



TOWN OF TRURO CONSERVATION COMMISSION

**P.O. Box 2030
Truro MA 02666-0630**

Conservation Commission Meeting Minutes: February 5, 2018

The meeting and public hearings were called to order at 6:00 P.M. in the Selectman's Meeting Room. Commissioners Present: Chair Deborah McCutcheon; Vice Chair, James Bisceglia; Larry Lown; Diane Messinger; Henry Lum; Linda Noons-Rose; Jack McMahon **Others Present:** Emily Beebe, Conservation Agent

Request to Amend and Extend an Order of Conditions: SE # 75-0956; 0 Pamet Harbor, Town of Truro; (Map 49, Parcel 16) Charlie Agro from Coastal Engineering represented the Town to request that restrictive language in the special conditions of the Order be changed to reflect the conditions made by the Division of Marine fisheries; an extension for the project Order was also requested. **A motion to make the change in the language as requested and issue a 3 year extension was made by Commissioner Noons-Rose and seconded by Commissioner McMahon. The vote was unanimously in favor.**

449 Shore Road, Cousins Family Revocable Trust, SE# 75-1026

Motion to continue the hearing until April 2 by Commissioner Bisceglia and seconded by Commissioner Lown; the vote was unanimously in favor.

42 Corn Hill Rd; Henry Morfit & Jane Bunker, SE#75-1033

The project proposed includes relocation of the existing dwelling, and an upgrade of the septic system. The resource areas include Land subject to Coastal Storm Flowage and Coastal Dune. Jason Ellis presented his design plans, and stated that the property is for sale and therefore the septic requires an upgrade. A file number has not been issued, and the discussion is preliminary. The project requires variances from the Board of Health. Commissioner Messinger asked if the intent was to keep the house and relocate it, which Mr. Ellis confirmed, saying that moving the house was optional, but the owners wanted to address the location as it is the lowest spot on the property and in the flood plain. (Grade at the building is 6 feet; flood elevation is 12 feet) Commissioner Bisceglia suggested that elevating the building at its existing location would be an easier path. Mr. Ellis said he wanted to understand what options were available for the site.

The Agent asked if the well could be moved, to bring the septic closer to the house, and asked him to look at alternative designs that might not impact the Coastal Dune as much, and asked Mr. Ellis to provide information on how the area would be accessed by equipment during construction of the new septic. Mr. Ellis suggested that the existing well is probably old and salty and that there was probably not a better place for the well. There was concern about the amount of Resource Area being disturbed by the leaching area. The Chair directed Mr. Ellis to consult with the Agent about the well and septic options.

There was a motion to continue the matter until March 5; Motion by Commissioner Bisceglia; seconded by Commissioner Lum; the vote was unanimously in favor.

155 Old County Rd, Gail Levine; Request of Determination of Applicability for a proposed addition. This property has a certified vernal pool on the property and 2 other wetland areas identified on the site plan. The proposed project is outside any wetland resource area or buffer; however construction is uphill from an isolated wetland. The Commission discussed setting conditions that would protect the wetland during construction and beyond by requiring use of drought resistant (native) grass, and restricting the use of fertilizers and insecticides. This was discussed with the applicant and the Commission asked that the applicant agree to the conditions.

The Chair noted that the address on the house plans did not match the address on the site plans.

The Chair suggested that the hearing be “paused” to allow the applicant and representative to discuss the matter of the conditions. They would return to the hearing after they had a chance to talk to each other.

They left the hearing room to meet in the hallway. The balance of the agenda was discussed as follows:

Discussion Items:

(Linda Noons-Rose recused herself from discussion and participation.)

542 Shore Road; administrative review permit to add beach nourishment (90 days).

Motion to approve by Commissioner Lown; seconded by Commissioner Messinger. The vote was in favor 6-0-0 .

476 Shore Road; administrative review permit to add nourishment behind a seawall.

Motion to approve by Commissioner Bisceglia; seconded by Commissioner Messinger. The vote was in favor 6-0-0.

Conservation Agent’s report:

The agent asked the Commission to consider a change to the local regulation to include a buffer zone to vernal pools and isolated land subject to flooding. **Motion to go through the process to change the regulations by Commissioner Bisceglia; seconded by Commissioner Noons-Rose; the vote was unanimously in favor.**

155 Old County Road (continued from earlier in the hearing)

The applicant, Gail Levine, returned to the table with Jason Ellis. She had a question about what her options were regarding using an insecticide because of the ticks.

The Agent informed the applicant that she should reach out to Larry Dapsis at Barnstable County Cooperative extension for more information about ticks and suggested that she email information to the applicant about specifically treating for ticks. Commissioner Lown asked why companies were allowed to spray for insects. The Agent replied that there has been a problem with companies that employ a technique called fogging, purportedly done to control mosquitos; however, the treatment kills indiscriminately, and is not effective for mosquitos. She mentioned that there were effective measures that could be taken for tick control and would email them to the applicant.

Special Conditions would include restrictions on fertilizers and insecticides but that tick control be managed using best management practices and would require notification of the agent.

Commissioner Lum asked the owner, Gail Levine, if she was aware that her house has been seen by millions of people in a painting done by Edward Hopper? She was aware of the references, but did not know the painting. Commissioner Lum said he would email a reference to her. Commissioner Messinger offered that the authority on Hopper was Gail Levin, who had written an extensive book about him.

A motion was made to offer into the record the stipulation on the request for determination of applicability together with a determination that the property is not subject to the act – a negative 3; and further, that there is no ruling on the Truro Bylaw or its regulations. Motion made by Commissioner Lown; seconded by Commissioner Bisceglia; vote was unanimously in favor.

The chair asked if the applicant was in agreement, and they indicated yes, that they were in agreement.

Conservation Agent's report included

- reference to the annual MACC conference on March 3;
- the new process for the DPW for work in jurisdictional areas- they will be using a form titled **"DPW notification"** completed by the DPW director prior to the work being started and filed with the Agent. This will allow the DPW to complete regular maintenance and emergencies using the same tracking form. Projects currently in the works include: Post storm repairs to Mill Pond Road to repair the rip rap, and slip-lining the culvert south of Prince Valley Road.
- Regulation revisions will be posted for the March 5 meeting. The agent offered the subcommittee process for regulatory revisions, the Commissioners suggested that the Agent propose the first revisions.

Motion to adjourn the meeting by Commissioner Bisceglia; seconded by Commissioner Lown; the vote was unanimously in favor, 5-0-0. Meeting adjourned at 7:03 PM.

February 5 : Site visit minutes:Commissioners in attendance: Diane Messinger, Deborah McCutcheon, Jack McMahon, Henry Lum, Larry Lown, accompanied by Emily Beebe. The Commission met at Cobb Library at 1:00 PM and proceeded to 42 Corn Hill Rd, which was not staked, and then to 155 Old County Road where the Commission viewed the site. The site visits concluded at 2:00 PM.

Minutes prepared by E. Beebe