



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Conservation Commission REMOTE Meeting Minutes: April 15, 2020

Commissioners Present: Chair Jack McMahon, Commissioners Larry Lown, Linda Noons-Rose, Bob White, Diane Messinger and Carol Girard-Irwin; **Absent:** Deborah McCutcheon **Others Present:** Emily Beebe, Conservation Agent, David Lajoie of FELCO, Jason Ellis of JC Ellis Design, Chris Lucy.

The meeting and public hearings were called to order at 1:00PM and virtual instructions were given.

Administrative Review Permits: (544 Shore Rd and 47 Old County Rd were pulled from the agenda, as paperwork was still needed for the two requests)

-55 Fishermans Rd: septic upgrade

-178-190 Shore Rd: replace d-boxes

-445 Shore Rd: driveway

-38 Shore Rd: connection of building sewer

Motion: Lown moved to approve all the administrative reviews.

Seconded by White. Vote: 6-0-0

Notice of Intent: 5 & 6 River View Rd, Peter & Peggotty Gilson, Diana Worthington, SE# 75-1095 (continued from 3/2/2020): Chris Lucy described the project which included trimming of vegetation, tree topping, and the removal of a dead pine tree. Commissioner McMahon asked if the Applicant would be willing to remove 5 of the trees and let 3 or 4 thrive instead of topping them all. Mr. Lucy stated that topping of the trees is what the Applicant prefers. The Agent stated that it's visually evident that there are trees on-site that could be flush cut and removed to help improve views without topping, along with selective cutting of others. She stated that the topping of trees is not healthy for the tree itself. She also stated for the record, that as things exist now, she sees no view conflicts. The Agent proposed handling the request by requiring a site visit to assess any proposed tree cutting during the 3 year approval; this would allow thinning and limbing and the maintenance of stump sprouts as needed. The Agent suggested the following conditions: 1.) Precutting site visit to identify what needs to be cut; 2.) The Commission approves the removal of the fallen pine tree; 3.) storm damage can be removed as needed; 4.) cuttings shall not be left on the coastal bank; 5.) tree removal should be flush cut; 6.) topping is not allowed; 7.) thinning and limbing is approved. Commissioner McMahon felt that the oak trees that were tagged on-site by Chris Lucy were ok to flush cut but that the group of pines did not need to be topped. He suggested that this may be an area where thinning could be allowed. Mr. Lucy reminded the Commission that the request was a management plan which encompassed the continued management of any further growth. The Agent felt that there was room for creating ongoing conditions to facilitate the continuous management of the growth.

Motion: (Emily, there was no motion or second – they jumped straight to a vote)
Seconded Vote: 5-0-1.

Notice of Intent: 603 Shore Rd, Ronald Ripa, SE#75-1099: Jason Ellis of JC Ellis explained the project which included the upgrade of the septic system. Once the system has been replaced, the original conditions shall be restored (lawn area). Lown questioned the type of lawn area that exists currently. Mr. Ellis replied that it was a “cape cod lawn”.

Motion: Messinger moved to approve the application.
Seconded by Girard-Irwin. Vote: 6-0-0

Notice of Intent: 49 Fisher Rd, Douglas Ambrose, SE#75-1093 (continued from 3/2/2020): David Lajoie of FELCO updated the Commission on construction details which included a new site plan, showing a 36’ long dwelling with an 8’ deck on the west side. A restrictive work limit shall be put into place. The new dwelling will be set back further from water, and will be on 22 wood pilings, set at el.14.5 (present foundation is 10.8). Access to the site will be from the existing driveway on east side and the area will be replanted with beach grass and other native species. Commissioner Messinger confirmed with Mr. Lajoie that the proposed deck was smaller than the existing deck. Mr. Lajoie stated that the existing septic will be inspected. Lown questioned all the unpermitted walkways on-site. The Agent stated that the walkways look fairly new and that the Commission now requires that walkways be removable and seasonal in keeping with the performance standards of a coastal dune. Mr. Lajoie did not have information on the walkways but offered to talk to his client. Commissioner McMahon questioned the resource area delineation. Mr. Lajoie explained that it was a coastal dune except for the previously disturbed areas. The Agent argued that the disturbed area does not disqualify the landform as a coastal dune and that the property in its entirety, is a coastal dune. The Agent suggested that the Commission make a finding that states the entire area is a coastal dune. Doug Ambrose, property owner, joined the conversation. He stated that there were always walkways on-site but he was not aware of when they were re-done as he just inherited the property. The Agent suggested removing the seaward walkways and replacing them with roll-out walkways. Commissioner McMahon asked Mr. Lajoie to incorporate the replacement of the seaward walkways into his construction notes. The Agent suggested that the area under the house be conditioned to address it’s use. She stated that there should be no storage items underneath, other than off the ground within the piling framework. They could place jute matting in the area and plant with beach grass. The Agent questioned a concrete footing for a stairway shown on the pile layout plan that does not match the site plan. Mr. Lajoie needed to discuss this with the designer. The Agent suggested the following additional conditions: the materials for the project shall be stockpiled in driveway; beach grass around the foundation shall be preserved and healed back in; the area under the house shall not be used for storage; planting of beach grass and jutting is allowed under the house and could be an ongoing condition; walkways on grade can remain to the section directly north of the leach area, all others shall be replaced with rollout walkways and removed seasonally; work limit shall be silt fence or construction fence; covered dumpsters at night; and inspect the site daily for debris.

Motion: Messinger moved to approve the application with conditions as discussed.
Seconded by White. Vote:6-0-0

Notice of Intent: 263 Shore Rd, Unit 2, Mark & I-Ching Katie Scott, #75-1094
(continued from 3/2/2020) : David Lajoie, of FELCO Inc., apologized for mis-stating the foundation type at the last meeting. He explained that it will be a concrete foundation with storm vents in the walls. All the utilities will be above flood elevation. The Agent stated that it met the code. The abutter issue from last meeting has been rectified and it was noted that it was an internal condominium issue. The Agent questioned access into the house which was not depicted on the site plan. She also noted that Mr. Lajoie would need to note concrete overpour protocol, re-vegetation with native species, and no expansion or change in material to the driveway. Mr. Lajoie said current access is via the driveway side of the house but he doesn't know what is proposed for new access once foundation is complete; he stated that he would submitted a revised plan showing the additional details.

Motion: Noons-Rose moved to approve the application as discussed.
Seconded by Girard-Irwin. Vote: 6-0-0

Notice of Intent: 5 Bearberry Ln, Hilltop at Great Hollow LP, SE# 75-1098: David Lajoie, of FELCO, Inc., described the project which included the replacement of existing beach stairs. They proposed to eliminate the last platform and to bring the stairs towards the north with a removable bottom section; this would bring the stairs closer to the toe of the coastal bank. Helical anchors would be used and revegetation with beach grass is proposed. Commissioner Messinger noted the amount of erosion occurring under the existing stairs. Mr. Lajoie said they will bring some clean sand down to the toe of the bank, re-establish existing contours and plant with American beach grass. Commissioner Lown asked if there was a serpentine fence in place. Commissioner Messinger stated that she witnessed posts from an old fence. Mr. Lajoie said the applicant could repair the fence or remove it, in accordance with local regulations. The Agent suggested reworking the stairs from section "C", instead of "B", so that the structure was out of the flood zone. Mr. Lajoie stated that it was a VE zone at elevation 15 and that platform "B" was at elevation 19.5 and platform "D" was at elevation 16 per his current plan. He stated that the only part of the stairs within the flood zone would be the bottom removable section. The Agent pointed out that the flood zone comes further under the stairs. The Agent read letters from abutters in support of the project. Mr. Lajoie requested a continuance to the next meeting to assess the design of the stair and to talk to the association regarding the sand drift fence. The Agent, Mark Kinnane of Cape Associates, and Mr. Lajoie continued to discuss the reconfiguration of the stair.

Motion: Lown moved to continue the hearing to the May 4, 2020 meeting.
Seconded by Messinger. Vote: 6-0-0

Notice of Intent: 4 Stick Bridge Rd, Sarah Blake & Joshua Weiner, SE# 75-1096: David Lajoie, of FELCO Inc., described the project which includes a screened porch on piers within the 100-200' riparian zone. The project will be accessed via the existing driveway and the area that will be disturbed is currently a cape cod lawn. Lown noted that there was Conservation Trust Land in the area. The Agent suggested that the construction notes and protocol should be incorporated into the Order.

Motion: Lown moved to approve the application with the stated conditions.
Seconded by White. Vote: 6-0-0

Notice of Intent: 8 High Pamet Rd, Margaret Chaplin, SE#75-1097: David Lajoie of FELCO Inc., described the project which included a proposed guest house and septic upgrade outside of conservation jurisdiction and a new porch on piers with deck above within the buffer zone to a coastal bank and the riverfront area. The new porch is 50' from the top of the bank. All access shall be from the driveway. All overpour will be removed from the site and all bare areas shall be replanted. Commissioner McMahon confirmed that the work takes place in the existing footprint; Mr. Lajoie confirmed. Commissioner White stated that he recused himself from the conversation. The Agent suggested the following conditions: no expansion, concrete overpour protocol, standard conditions and adopting the notes on the plan into the Order.

Motion: Messinger moved to approve the application as conditioned.
Seconded by Noons-Rose. Vote: 6-0-0

Field Change: 402 Shore Rd: The Agent described the field change, which entailed a minor shift in structures on the property that were reflected on a plan drawn by the homeowner at a previous meeting. It needed to be reflected on a stamped professional plan. The plan has been done and needs to be accepted into the record.

Motion: Lown moved to accept the stamped plan into the record.
Seconded by Noons-Rose. Vote: 6-0-0

White moved to adjourn. Vote: 6-0-0

Respectfully Submitted,

Arozana Davis

 Minutes unanimously approved on 1/4/2021.

