



TOWN OF TRURO

Conservation Commission

24 Town Hall Road

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Minutes

October 7, 2013

Truro Town Hall, 24 Town Hall Rd, Selectmen's Meeting Room

Members Present: Al Silva, Sarah Benjamin, Linda Noons-Rose, Peter Romanelli, Larry Lown

Others Present: Agent Patricia Pajaron, Secretary Nicole Smith

Workshop Minutes

The Commission will wait until next meeting to discuss Conservation Commission policies. It may be decided to hold a separate workshop.

Regular Meeting

Others Present: Laura Scholfield, Tim Dickey, David Lajoie, Gordon Peabody, Lara Henry, Julia Bergmark, David Waite, Louise Briggs, Michael Lord, Amber Lord

Minutes: Correction on 2nd page, under 7:05 delete the word shall on the sentence beginning with "No frame work..." Approve as corrected. Motion by Romanelli, 2nd by Lown. Unanimous.

Notice of Intent by Schofield Brothers for Susan Webster of 458 Shore Rd: Laura Schofield spoke. Project is an upgrade of an existing septic. A 4 bedroom home exists on the site and is served by a cesspool in the back of the house. The proposed septic tank and leaching area will be in front of the garage. There will be silt fencing to show the limit of work. Cesspool will be pumped and filled. The plan is approved by the Board of Health pending a floor plan inspection which was done this afternoon and passed. Approve plans dated October 3rd, 2013. Motion Romanelli, 2nd Lown. Unanimous.

Notice of Intent by Tim Dickey for Anne Tredick Dickey Irrevocable Living Trust Agreement of 39 State Highway: Dickey and Lajoie spoke. Existing home abutting Great Pond will be demolished and replaced with a new dwelling 10 ft further back from the pond and will include a garage. The Northwest and East sides have vegetated wetland. The new septic system will use silt fencing for limit of work. A new access road to the site is proposed, most of which is out of the buffer zone. No re-grading will be done except in septic area which is out of the buffer zone. Lown posed question on construction note #6 regarding roof runoff. The project will have gutters and a dry well,

see #4 of addendum. Approve plan dated 9/18/2013 with addendum and normal Order of Conditions. Motion Romanelli, 2nd Lown. Unanimous

Notice of Intent for David Bergmark of 8 Pilgrim's Path: Julia Bergmark spoke. Project is to add an extension to the porch and put up a small tool shed, build a 6 ft high fence on property line to give privacy from new construction next door. Bergmark expressed interest in using vegetation instead of a fence. The Commission prefers this option but it would have to be vegetation from approved plantings list. If it is decided to do vegetation instead of a fence it needs to be changed in narrative. The area that will hold the shed needs to be staked and the Commission needs to know what will be stored in the shed and how it will be built. The project needs to come back to the Commission once more information is gathered and the area is staked. Noons-Rose stated that it was unclear what was being done to the deck. If planting vegetation instead of the fence the limit of work needs to be staked and any vegetation that will be removed needs to be marked. Project also proposes to replace the walkway to the beach. Lown asked if it would be elevated and Bergmark stated it would be elevated and constructed on 4x4 posts. Romanelli stated the walkway needs to be staked. Silva noted that there needs to be space between the slats so that sunlight can get through and vegetation can grow. That space is possibly 3/8 of an inch, but Agent Pajaron will let Bergmark know. Lown stated that since it has not been decided if on whether they will do fencing or shrubbery the Commission should be informed of the decision at the next meeting. The proposed plan mentions a split rail fence. Bergmark informed us it was put in last year. Romanelli said item #4 can be omitted as it has already been done. Silva stated Bergmark needs to come before the Commission with revised plans, elevation of the walkway and spacing between slats and the areas of shed placement, deck changes, replacement of walkway and fence/vegetation areas staked. DEP has not sent the DEP# yet. If there are any changes to the narrative or plan DEP needs to be notified. Motion to continue until next meeting and confirm with DEP that this can then be continued to a date to be determined (likely the first meeting in June). Motion Romanelli, 2nd Lown. Unanimous.

Request for Determination of Applicability for Leslie Abel Waite of 6 Bridge Lane: Dennis Waite spoke. Project is for an exterior access stairway from 2nd floor. Posts will be on sonotubes and pressure treated lumber will be used. Romanelli asked what landing design will be. Waite stated that it would likely be a concrete slab. Silva informed Waite that he needs to discuss what is allowed for the landing and what has to be raised off the ground with the Building Commissioner. Work is in the resource area but does not affect the interests of the WPA, negative determination 2. Motion Romanelli, 2nd Benjamin. Unanimous.

Notice of Intent by Attorney Leonard Enos III for Mary Lou Santos of 631 Shore Rd:

This is a continuance from 9/9/2013 because there was not a DEP# at that time. Everything was approved pending file number which was received. Accept plan that is hand drawn from August 16th, 2013 to include re-roofing, windows and doors on shed and maintenance of parking areas for vegetation. Motion Romanelli, 2nd Lown. Unanimous.

The enforcement order needs to be lifted. Motion Romanelli, 2nd Lown. Unanimous.

Administrative Permits by Safe Harbor Environmental for:

- 1. Atlantic Bay Realty Trust of 4 Heron Lane**
- 2. Sarah Lutz and John Adrian Van Rens of 32 Cooper Rd**
- 3. Jay Ward Kislak Irrevocable Trust of 118 North Pamet Rd**
- 4. TD Bank NA, Trustee Ellen S. Brown Trust, 39 Bayview Rd**
- 5. Sarah Lutz and John Adrian Van Rens of 21 Cooper Rd**
- 6. Rajeev Singh-Molares of 2 Heron Lane**
- 7. Eileen McDonagh and Robert Davoli of 33 Cooper Rd**
- 8. Charles and Donna Ward of 8 Falcon Lane**
- 9. Jennifer Weiner of 1 Circuit Way**

Gordon Peabody and Lara Henry spoke. All projects are for biomimicry so Commission decided to break different sites into categories and hear at one time since Commission is very familiar with use of biomimicry and further information is not needed. Projects using biomimicry only: Kislak, Ward and Weiner. Six projects will have biomimicry with nourishment and beachgrass planting: Atlantic Bay Realty Trust, Lutz, TD Bank NA, Lutz, Singh-Molares, Davoli. There will be 100-150 yards of sand per property, one property may take 200 yards. Safe Harbor will go to the Board of Selectmen for staging permits. Sand will be brought to properties by a large loader and then a smaller machine with large reach will put sand on bank. After nourishment is done beachgrass will be planted. 8 Falcon Ln property had biomimicry last year but Safe Harbor thought it was appropriate to come before Commission before continuing this year. Net loss of sand was reduced on 8 Falcon Ln property. Lown asked if any of these properties use drift fencing and Peabody stated that some do but they are in various states of disrepair and owners do not wish to repair them and they just want to use biomimicry. Lown asked what the time frame for the projects will be. Peabody responded that they will go to the Board of Selectmen for staging permits and make sure all notifications are sent out. He would like biomimicry to be installed before Thanksgiving and will let Agent Pajaron know before work begins. Approve biomimicry only projects for Kislak, Ward and Weiner. Motion by Romanelli, 2nd by Lown. Unanimous. Lown clarified that each application is \$50. Approve biomimicry, nourishment and vegetation for Atlantic Bay Realty Trust, Lutz, TD Bank NA, Lutz, Singh-Molares and Davoli with special condition that at the end of each work day the last vehicle on the beach needs to back blade sand in order to prevent large divots. Moved by Romanelli, 2nd by Lown. Unanimous.

Administrative Permit for Al Silva of 218 Shore Rd: Al Silva recused himself. Project is to replace stairway with those that conform with the MA Building Codes. Motion to Approve by Benjamin, 2nd by Lown. Unanimous.

Administrative Permit for Louise Briggs of 8 Castle Rd:

Project for vista pruning of Sumac, Black Cherry and locust. Per Sarah Benjamin Sumac is invasive. Removal will most likely be done using clippers as the branches are all small enough that a chainsaw will not be necessary. No pesticides or herbicides will be used. This is the first time filing for a permit and Briggs would like to do this each year. Lown stated that fees for a permit for vista pruning seem excessive and would like to discuss

this at a later meeting. Motion to approve by Romanelli, 2nd by Lown. Unanimous.

Request for Administrative Review/Change in Plans by Safe Harbor Environmental for Daryl S. Cutter and Cortney Oliver of 16 Great Pond Rd (#075-0892):

Gordon Peabody and Lara Henry spoke. One month ago clients were told that floor plans will not work because they neglected to consider space for interior walls and storage and now they need a little more space than originally thought. The back wall will be moved out about 4 ft and the side walls will be moved out 2 ft. Commission mentioned that no stakes were up and no trees were marked at the site visit. Peabody stated that there were no changes to previous plans other than moving walls. Lown questioned if this will interfere with original layout of road. Peabody stated that the new road has not been changed from original plan. Road will be approximately 15ft from the house instead of original 18 ft. Peabody stated that it has been discussed that the back wall will only go out 3 feet further in order to avoid cutting down another tree. Safe Harbor will document all phases of work and submit it. The change of plans is not significant enough to apply for an Amended Order of Conditions and approved with special conditions: As-built will be submitted when applying for Certificate of Compliance and rear wall will be changed to 3 ft. out. Moved by Romanelli, 2nd by Lown. Unanimous.

Request for Administrative Review/Change in Plans for Micheal and Amber Lord of 4 Marsh Lane (#075-0798):

Project is to build a new home on an empty lot. Original house propped by Rose Kennedy was approved but this project proposes a plan with a smaller house. The perc test has been done and a well has been installed. The porch will be further from conservation area and setbacks. Septic is outside of the buffer zone. There is a different footprint of the house (but smaller), 1600 sq. feet, 2 floors. There will possibly be minor re-grading to make a walk-out basement. Noons wanted to know what side the walk-out would be on and Michael Lord said it would be the east side facing the conservation land but the re-grading would not be done in the conservation land. The basement somewhat works with the natural grade of the land. Change of plans are not significant enough to apply for an Amended Order of Conditions. An as-built will have to be submitted when applying for a Certificate of Compliance. Motion by Romanelli, 2nd Lown. Unanimous.

Discussion of Special Condition #6, Order of Conditions by Felco Engineering for Gary Cameron of 574 Shore Rd (#075-0985):

Dave Lajoie spoke. There was an approval for the house being lifted and then sonotubes to be hand dug. Then there was an approval for the house to be demolished and a full foundation poured. Order of Conditions still state that the foundation has to be dug by hand. Felco would like to have that condition removed so they can pour full foundation. Foundation is allowed to be excavated by machine rather than by hand. Motion by Romanelli, 2nd by Lown. Unanimous.

The Compact of Cape Cod Conservation Trusts, Inc., Conservation Restrictions for 266 Shore Rd and 0 Old Bridge Rd Path:

No representative present. Fred had emailed Agent Pajaron to see if the Commission could review without representation. Conservation restrictions are in both parties favor. 266 Shore Rd had previously been discussed. 266 Shore Rd will have a conservation restriction. Motion by Romanelli, 2nd by Noons. Unanimous. 0 Old Bridge Rd Path will have a conservation restriction.

Motion by Romanelli, 2nd Lown. Unanimous.

Certificates of Compliance:

3 Kill Devil Rd, Robert Valleau (#075-0876): Motion by Romanelli, 2nd Lown. Unanimous.

22 Pilgrim's Path, Francis Zarette (#75-0794): Made access for animals by removing slats in drift fence. Motion by Romanelli, 2nd Lown. Unanimous

458 Shore Rd, Susan Webster (#075-0468 and 075-0635): There are 2 old filings and work was never done. On the Certificate of Compliance put that the work was never done. Motion by Romanelli, 2nd by Benjamin. Unanimous.

416 Shore Rd, Kenneth Shapiro (#075-0880): After a site visit it was noted that downspouts and gutters were not installed and the outdoor shower is not on the plans or as-built. The owner was notified that the property is not compliant. The owner informed Agent Pajaron that clarification of gutter and downspout placement was needed. No gutters are needed on the Shore Rd side of the house due to gravel placement. The SW and SE corners need gutters and down spouts. Agent Pajaron will send a letter as to where gutters and down spouts need to be placed. The outdoor shower needs to be connected to a drywell. Continue to next meeting. Motion by Romanelli, 2nd by Lown. Unanimous.

Meeting adjourned at 8:15 p.m.

Respectfully,

Nicole Smith

Approved 3-0-2 on November 4, 2013