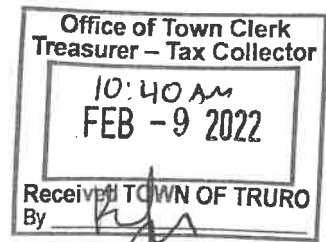




**TOWN OF TRURO
CONSERVATION COMMISSION**

P.O. Box 2030
Truro MA 02666-0630



Conservation Commission Meeting Minutes: August 2, 2021

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

The Chair called the meeting and public hearings to order at 5:01 and provided virtual instructions.

Discussion: Presentation by Climate Action Committee: Carol Harris of the Climate Action Committee presented a powerpoint presentation about the charge of the Committee and the goal to integrate climate change considerations into the Conservation Commission's decision making process and policies.

Discussion: Kayaks/Boat/Gear Storage on Coastal Dunes: There was brief discussion about creating a sub-committee to address the storage of kayaks/boats/gear on Coastal Dunes. Diane Messinger & Linda Noons-Rose volunteered to be a part of the sub-committee.

Request for Determination of Applicability: 648 & 654 Shore Rd, Dunes Colony & Sea Gull Motel: The Applicant requested a continuance to the September 13, 2021 meeting.

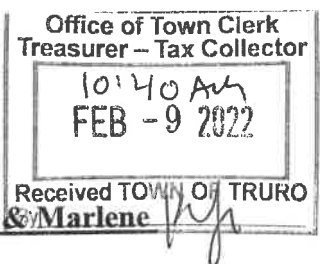
Motion: Commissioner Lown moved to continue the hearing to the 9/13/2021 meeting. **Seconded** by Commissioner McMahon. **Vote: 5-0-0.**

Notice of Intent: 3 Corn Hill Path, Gerald & Marlene Talbot, SE# 75-1123

(continued from 7/12/2021): Attorney Ben Zehnder, Sean Riley of Coastal Engineering, and Theresa Sprague of BlueFlax, were present for the applicant. The Commission expressed concerns about proposed grading within the 50-100 foot buffer zone. Attorney Zehnder stated that the grading was proposed based upon local zoning regulations. The Agent suggested continuing the hearing so that she could speak with the Town Planner & Zoning Enforcement Officer to understand how the bylaws affected the property. Attorney Zehnder approved a waiver request to allow Commissioner Noons-Rose to participate in the hearing as she had missed the previous meeting. Shawn Riley added that after the re-grading occurs, the area would be restored with native vegetation per the BlueFlax planting plan. Commissioner McMahon questioned if any work was going to be done on any side of the house other than the south and east side. Mr. Riley said there was work that needed to occur on the west side of the home, which included the demolition of the dwelling and the removal of the septic system.

Motion: Commissioner Messinger moved to continue the hearing to the 9/13/2021 meeting.

Seconded by Commissioner White. **Vote: 5-0-0.**



Request for Determination of Applicability: 3 Corn Hill Path, Gerald & Marlene Talbot:

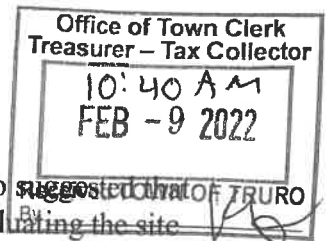
Motion: Commissioner White moved to continue the hearing to the 9/13/2021 meeting.
Seconded by Commissioner Lown. **Vote: 5-0-0.**

Notice of Intent: 72 Depot Rd, Anne Robertson & Mary Perkins, SE# 75-1125

(continued from 7/12/2021): David Lajoie of FELCO, Inc. and Mark Hammer of Hammer Architects, represented the applicants. Mr. Lajoie discussed the plan revisions. Ann Blythe Robertson & Mary Perkins, homeowners, read a letter into the record. Mr. Lajoie stated that the existing lawn area was 7800 square feet and proceeded to discuss the alternative analysis proposals. Their preferred proposal was an addition that fell outside of the 100' buffer zone from the top of the Coastal Bank but within the 200' riverfront area. The revisions included a walkway that led to a detached garage partially within the 200' riverfront area. They described the amount of disturbance: the existing development within the 50'-100' buffer zone is 931 sq. ft., and the proposed is 903 sq. ft. For the 200' riverfront area, the existing disturbance is 982 sq. ft., and the proposed 1696 sq. ft. Mr. Hammer said the walkway between the dwelling and garage is covered. The Agent asked where the mitigation was, as the plans only showed restoration. Mr. Lajoie said he would show that information on a revised plan. Commissioner Noons-Rose asked if the plan included the regrading of the area between the house and garage. Mr. Lajoie felt that the existing slope was minimal, and that the stormwater would run away from the house and not the wetland. Commissioner Noons-Rose asked for additional staking depicting the work limit. Commissioner Girard-Irwin asked why the new garage could not have been built outside of the Commission's jurisdiction. Mr. Hammer replied that the homeowners wanted to have access to their garage without having to be exposed to the elements.

Motion: Commissioner Lown moved to continue the hearing to the 9/13/2021 meeting.
Seconded by Commissioner Messinger. **Vote: 5-0-0, motion carries.**

Notice of Intent: 73 Depot Rd, Pamet House, LLC., SE# 75-1125: Roy Okurowski represented the project which included the replacement of the existing 258' long bulkhead in the same footprint. Mr. Okurowski stated that the wall would be replaced in 10'-20' sections and any slopes on the landward side of the wall that were starting to slump, would be regraded and planted with native vegetation. He added the wall will be raised 1' higher as to correlate with sea level rise. The Agent and Mr. Okurowski debated whether or not the coastal bank was a sediment source. The Agent suggested hiring a consultant for a second opinion on the sediment issue. Mr. Okurowski said the Applicant was open to renourishment to address the sediment issue and suggested a condition requiring an annual assessment to see if and how much nourishment is needed. Commissioner Noons-Rose requested that the existing tires holding up parts of the bank be removed. Mr. Okurowski agreed. Commissioner Girard-Irwin asked how long the project would take; Mr. Okurowski replied 3-4 weeks. The Agent asked Mr. Okurowski to provide wording for a condition with regards to nourishment. Mr. Okurowski suggested the placement of stakes to act as markers showing sediment removal and stated that every year post-construction, the Commission goes out to assess if and how much nourishment is needed based upon the markers. If sand is needed, it would be brought in



via wheelbarrow and planted with native species after placement. He also suggested that the condition be in perpetuity. Commissioner Noons-Rose suggested evaluating the site in the spring after winter storms have passed.

Motion: Commissioner Lown moved to approve the application with the following conditions (1) that an inspection be done in February/March of each year by the Conservation Agent, to assess the need for nourishment; (2) after nourishment, plantings in kind with native species on-site is required; (3) the use of Chromated Copper Arsenate (CCA) treated wood is prohibited; (4) the Commission does not agree with the delineation of the resource areas; (5) the construction protocol is specifically incorporated into the Order; (6) any and all nourishment shall occur from the property; (7) the tires located on the bank shall be removed.

Seconded by Commissioner Noons-Rose. **Vote: 4-0-1 with Commissioner White abstaining.**

Notice of Intent: 127 & 133 South Pamet Rd, Thomas & Kathleen Dennis, SE# 75-1128: The project team was Ben Zhender, of Latanzi, Spaulding & Landreth, Theresa Sprague of BlueFlax Design, and John Schnaible of Coastal Engineering. Mr. Zhender explained the project to move the existing dwelling further back on to a neighboring property and that there has been an agreement between the property owners to allow this to happen. The house had been previously moved back from the unstable coastal bank in 2010. Mr. Schnaible described how they would move the dwelling which included cribbing the house and rolling it down to the new location. The dwelling will be on pilings. All of the utilities will be brought down to the new location as well with the exception of the existing leach area, which will remain in its current location. The Applicant's looked at different ways to move the house which included a helicopter and crane. Mr. Zhender explained that the existing pilings will remain in the ground and they will be flush cut as the sand and coastal bank recede. Commissioner White felt that a timeline was needed with the removal of the remaining utilities and also asked that the retaining wall remain as to create less disturbance. He added that he felt the existing pilings should be removed completely. Commissioner Girard-Irwin felt that the complete removal of the pilings could destabilize the coastal bank. The Commission asked Mr. Schnaible to weigh in. Mr. Schnaible replied did not know at this time but that he would find out. The Agent stated that there needed to be a trigger for retreat (leaching area/pilings). Mr. Zhender suggested a linear foot trigger. Mr. Schnaible suggested 15'-20'.

Motion: Commissioner Noons-Rose moved to approve the application with the following conditions: (1) the applicant shall submit a letter to the Commission within 30 days, proposing a protocol for removing the piles along with a linear foot trigger for retreat regarding the septic system and other utilities, and (2) the existing retaining wall shall remain in place.

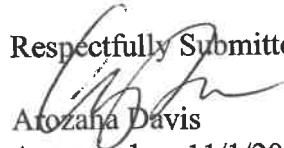
Seconded by Commissioner Messinger. **Vote: 4-1-0, motion carries.**

Request for Certificate of Compliance: 603 Shore Rd, SE# 75-1099: The Agents were not able to confirm compliance because of tenants on the property and so the item was pushed to the September meeting.

Public Comment: none

Commissioner White moved to adjourn.
Seconded by Messinger. Vote: 5-0-0, motion carries.

Respectfully Submitted,


Arozana Davis

Approved on 11/1/2021

