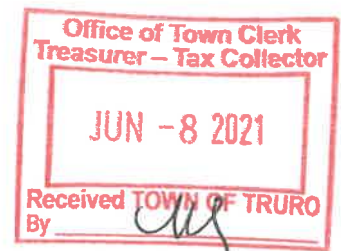




**TOWN OF TRURO
CONSERVATION COMMISSION**

P.O. Box 2030
Truro MA 02666-0630



Conservation Commission Meeting Minutes: April 5, 2021

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

The Chair called the meeting and public hearings to order at 5:00 and provided virtual instructions. Commissioner White was not present at this time.

Minutes:

February 1, 2021

Motion: Commissioner Lown moved to approve as submitted.

Seconded by Commissioner Girard-Irwin. Vote: 4-0-0

March 1, 2021

Motion: Commissioner Lown moved to approve as amended.

Seconded by Commissioner Noons-Rose. Vote: 4-0-0.

Public Comment: none

Request for Determination of Applicability: 18 Phat's Valley Road, Peter Fields
(continued from 3/1/2021): The Applicant was not present at this time, but arrived later in the meeting.

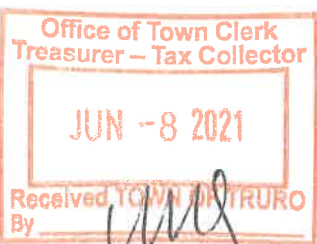
Commissioner White arrived.

Notices of Intent: 39 Bay View Rd, 41 Bay View Rd and 4 Heron Lane; Lawrence Gottesdiener, SE# 75-1115, 1116, 1114 *(continued from 3/1/2021):* Commissioner Lown noted that all three properties were owned by the same entity and that the Commission would discuss all three at once and vote on them separately; Mr. Humphries, the Applicant, agreed. The Agent informed the Commission that she had a meeting with Mr. Humphries to draft the Order of Conditions for the project based upon the model Order within the Conservation Regulations; she reviewed those changes with the Commission. Commissioner Lown questioned the language used to describe the coir. Discussion ensued with regards to language in the existing model order.

Motion: Commissioner Girard-Irwin moved to approve the three applications.

Seconded by Commissioner White. Vote: 2-3-0, motion does not carry.

Motion: Commissioner Lown moved to continue the hearings to the May 3, 2021



hearing.

Seconded by Commissioner Messinger. **Vote: 4-1-0, motion carries.**

Notice of Intent: 2 Noah's Way, William Hildreth & Ryan Cooke, SE# 75-1119

(continued from 3/1/2021): David Lyttle, of Ryder & Wilcox, submitted revised plans which included changes: a trench drain connected to a leach pit along the driveway apron of the proposed garage; the rinse station has been moved adjacent to dwelling and deck; and a narrative from the homeowners explains the changes. Theresa Sprague, of Blue Flax, presented her land management plan for the property and stated that in addition to the changes addressed by Mr. Lyttle the proposed hot tub had been removed from the plan as well.

Motion: Commissioner Messinger moved to approve the application with conditions.

Seconded by Commissioner Girard-Irwin. **Vote: 5-0-0, motion carries.**

The following conditions for approval were discussed: 1.) Incorporate the notes on the plans as a condition; 2.) Mitigation offered is accepted as a condition of approval and required; 3.) Some conditions in the management plan may be ongoing after the C of C is issued; 4.) concrete overpour shall be properly managed on-site and removed off-site; 5.) dumpsters shall be covered; 6.) An annual report work completed under the land management plan must be submitted every Spring; and 7.) The Conservation Agent shall be notified of any changes to the specified plant species in the land management plan.

Motion: Commissioner Lown moved to approve the conditions as discussed.

Seconded by Commissioner Messinger. **Vote: 5-0-0, motion carries.**

Notice of Intent: 542 Shore Rd, Marie Belding & Patricia Callinan, SE# 75-1118

(continued from 3/1/2021): Stan Humphries, of ECR presented the project.

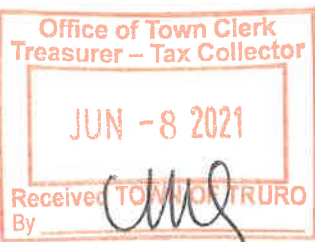
Commissioner Lown questioned the length of the proposed drift fence. Mr. Humphries stated that it was 44' long with a 3' offset from the north and south property lines. The Agent stated for the record, that the assortment of boulders on the beach, southeast of the locus, which is not a revetment did not have permits and could possibly be affecting the locus property. Bill Henchy, attorney for Ebbitide Condominium (abutter), stated that the boulders are located on Ebbitide property (538 Shore Rd) and have been there since the 70's and felt that they should not be looked at with regards to the current application. Mike Flannery, abutter, brought up concerns with regards to increased erosion on his property (Ebbitide) as a result of having two sand drift fences on each neighboring property to the north and south. He questioned who would be responsible for any negative effects on his property from the two fences. It was stated that the Applicant addressed this concern by providing a 3' offset on each end of the fence. Mr. Humphries stated that he had not seen evidence of impacts on abutting properties from the sand drift fences. Commissioner Girard-Irwin asked if sacrificial sand will be used. Mr. Humphries replied that it would be, per the Commission's regulations. The Agent questioned method of delivery for the sand. Marie Belding, homeowner, said that sand delivery would be over their property.

Motion: Commissioner White moved to approve the application with conditions.

Seconded by Commissioner Messinger. **Vote: 5-0-0, motion carries.**

Request for Determination of Applicability: 458 Shore Road, Lexvest Group, LLC:

Robert McDermott represented the project which included the rebuilding of an existing



second-floor deck. The Applicant stated that they will use the existing piers and support posts, and the deck boards on the first-floor deck will be replaced as well.

Motion: Commissioner Girard-Irwin moved to approve the application as a negative 3. **Second** by Commissioner Noons-Rose. **Vote: 5-0-0, motion carries.**

Request for Determination of Applicability: 209A Shore Road, Silva Family

Heritage Trust: David Lajoie, FELCO Inc., described the project which included a small addition to an existing house within an existing developed lawn area and within the footprint of existing decks and steps. A deck to the rear of the structure will be replaced. Native shrubs will be planted. Mr. Lajoie stated that the foundation for the addition would have flood vents to conform with flood plain requirements.

Motion: Commissioner Noons-Rose moved to approve the application as a negative 3. **Second** by Commissioner Lown. **Vote: 5-0-0, motion carries.**

Request for Determination of Applicability: 5 Great Hills Lane, Kevin & Helen

Wise: The applicant's contractor, Mr. Ryan Weber had difficulty connecting to the meeting and sent an email to the agent at the start of the hearing. Commissioner Messinger asked about work limit details and about storage of materials during construction. The Agent noted that the narrative submitted described the work limit and storage of materials; the Agent further suggested requiring 48-hrs notice of work, so if a preconstruction site visit is needed, one can be done prior to start of work. Commissioner White felt that Mr. Weber's narrative addressed the important details.

Motion: Commissioner White moved to approve the application as a negative 3. **Seconded** by Girard-Irwin. **Vote: 5-0-0, motion carries.**

Request for Determination of Applicability: 18 Phat's Valley Road, Peter Fields

(continued from 3/1/2021): Peter Field, property owner, described his proposal to build a new shed and had submitted a revised plan. The Agent asked Mr. Field to clarify if he planned to remove the old shed after the construction of the new one, which he stated was the case. **Motion:** Commissioner Noons-Rose moved to approve the application as a negative 3. **Seconded** by Commissioner Girard-Irwin. **Vote: 5-0-0, motion carries.**

Abbreviated Notice of Resource Area Delineation: 82 South Pamet Road, Victor & Laura Rivera, SE# 75-1120:

Ben Zehnder, attorney at Latanzi, Spaulding & Landreth, gave a brief history of the property. Cameron Larsen, of Environmental Consulting & Restoration, went through the delineation plan which included a bordering vegetated wetland on the eastern & northern sides of the property and a coastal bank along western portion. Commissioner Lown asked if the future project entailed ripping down the existing house and building new. Attorney Zehnder stated that the homeowners have not finalized their plans but that a demo and rebuild could be a possibility. Dave Bennett, of Bennett Environmental, described the history of contamination at the site and the cleanup that has been completed. The Agent reminded the applicants that local regulations require alternatives analysis for work within buffer zones and resource areas.

Motion: Commissioner Noons-Rose moved to approve the Resource Area Delineation. **Seconded** by Messinger. **Vote: 4-0-1, motion carries.**

Office of Town Clerk
Treasurer - Tax Collector
JUN - 8 2021
Received TOWN OF TRURO
By *[Signature]*

Field Change: 49 Fisher Rd, Douglas Ambrose, SE# 75-1093: The Agent informed the Commission that the proposed field changed requested a change to the layout of the access stairs to the dwelling.

Motion: Commissioner Lown moved to approve the field change.

Seconded by Commissioner Girard-Irwin. **Vote: 5-0-0, motion carries.**

Extension to OOC: 8 Falcon Ln, Charles & Donna Ward, SE# 75-1038: The applicant requested an extension to continue their vegetation management.

Motion: Commissioner Messinger moved to extend the Order of Conditions for 3 additional years.

Seconded by Girard-Irwin. **Vote: 5-0-0, motion carries.**

Administrative Reviews

1.) 55 Fisherman's Road (2) applications- (1) for the removal of vegetation, (1) for the proposed plantings: Thadd Eldredge, of East Southeast LLC, represented the project. He explained that the proposal is to remove 2,000 sq. ft. of rosa rugosa by hand (with potential mechanical removal) and replant with an American Meadows Native Northeast Wildflower seed mix. In addition, the proposal included the planting of eastern red cedar & white spruce trees. **Motion:** Commissioner Lown moved to approve the (2) applications, with a 45-day validity time frame. **Seconded** by Commissioner Noons-Rose. **Vote: 5-0-0, motion carries.**

2.) 133 South Pamet Rd: remove exposed helical anchors and well components.

Motion: Commissioner Lown moved to approve the application with the following condition: The Applicant shall try and reverse the helical anchors first, and if the efforts are not successful, then the excavation of them is approved.

Seconded by Commissioner Girard-Irwin. **Vote: 5-0-0, motion carries.**

3.) 538 Shore Rd: 150 yards of sand replenishment.

Motion: Commissioner Girard-Irwin moved to approve the application.

Seconded by Commissioner Lown. **Vote: 5-0-0, motion carries.**

4.) 276 Shore Rd, U:12: outdoor rinse station.

Motion: Commissioner Lown moved to approve the application.

Seconded by Commissioner Noons-Rose. **Vote: 5-0-0, motion carries.**

5.) 6 Castle Rd: vegetation management; there was discussion about the number of projects proposed on the application; a shorter list seemed reasonable.

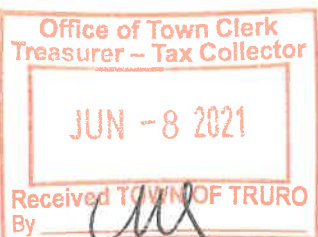
Motion: Commissioner Lown moved to give the Applicant permission to remove the Norway Maple and Cherry saplings. *The rest of the proposed work will be reviewed by the Agent to assess if it's covered by the existing ongoing order of conditions or if it needs a further filing.*

Seconded by Messinger. **Vote: 5-0-0, motion carries.**

6.) 22 Pilgrims Path: beach grass planting

Motion: Commissioner Lown moved to approve the application.

Seconded by Messinger. **Vote: 5-0-0, motion carries.**



7.) 8 Falcon Ln: the application was never submitted.

DPW Notifications:

O Great Hollow Rd: move and re-set benches and railings, transplanting grass

322 Shore Rd: beach nourishment

Certificates of Compliance:

29 Ryder Beach Rd, SE# 75-0486

Motion: Commissioner Lown moved to approve the Certificate.

Seconded by Commissioner Girard-Irwin. **Vote: 5-0-0, motion carries.**

608 Shore Rd, SE# 75-0934

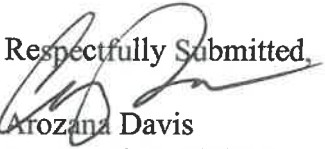
Motion: Commissioner Lown moved to approve the Certificate.

Seconded by Commissioner Girard-Irwin. **Vote: 5-0-0, motion carries.**

Commissioner Lown moved to close the meeting.

Meeting adjourned.

Respectfully Submitted,


Arozana Davis

Approved on 6/7/2021

