



TOWN OF TRURO CONSERVATION COMMISSION

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

Conservation Commission Meeting Minutes: February 4, 2019

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

Notice of Intent for 449 Shore Road: Cousins Family Revocable Trust; SE #75-1026; new dwelling, septic system and driveway; Coastal Dune, Barrier Beach; LSCSF; buffer zone to BVW.(Map 8, Parcel 15) (Continued from 1/7/2019)

The applicant has requested a continuance to March 4, 2019

Request for Determination of Applicability: 1 Moorings Way; cutting & removing vegetation. Riverfront and Coastal Bank buffer, (Map 46, Parcel 113) Continued from 1/7/2019) **The applicant has requested a continuance to March 4, 2019**

Notice of Intent: 405 Shore Rd, Kenneth Shapiro, SE# 75-1062; removal of garage, construction of dwelling, septic system and appurtenances; Barrier beach, LSCSF, Coastal Dune. (Map 10, Parcel 5) **The applicant has requested a continuance to March 4, 2019**

Notice of Intent: 7 Yacht Club Rd, Pamet Harbor Yacht Club; SE #75-1060; septic upgrade; Coastal Dune, LSCSF. (50-37) (Continued from 1/7/2019)

David Lajoie of FELCO, Inc., Mark Wisotsky of Pamet Harbor Yacht Club and Gordon Peabody of Safe Harbor represented the project proponents. The project proposal includes upgrading to a title 5 septic system. The tanks would be installed in the parking area east of the building and the new leaching area will be adjacent to the tennis court. The Chair inquired about the proposed plantings near the tennis court. Mr. Lajoie stated that the planting and fill will be placed to help stabilize the area. Mr. Peabody added that to be consistent with the performance standards, the eroded profiles will be restored with sand excavated from installation of the septic tanks and leaching field. Any excess material will be taken off-site. Mr. Peabody presented the Commission with a planting plan. The existing cesspools will be pumped and filled with sand. Commissioner Noons-Rose inquired about the location of the rack for the kayaks once the raised leaching field will be installed. Mr. Wistosky stated that the rack will be situated along and on top of the new leach field. The Agent referred to a letter from an abutter, copies of which were provided to the Commissioners. Discussion occurred regarding the abutter's letter. The Chair provided the applicants with a one-week time period to review and respond to the abutter's letter.

Commissioner McCutcheon stated that the applicant has made a proper showing to support the Notice of Intent.

Motion that the Notice of Intent be granted according to the information provided with the plan dated December 5, 2018 and subject to Commissions standard conditions and the condition that the cesspools be pumped and filled with sand by Commissioner McMahon; seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 4-0-0.

Administrative Review Permit: 33 Cooper Rd: beach nourishment, re-vegetation with American Beach Grass

Motion to approve and issue the Administrative Review Permit by Commissioner Noons-Rose; seconded by Commissioner McMahon; the vote was unanimously in favor, 4-0-0.

Commission Lown joined the meeting at 6:20pm.

Notice of Intent: 5 Great Hills Ln, Kevin & Helene Wise; SE #75-1053; construction of a pile supported garage, fence, air compressor and generator; Barrier Beach, LSCSF, Coastal Dune. (Map 53, Parcel 1) (Continued from 1/7/2019)

Jason Ellis of JC Ellis Design represented the owner and presented the project. They have been scaled back the original project, and now seek to construct a garage on a pile foundation, as well as the fencing, air compressor and generator.

Commissioner Messinger asked about how the building would affect the sand and its ability to move and how vegetation could grow underneath the concrete slab. Mr. Ellis indicated that the garage will be elevated by 18 inches, allowing for the movement of sand. Ryan Weber (contractor) approached. Mr. Weber discussed the flooding of the garage due to its current location. Commissioner McMahon asked Mr. Ellis about the flood zone; Mr. Ellis stated that the both the existing garage and the proposed new garage are located outside the flood plain. The Agent suggested that the turn-around area on the plans may need to be included in the measurement of the setbacks, and that should be answered as the new structure is on the line of the turn-around layout. Commissioner Messinger asked Mr. Ellis about the performance standards; Mr. Ellis stated that existing vegetation was not being disturbed and that they would be enhancing the performance standards by planting the area where the pavement will be removed. The Agent pointed out that sand movement will stop once the sand accumulates in the area; once the sand has filled the area, no further movement will occur. Chair McCutcheon suggested that Mr. Ellis could have Mr. O'Connell appear at the next meeting and that the applicant should re-visit the plans for the garage. Further discussion occurred regarding the resource areas. Commissioner Noons-Rose stated that she would like to re-visit the site before voting on the matter.

Motion to continue the matter to March 4, 2019 by Commissioner McMahon; seconded by Commissioner Noons-Rose; Vote: 3-2-0, motion carries.

Notice of Intent: 588 Shore Rd, Ellen & Emily Lanigan; SE# 75-1055; construction of an additions. Barrier Beach, Coastal Dune, LSCSF. (Map 5, Parcel 20) (Continued from 1/7/2019)

Project scope has changed. Applicant wants to build a 10 x 12 shed. Revised plans needed. Jason Ellis of JC Ellis Design approached the table. He stated that the applicants would like to withdraw the proposed construction of the additions and deck but would

proceed with a new request for a 10x12 shed. Commissioner McCutcheon requested a revised plan, reflecting the proposed shed only, to accompany the Notice of Intent.

Motion to approve the Notice of Intent as modified by the engineer and to remove all proposed building except the proposed shed in the northern part of the property by Commissioner McMahon; seconded by Commissioner Noons-Rose.

After a brief discussion, the motion was withdrawn. A joint motion was made to continue the matter to February 11, 2019.

Administrative Review Permits: 82 South Pamet Rd- After the fact- for soil testing in Riverfront Area

David Bennett of Bennett Environmental Associates approached. Mr. Bennett provided the Commission with an overview of the environmental issues at the property. Mr. Bennett informed the Commission that 40 yards of impacted soils will be removed in the area of the test holes. Petroleum/waste oil related impacts were found in the previous auto salvage area. The soils will be removed that may have the capability of leaching contaminants to the ground water or otherwise creating a potential exposure risk to the environment and/or humans. Mr. Bennett has been working with the DEP to remedy the issues at the property since the 1990's. Commissioner McCutcheon requested status reports from Mr. Bennett during the project. Commissioner Lown inquired about the amount of soil being removed and replaced; Mr. Bennett stated that he anticipated the replacement of 50 yards of soil.

Motion to approve the Administrative Review Permit as requested by the applicant, with the condition that the applicant notify the Conservation Agent when the project starts and ends, and that the applicant reports back to the Commission as the Commission deems necessary by Commissioner Messinger; seconded by Commissioner McMahon; Vote: 4-0-1, motion carries.

Notice of Intent: 670 Shore Rd U:9; John Mignano, SE# 75-1063; repair existing deck and deck expansion; Barrier Beach, LSCSF, Coastal Dune (Map 2, Parcel 12.9)

Jason Ellis of JC Ellis Design approached the table. The applicants were previously denied permission to expand the deck; Mr. Ellis appeared before the Commission to discuss alternatives for expansion of the deck. A current Order of Conditions is in place for the repair of the existing deck. Mr. Ellis proposed a removable deck extension that can be stored during the winter months when not in use. Discussion occurred regarding the framing and construction of the proposed deck expansion. The Agent requested additional discussion regarding the anchoring of the proposed removable structure. The matter will be continued to March 4, 2019.

Administrative Review Permits: 5 Slade Hill Rd: concrete pad for LP tank/generator

Motion to approve the Administrative Review Permit with the condition that a silt fence be installed and that the contractor/property owner provide 48 hours written notice to the Agent so that a walk-through can be conducted to confirm proper installation of the silt fence by Chair McCutcheon; seconded by Commissioner Noons-Rose. Discussion occurred on the motion: Commissioner Lown inquired about the existing source of heat. The Agent confirmed that the property is currently served by an above-ground propane tank. **The vote was unanimously in favor, 5-0-0.**

Administrative Review Permits: 448 Shore Road: replace beach steps to bulkhead
Motion to approve the Administrative Review Permit by Commissioner Lown;
seconded by Commissioner Noons-Rose; Vote: 4-0-1, motion carries.

Administrative Review Permits: 542 Shore Rd: beach nourishment/ replace fencing
Motion to approve the Administrative Review Permit by Commissioner McMahon;
seconded by Commissioner Lown; the vote was unanimously in favor, 5-0-0.

Administrative Review Permits: 630 Shore Rd: septic repair to satisfy RE inspection
Motion to approve the Administrative Review Permit by Commissioner Lown;
seconded by Commissioner Messinger, the vote was unanimously in favor, 5-0-0.

Emergency Certifications: 490 Shore Road; 334 Shore Road
Both of the emergency certifications were approved.

Reissuance of Extension Permit: 706 Shore Rd SE# 75-0967, White Sands Beach Club
The re-issuance permit was issued.

Minutes: October 1, 2018; November 5, 2018; December 3, 2018, January 7, 2019
Motion to postpone the approval of the minutes until February 11, 2019, by
Commissioner Lown; seconded by Commissioner Messinger; the vote was
unanimously in favor, 5-0-0.

The meeting was adjourned at 8:05pm.

Minutes prepared by Michelle Fogarty

