



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Conservation Commission Meeting Minutes: May 7, 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; Henry Lum; Jim Bisceglia; Linda Noons-Rose. **Others Present:** Emily Beebe, Conservation Agent

Conservation Restriction; Review and recommendation of a proposed Conservation restriction for 25 & 25A Pond Road, aka "Twinefield"; presented by Fred Gaechter, Truro Conservation Trust. The property is about 12 acres. **Motion to accept the recommendation for the Conservation Restriction; Motion by Commissioner Bisceglia; second by Commissioner Noons-Rose; The vote was unanimously in favor, 4-0.**

Notice of Intent for the Head of the Meadow Bike Trail, Cape Cod National Seashore; SE#075-1039; This matter has been continued from the April 2, 2018 hearing. Comments from Natural Heritage and Endangered species have been received. The project includes rehabilitation of the entire existing bike trail within Land Subject to Coastal Storm Flowage and Buffer Zone to Bordering Vegetated Wetland. (The entire path between Head of the Meadow and High Head will be under construction). Lauren McKean, CCNS Park Planner presented the project and described the revisions shown on the new plans. Changes were made to show the replacement of the culvert at Pilgrim Springs, 1:1. There was brief discussion about the areas shown on the plans marked "stockpile", which would be used to stockpile gravel and other materials as they regrade and re-surface the bike path. The path will be widened in places to improve sight-lines and overall safety. Discussion on suitable conditions included submittal of a "box-turtle management plan" which will satisfy the requirements of NHESP, as well as the standard construction conditions. **Motion to approve with conditions, by Commissioner Noons-Rose; second by Commissioner Lum; The vote was unanimously in favor, 4-0.**

Notice of Intent for 42 Corn Hill Rd, SE #75- 1033; Henry Morfit & Jane Bunker; (Map 45, Parcel 52)(*continued from April 2, 2018*) Notice of Intent for relocation of existing dwelling, and to upgrade the septic system; work proposed in a Coastal Dune and in Land subject to Coastal Storm Flowage. Jason Ellis presented a revised plan (March 25, 2018) that shows the dwelling to remain in its existing location, but elevated above the flood plain, with fill added to raise the grade in the area under the elevated structure to the 10 foot contour.

The revised plan also shows a new well location and an access corridor for the septic installation; the leaching area is smaller and stone-less. There was discussion about proposed re-grading; special conditions discussed include requiring sieve analysis to document compatible fill, using a crane to set the septic tank, and using a mini excavator to dig out the system. **There was a motion to approve the revised plans with special**

conditions as discussed; Motion by Commissioner Bisceglia; seconded by Commissioner Noons-Rose; Vote was in favor 4-0-1.

Notice of Intent for 405 Shore Rd, Kenneth Shapiro; SE #075-1038; demo garage, construct dwelling & appurtenances; Land Subject to Coastal Storm Flowage; Barrier Beach. (Map 10, Parcel 5) Continued from April 2, 2018; The applicant's representative was present to request continuance of the hearing to June. 4, 2018

Notice of Intent for 449 Shore Road, Cousins Family Revocable Trust; SE #75- 1026; proposal for a dwelling, septic system and driveway; Coastal Dune, Barrier Beach; Land Subject to Coastal Storm Flowage and buffer zone of a Bordering Vegetated Wetland. (Map 8, Parcel 15) Continued from April 2, 2018. The applicant has requested a further continuance to June 4, 2018.

Notice of Intent for 20 Pilgrims Path, Thomas & Marsha Alperin, SE #075-1042; (Map 35, Parcel 99) This proposal shows numerous modifications to the areas adjacent to the dwelling, the garage and driveway; all within the buffer zone to the Coastal Bank. Dave McNevitch from Coastal Engineering presented the project, with Dave Hawk from Hawk Landscape and design. The description of work included removing approximately 1000 square feet of the existing driveway; replacing the patio at the head of the driveway, upgrading the septic system, modifying the deck, removing invasive plants, creating a planted area for screening and removing wood retaining walls and replacing them with boulders. There was discussion on impacts to established plants; there was also discussion about the Coastal Bank and proximity of activities to the top of the bank. The bank is presently well vegetated and has not moved from the location of record established in the mid-80's, however, the eroding coastline was a topic of discussion because the house is so close to the top of the bank and the notice of intent is for a project that increased the development of areas closest to the top of the bank. The agent suggested to the applicant's representative that the new elements should be easy to remove and the owner should consider retreat alternatives. Mr. McNevitch said that the owners were aware that the topic would be a part of the hearing, and retreat from the top of the bank would be part of the discussion. It was suggested that the special conditions include a "trigger" for discussion of retreat alternatives. The trigger will be at such time as the top of the Coastal Bank has moved back to within 10 feet of the deck. **There was a motion to approve the revised plans with special conditions as discussed; Motion by Commissioner Bisceglia; seconded by Commissioner Noons-Rose; the vote was in favor 4-0-1.**

Notice of Intent for 127 Slough Pond Rd, Peter Chermayeff; SE #075-1041; septic upgrade, construct decks, walkways & detached bunkhouse in the buffer zone to Bordering Vegetated Wetland and Inland Bank. (Map 61, Parcel 8)

Notice of Intent for 8 Kestrel Ln, William & Fay Schutzer; SE #075-1040; construction of beach stairs; Coastal Bank. (Map 39, Parcel 244) Steve Phillips, from Geiger Phillips was present for the property owners. The Chair began the discussion stating that past filings for this property included discussion on the replacement of the beach stairs; she asked Mr. Phillips if he had reviewed the record from the property and

was he aware of the ongoing conditions. Mr. Phillips asked for a continuance to June 4 to consider the information. It was stipulated that the matter be continued to the June 4 hearing.

39 Bay View Road SE #075-1032 (map 39, parcel 65). A notice of intent was filed for re-vegetation of this site where landscaping work commenced during the winter without prior review or permitting. Restoration and site plans have been submitted by Felco and Wilkinson Ecological design. Dave LaJoie from Felco, Catrine Higgins and Stephen Labranche from Wilkinson design and Attorney Ben Zehnder were present for the owners. Revegetation of over 6000 square feet of restoration planting using plants as large as possible to transform the site into a native plant community. Wilkinson included a planting protocol and timeline for removing any invasive and non-native plants and for completing the fine-grading that needs to be done to remove the stockpiled material and add new topsoil for the plantings.

The proposal includes immediately planting the buffer zone to strengthen wildlife habitat on the site. Their plan shows planting 15 trees, 128 native shrubs, and countless plugs and grasses and herbaceous species. Ms. Higgins stated that the existing conditions of the site which is presently bare and largely stripped of vegetation around the house from the top of the Coastal Bank to the street, present a unique situation to which they also propose to use a high fescue sod to create a lawn area between the house and the roadway. The use of sod would stabilize the soil and provide an instant vegetative cover; use of seed is not favored in this location because the site is so bare and dry and it is difficult to build a root system quickly.

There is no connectivity between this project site and the abutting lot at this time. This is not a phased project; but, one proposed to address the damage done and stabilize the site. There was concern raised by the Commissioners about the use of the sod in the buffer, and it was asked if the sod was temporary. It was also suggested that the north side of the house did not need sod but could be planted right to the deck. It would be harder to maintain grass at that location. There was discussion about the need for more water and fertilizers with sod products. The application includes using a temporary, above-ground irrigation system.

The applicant's representatives suggested that the sod could be a temporary part of the plan and that it could be conditioned to remain in place through the summer and that the applicant return in x months with a revised plan showing a reduction of a certain percentage of the sod; the Commission could then set the percentage and location of the sod.

The Commission Chair suggested the order could be issued as a temporary order to satisfy the stop-work and they could come back no later than October with a new plan for overwintering and whatever will join the 2 properties. Because the shrubs were permanent the primary work in the fall would be to augment the meadow.

There was a motion to approve an Order of Conditions with special conditions as discussed; the motion was made by Commissioner Noons-Rose; second by Commissioner Bisceglia; the vote was unanimously in favor.

Request of Determination of Applicability for 73 Depot Rd, Irrevocable Trust Agreement of 9/21/92; (Map 50, Parcel 10) Proposal includes replace of walkway and construction of new platform; Bill Worthington was present to describe the proposal. All

work will be done in Land Subject to Coastal Storm Flowage and Riverfront Area; the scope of the project and the fact that most of it was 1 to 1 replacement moved the Commission to find a negative 3 determination. **Motion to approve by Commissioner Noons-Rose; Seconded by Commissioner Bisceglia; Vote was unanimously in favor, 4-0.**

There was a motion to approve the following Administrative Review permits, by Chair McCutcheon; seconded by Commissioner Bisceglia; the vote was unanimously in favor, 4-0.

Administrative review permits:

- **Veteran's Park;** remove and replace shed; light landscaping for Farmer's market and other public uses. (*Proposed by Truro DPW*)
- **6 Castle Road;** trenching for electric line, removing fallen tree, replacing fencing, repair lawn
- **24 Pond Road;** replace fencing remove dead /fallen trees replant with Natives
- **334 Shore Road, unit 2;** new roof shingles
- **497 Shore Road, unit 1;** new outside shower
- **542 Shore Road, unit 1;** planting beach grass and rosa rugosa; installing snow fence
- **640 Shore Road;** septic repair work pursuant to inspection

The Conservation Agent described an upcoming grant opportunity to the Commission and asked for their consent to issue a letter of support on behalf of the Commission. It is called an "MVP grant"; there was brief discussion and unanimous support voiced.

Motion to adjourn the meeting by Commissioner McCutcheon; seconded by Commissioner Bisceglia; the vote was unanimously in favor, 4-0. Meeting adjourned at 7:30 PM.

Site visits:

On Monday May 7, 2018, the following Commissioners met at 1:00 PM at the Cobb library: Deborah McCutcheon; Henry Lum; Jim Bisceglia; Linda Noons-Rose

The Commissioners proceeded to: 1) 73 Depot Road; 2) 8 Kestrel Lane; 3) 39 Bay View 4) 20 Pilgrims Path

Minutes prepared by E. Beebe

