



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Conservation Commission REMOTE Meeting Minutes: November 2, 2020

Commissioners Present: Chair Jack McMahon, Vice-Chair Bob White, Commissioners Larry Lown, Diane Messinger, Carol Girard-Irwin, & Linda Noons-Rose. **Absent:** Commissioner Deborah McCutcheon **Others Present:** Emily Beebe, Conservation Agent

The meeting and public hearings were called to order and virtual instructions were given.

Notice of Intent: 4 Kill Devil Rd, Peter & Nancy Rhoades, SE# 75-1102 (continued from 10/5/2020): The Applicants requested a continuance to December 7, 2020.

Motion: Lown moved to continue the hearing to December 7, 2020.

Seconded by White. **Vote: 6-0-0**

Request for Determination of Applicability: 586 Shore Rd, Leonard & Susan Connolly (continued from 10/5/2020): Susan Connolly, homeowner, provided new drawings as requested by the Commission at their previous meeting. She stated that there will be no excavation and that all work is within the existing porch footprint.

Motion: Messinger moved to approve the application as a negative 3.

Seconded by White. **Vote: 5-0-0** with McMahon not voting.

Request for Determination of Applicability: 4 Payomet Ln, Robert Sachs: The Agent stated that the repairs to the beach stairs included posts, rails and treads. No work to the support posts was proposed.

Motion: Messinger moved to approve the application as a negative 3.

Seconded by Girard-Irwin. **Vote: 6-0-0**

Request for Determination of Applicability: 444 Shore Rd, Joseph Shapiro: Joseph Shapiro, homeowner, described the work which included a fence alongside the south side property line. He stated that the fence panels shall be 6" off the ground as to provide access for sand movement. Commissioner McMahon asked if Mr. Shapiro was aware that if the fence was damaged during a storm event, he would be responsible for any debris. Mr. Shapiro confirmed.

Motion: Lown moved to approve the application as a negative 3.

Seconded by White. **Vote: 6-0-0**

Request for Determination of Applicability: 126 Old County Rd, Larry Lown: Commissioner Lown recused himself and acted as his own representative. The work included the construction of a curb cut for the purpose of a sale. Mr. Lown stated that he informed the proposed buyer that if there were any changes to the plan, they would have to come back before the Commission. He also added that a 600 gallon catch basin would be added in order to catch stormwater runoff as to not negatively impact the resource

area. The Agent suggested a requirement that the Applicant submit a statement with the filing stating that there won't be any runoff from the driveway into the public way or resource area and that if the new buyer wants to change the plan, they shall come back before the Commission.

Motion: Noons-Rose moved to approve the application as a negative 3 with the condition that the Applicant shall submit a statement that storm water will not runoff the property (catch via swales, catch basin, and proper grading) and that any changes shall come back before the Commission.

Seconded by Girard-Irwin. **Vote: 5-0-0** with Lown not voting.

Notice of Intent: 522 Shore Rd, Sutton Place Condominiums, SE#75- Stan Humphries of ECR, LLC., described the project which included the installation of 370 linear feet of "Sturdy" sand drift fence with 4x4 "slats" (larger than what is typically constructed) with a 4' opening for wildlife access. He also stated that the fence ends about 100' away from the Ebbitide property line. Commissioner White asked how the fence would be maintained. It was stated that although the Applicant is asking for a variance to the dimensional part of the local regulations, they would still have to comply with the branding requirement. Commissioner Noons-Rose expressed hesitation over the installation of sand drift fences with regard to maintenance, as it was common to see damaged fence pieces washing up along the shoreline. Commissioner Girard-Irwin felt that human foot traffic had added to the degradation of the dune and asked if it could be conditioned that the dune be replenished and revegetated. The Agent asked what type of hardware will be used to construct the fence. Mr. Humphries stated that bolts have been proposed by bidding contractors. He also mentioned that he has not received a response from NHESP. The Commission and Mr. Humphries discussed limiting the area of the "exclusive use areas" on the seaward side of the units to allow more restoration of the frontal dune. Commissioner Lown asked if there were any other serpentine fences along beach point; fellow Commission members replied in the negative. Commissioner Lown reminded the Applicant that local regulations require that in the event the fence is damaged, it must be repaired or taken out. The Agent read a letter into the record from the property owner at 542 Shore Rd. Mr. Humphries stated that an overlap was depicted on the plan. Commissioner McMahon suggested placing a panel in front of the path. Mr. Humphries agreed and suggested that it be a removable panel so that when maintenance is required, vehicles can access. The Commissioners did not like the proposed maintenance of 4 access paths, as foot traffic has badly damaged the Resource. The Agent noted that all fence proposals require beach nourishment and re-vegetation, which did not appear to be part of the proposal.

Motion: Lown moved to continue the hearing to the December 7, 2020 meeting.

Seconded by Messinger. **Vote: 6-0-0**

DPW Notification: Mill Pond repair work: The Agent explained that the proposal to extend the rip rap to protect the roadway from being undermined.

Certificates of Compliance:

5 Depot Ln, SE# 75-1085

Motion: Girard-Irwin moved to issue the Certificate of Compliance.

Seconded by Noons-Rose. **Vote: 6-0-0**

4 Stick Bridge Rd, SE# 75-1096

Motion: Messinger moved to issue the Certificate of Compliance.

Seconded by White. **Vote: 6-0-0**

2 Corn Hill Ln, SE# 75-0489 & 75-074

Motion: Lown moved to issue the Certificates of Compliance.

Seconded by Noons-Rose. **Vote: 6-0-0**

131 South Pamet Rd, SE# 75-0993

Motion: Lown moved to issue the Certificate of Compliance.

Seconded by Messinger. **Vote: 6-0-0**

Administrative Reviews

-11 Truro Center Rd, U:1: tree removal close to house

Motion: Girard-Irwin moved to approve the application.

Seconded by White. **Vote: 6-0-0**

-47, 53, & 51 Fisherman's Rd, 2 Heron Ln: sand replenishment and biomimicry. The agent asked to table the applications because the Conservation Department was waiting for an opinion from Town Counsel to address a complaint of trespass by over-sand access. The Agent read the letter of complaint from Ronald & Pamela Fichtner, Cold Storage Beach abutters.

Motion: Lown moved to table the applications.

Seconded by Messinger. **Vote: 6-0-0**

-31 & 33 Knowles Heights Rd: The applications were previously approved at a prior meeting with the condition that planting be included within the scope of work. The Applicant came back before the Commission to see if they could plant in the Spring.

Motion: Noons-Rose moved to allow the Applicants to plant beach grass in the Spring of 2021.

Seconded by Girard-Irwin. **Vote: 6-0-0**

-41 Bay View Rd: adjustments to existing deck within existing footprint.

Motion: White moved to approve the application.

Seconded by McMahon. **Vote: 6-0-0**

Meeting adjourned

Respectfully Submitted,


Arozana Davis

Approved 4-0-0 on 3/1/2021



