, Linda Noons-Rose, Jack McMahan and Larry Lown
Others Present: Emily Beebe, Assistant Health/Conservation Agent

135 South Pamet Road, Notice of Intent; Basil Musnuff; SE#75-1001;(map 48, parcel 7) NHESP has submitted a letter of "no take", and the Commission may now close the hearing. There were no comments from the public. The Commission reviewed the special conditions, including the requirement that the contractor obtain a staging and access permit; re-establishing the natural grades; saving and re-planting the beach grass and stabilization of the cesspool and parking area.

Motion to approve the application and issue an Order of Conditions by Commissioner Noons-Rose; second by Commissioner Lown. Vote was 4 in favor with 2 abstentions. Motion approved.

19 Avocet Road, Administrative review permit application. (Map 39, Parcel 218) Planting project to stabilize the toe of Coastal Bank. Safe Harbor presented the project which includes planting beach grass and bayberry. **Motion to approve the project; Motion by Commissioner Lown; second by Commissioner Messinger. Approved unanimously.**

51 Fisher Rd, Notice of Intent, SE#75-1003; (Map 53, Parcel 23) Work scope includes replacement of 2 decks, construction of a roof deck, and installation of a boardwalk on a Coastal Dune and in Land Subject to Coastal Storm Flowage (V zone).

Dave Lajoie was present to discuss the application with the Commission. Marcia Ambrose, the abutter located to the south was present. The property has a shared driveway area adjacent to an existing dwelling on a Coastal dune. Two existing decks on the north side and the west side of the building will be replaced in kind; a new second floor deck is proposed to fit within the existing footprint; new and replacement boardwalks are proposed to improve the access down to the beach following an existing footpath. The new boardwalks would be the same size and location. A staked work limit is shown and the disturbed areas will be replanted with beach grass. A 2-foot wide removable wood walkway is proposed for the end section of the path, with seasonal removal proposed. "Seasonal" was discussed, and described as the period from the end of

October to April 30. Storage of the removable walkways would be in the driveway area upland. The abutter described how they share a part of the path to the beach.

The Commission had questions about where the removable sections of walkways would begin, and what would be removed and replaced, as it was not clear on the plan.

Motion to approve the project with conditions; conditions include requesting a new site plan to show: which walkway sections would be replaced; a note on the plan indicating that the old deck sections to remain would ultimately be replaced with the removable and seasonal walkways; and a note in the construction protocol describing dates for removal. Motion by Commissioner Noons-Rose; second by Commissioner McMahon. Approved unanimously.

242 Shore Rd, request to amend Order of Conditions; SE#75-0997;(Map 17, Parcel 17)

The changes shown on the revised FELCO site plan include two retaining walls adjacent to the new septic system and one short wall segment adjacent to the parking lot at the NE corner of the building. Pervious pavers are proposed for the road apron. Specifications about the paver will be provided to the Conservation department. A new electric service line will be installed under-ground by Eversource. The site is on a Barrier Beach and within Land Subject to Coastal Storm Flowage. Dave Lajoie and Al Silva presented the new information to the Commission. There was a question about the timing of pouring the wall with the slab for the stair access prior to the septic installation as it was not on the approved plan. The applicant had removed a wall to construct the system, and believed that the design showed the new wall, as it had been intended to contain the leaching area on the house side. The newly revised plan shows both the as-built and proposed walls. **Motion to accept the project changes as shown on the revised plan; Motion by Commissioner Lown; second by Commissioner McMahon. Vote was 5-0-1 with McCutcheon abstaining; motion was approved.**

23 Great Hills Rd, Notice of Intent, SE#75-1004; (Map 53, Parcel 4)

The project proposal includes modification of the existing driveway, construction of a new deck, new stair, new shed with deck, and landscaping within Riverfront Area and a portion located within the buffer zone to Coastal Bank. The property is bifurcated by Great Hills Road and the resource areas are located to the east of the dwelling. David Lajoie of FELCO presented the project. The new shed will be 12 x 20 with a 6 x 18 deck sited in part over an existing vegetable garden and brushy area on the East side of the property. The shed would be used to store kayaks; Mr. LaJoie said they would use the existing path to bring the kayaks to and from the water. The path is not shown on the plan. The shed would be elevated 5 feet above grade on piles. There was discussion about the alternatives analysis for the new shed location. The Chair asked why the shed was located in the Riverfront area when it appeared feasible to site it outside the riverfront; it also appeared possible to site it in the parking area which is already degraded. There was a brief discussion on what adverse impacts resulted from siting the shed as proposed. The Commission asked to see the alternatives analysis for feasible shed locations.

Motion to continue the discussion to the March 6 hearing to allow submittal of a revised plan showing the path, and possibly an alternative location for the shed, and to allow submittal of an alternatives analysis.

Motion by Commissioner Messinger; second by Commissioner Lum. Approved unanimously.

17 Pond Road, Administrative review permit (Map 36, Parcel 45)

The access for a septic upgrade project for the church is within the buffer of BVW.

Motion to approve administrative review permit. Motion by Commissioner Lown; second by Commissioner Messinger; Approved unanimously.

8 Castle Road, (field change request), SE# 75-0841; No information was submitted by the owner, and therefore this matter was not heard.

618 Shore Rd, Notice of Intent, SE#75-1002; (Map 5, Parcel 13)

The project proposal for “redevelopment” includes construction of new decks on the office building, removal of walkways between cottages, removal of decking from the top of the bulkhead and extension of a parking lot. All work proposed is on the landward side of the bulkhead. The site is on a Barrier Beach and within Land Subject to Coastal Storm Flowage. Paul Shea, Billy Rogers and Jay Murphy represented the Condominium association owners and presented the project. Mariellen Serena was also present on behalf of the owners. Mr. Shea presented the plan and the Commission asked for details about replacing walkways as the proposed materials were unspecified, nor was there information provided about the treatment/surfacing of the parking lot expansion. There was discussion about how the “exclusive areas” of the cottages would be developed because no information had been provided about future expansion; it was suggested that the plans show potential future deck locations. No details were available, and it was suggested that the applicants return at a later meeting to provide the additional information.

Motion to continue the hearing to March 6; Motion by Commissioner Messinger; Seconded by Commissioner Noons-Rose. Approved unanimously.

10 Cabral Farm Road,(Map 42, Parcel 177) discussion with Dave Dewitt about local filing process for farming. Recently, work at the site included cutting several stands of autumn olive in area that has been traditionally farmed. The work on the site precipitated a phone call from a neighbor who heard a chainsaw from the site and called in their concern. A site visit was made by the building inspector, who was in the vicinity, and he spoke with the individual cutting the trees about the complaint. Mr. Dewitt came down to Town Hall to determine if there were any issues with wetland regulations and made a site visit with the agent. He agreed to stop working in the area and has come to the hearing at the suggestion of the agent to discuss next steps with the Commission. What he described as a plan to expand may simply be a plan to restore this area. The immediate course of action is to issue an administrative permit for brush cutting and removal. Mr. Dewitt will return to update the Commission and will meet with the agent to discuss next steps.

572 Shore Road, certificate of compliance; SE#75-919; (Map 5, Parcel 30) Mariellen Serena; Work included an addition, deck and fencing. **Motion to approve issuance of a Certificate of Compliance. Motion by Commissioner Lown; Seconded by Commissioner Messinger. Approved unanimously.**

48 Shore Road; certificate of compliance; SE#75-0665; (Map 36, Parcel 26) Peter Thrasher, drainage work completed by the Town of Truro. **Motion to approve issuance**

of a Certificate of Compliance. Motion by Commissioner Lown; Seconded by Commissioner Noons-Rose. Approved unanimously.

8C Second Landing Way, administrative review permit, (Map 45, Parcel 38) Corn Hill Cottage Condo's, septic repair. **Motion to approve by Commissioner Lown; Seconded by Commissioner Messinger. Approved unanimously.**

466 Shore Road, After-the-fact filing (Map 8, Parcel 29) application was submitted for work completed in January that included backfilling a bulkhead on a Barrier Beach and within Land Subject to Coastal Storm Flowage without prior review. The contractor is Bob Martin, who could not attend the meeting and asked for a continuance. The agent explained that the contractor viewed the situation as an emergency, and went ahead and completed the work. The process for emergency exemptions was reviewed by the Commission. Discussion included issuance of a fine, and requiring his attendance at the next meeting. **Motion to grant the administrative review as filed and to impose a fine for \$100 for work done without a permit and that to dispute the fine the contractor must come to the Commission meeting of March 6; Motion by McCutcheon; second by Commissioner McMahan.** Discussion on the motion: Commissioner Lum was concerned that there is risk that he would just pay the fine without dialogue, and that instead he should come to the meeting. The chair asked if there would be a second for amending her motion to require the contractor to come in and discuss the project, and then possibly imposing the fine. There would be a fine if he did not attend. There was assent by Commissioner McMahan to amend the motion. The motion now reads: **Motion to grant the administrative review as filed, and to require that the contractor come to the Commission meeting of March 6 or the Commission will impose a fine for work done without a permit; Second by Commissioner McMahan; Approved unanimously.**

Consent agreement with GFM Enterprises- Continued until March 6. **Motion to continue by Commissioner Messinger; Second by Commissioner Noons-Rose; Approved unanimously.**

Discussion Items:

The Commission briefly discussed the upcoming MACC annual conference on Saturday March 4.

There was discussion and minor edits on the Minutes of January 9, 2017. **There was a motion to approve as corrected; Motion by Commissioner Lown; Seconded by Commissioner Messinger. Approved unanimously.**

The Commission briefly discussed a new draft letter targeting homeowners in resource areas with education about Commission jurisdiction. The Chair asked Commissioner Lown to work with agent on these letters.

There was a brief conversation about the Town of Truro email accounts for the Conservation Commission members.

Hearing no other business there was a **motion to adjourn, by Commissioner McMahan, seconded by Commissioner Lown. Approved unanimously.**

Hearing no further discussion the **Chair moved to adjourn the meeting; the motion**

was seconded and the vote to adjourn was unanimous. The meeting was adjourned at 8:55.

Site Visit Minutes

February 6, 2017. Commissioners Messinger, McCutcheon, and Lown met at 1:15 at the Cobb Library parking lot; Assistant Health/Conservation Agent, Emily Beebe was also present. Linda Noons-Rose joined the Commission at the first visit at:

33 Cooper Road- The Commission viewed the limit of work and buffer zone.

51 Fisher Rd- The property was staked showing the proposed shed location and work limit; 23 Great Hills Rd-The property was staked. 242 Shore Rd,- the applicant met the

Commission on site. 618 Shore Rd-The Commission viewed the resource areas.

The site visits concluded at 3:00.

Compiled by E. Beebe