



**TOWN OF TRURO  
CONSERVATION COMMISSION**  
P.O. Box 2030  
Truro MA 02666-0630



**Conservation Commission Meeting Minutes: November 7, 2022**

**Commissioners Present:** Chair Commissioner Carol Girard-Irwin, Vice Chair Commissioner Linda Noons-Rose Commissioners Bob White, Mark Adams, Diane Messinger & Clint Kershaw **Others Present:** Emily Beebe, Conservation Agent, Courtney Warren, Assistant Conservation Agent. **Absent:** Larry Lown.

This was a remote meeting. The Chair Carol Girard-Irwin called the meeting and public hearings to order at 5:01 and provided the virtual meeting instructions.

**Public Comment:** There was no public comment.

**Notice of Intent: 39 Bay View Road, Lawrence Gottesdiener; SE# 75-1140:**

The applicant requested to withdraw this filing.

**Motion:** Commissioner Bob White moved to approve the request to withdraw;

**Second:** Commissioner Linda Noons-Rose; **Vote:** 5-0-0; **the motion passed.**

**Notice of Intent: 6 River View Road, Elizabeth & Robert Morrison SE# 75-1154**

The applicant requested a continuance until the December 5<sup>th</sup>, 2022, meeting.

**Motion:** Commissioner Mark Adams moved to continue the request until December 5, 2022; **Second:** Commissioner Linda Noons-Rose; **Vote:** 4-0-1; Commissioner Bob White abstained; **the motion carried.**

**Notice of Intent: 33 Black Pond Road, Catherine D Shainberg:**

The applicant requested a continuation until the December 5<sup>th</sup>, 2022, meeting.

**Motion:** Chair Girard-Irwin moved to continue the request until December 5, 2022;

**Second:** Bob White; **Vote:** 5-0-0; **the motion passed.**

**Notice of Intent: 2 Marian Lane, Paul & Nancy Fenichel: construction of a new deck & screen porch; Coastal Bank. (Map 50, Parcel 47)**

The applicant requested a continuation until the December 5<sup>th</sup>, 2022, meeting

**Motion:** Commissioner Bob White moved to continue the request until December 5, 2022; **Second:** Linda Noons-Rose; **Vote:** 5-0-0; **the motion passed.**

**Notice of Intent: 4 Payomet Lane; 4, 6&23 Corn Hill Landing; 2&3 Corn Hill Path, Rob Berman, SE#75-1159:**

Stan Humphries was on the call to represent the project. He described the project as a fence replacement. The fences that were installed 10-15 years ago have become damaged and the homeowners would like to re-install the fencing to protect the coastal bank/coastal dune. The plan is to reuse the majority of the posts but almost all of the panels would need to be replaced. Commissioner Bob White asked how long the fences



have been in a state of disrepair. Stan Humphries said it seems to have been an incremental process of degradation over the course of approximately 10-15 years. Commissioner Mark Adams asked how much disturbance there would be to the resource areas and about what alternatives had been considered. Stan Humphries responded that they would be using small equipment and are willing to add vegetation as the commission sees fit. As far as alternatives are concerned, no document was submitted to detail them, but Mr. Humphries described some options including beach nourishment, adding additional vegetation to the area, or taking no action.

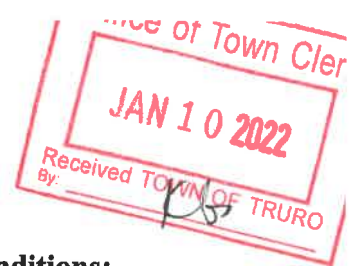
Chair Girard-Irwin noted that on the site visit, the Commissioners observed that the dune is healthy, in good condition, and well vegetated both in areas where the fence was present and where it was not. Commissioner Linda Noons-Rose added a concern about any debris from the fences after storm damage. She suggested a different approach such as beach nourishment rather than re-installing the fencing. Stan Humphries stated that nourishment had been attempted in the past but did not appear to have been effective. He said a system of braided cables and lanyards to tie the fencing together to avoid loss during storms could be used but that this option is costly. Chair Girard-Irwin suggested adding more sand and sees no positive side to adding more structures to the area especially since the dune is in good condition. Robert Berman, a homeowner at the property, added that nourishment had been done in the past and that it washed away in the first winter, so the homeowners are not interested in repeating that. He also added that the property owners try to be good stewards by picking up any debris that is found on the beach on a regular basis. Commissioner Diane Messinger added that planting beach grass would be a preferable option to adding fences that would act as a temporary solution. Stan Humphries requested a continuance until the December 5th, 2022, meeting.

**Motion: Commissioner Mark Adams moved to continue the matter until December 5, 2022; Second: Commissioner Clint Kershaw; Vote: 6-0-0; the motion passed.**

**Request for an Amended Order of Conditions: 82 South Pamet Road, Victor Rivera; SE# 75-1121 and Field Change:** Fred Vanderschmidt was on the call to represent the requests. The field change included removal and control of knotweed that was located just outside the proposed limit of work. The work limit has been extended to include this area. This proposed work was observed by staff members at the pre-construction meeting. Mr. Vanderschmidt also requested to amend the original order of conditions to allow for a multi-year plan to control knotweed on the north side of the site beyond the current limit of work; this area had not previously been included. Knotweed is an invasive plant that needs on-going maintenance to be successfully eliminated. First, machines would be required to remove the knotweed. In the spring, each stem of new growth would need to be individually wiped by hand with an herbicide; the area must then be revegetated with native species. Commissioner Clint Kershaw asked about the time frame for the knotweed removal. Fred Vanderschmidt estimated three-years. Commissioner Mark Adams added that this was a "win-win" situation. Chair Girard-Irwin wanted them to submit a delineation of the location of the proposed limit of work. The Commissioners agreed that the following conditions would be added:

1. Additional Preconstruction site visit to be held to determine new limit of work
2. Annual report via photos
3. New silt fence to delineate the limit of work

The Conservation Agent also pointed out that an extension would need to be requested as



an amended order follows the timeline of the original order.

**Motion:** Chair Girard-Irwin moved to approve the amended order with conditions;

**Second:** Commissioner Mark Adams; **Vote:** 6-0-0; **the motion passed.**

**Motion:** Chair Girard-Irwin moved to accept the field change; **Second:**

Commissioner Clint Kershaw; **Vote:** 6-0-0; **the motion passed.**

**Request for Determination of Applicability: 405 Shore Road, Ken Shapiro:**

Ken Smith was representing the request and described the project as a request to install a 10 foot by 12-foot fence. Chair Carol Girard Irwin stated that this project needs a variance request, and the commission would need more information than what was currently provided. She requested that a Notice of Intent be filed. Commissioner Bob White added that he had not observed any staking and a limit of work would need to be staked for a future visit.

**Motion:** Chair Girard-Irwin moved for a positive 3 determination; **Second:**

Commissioner Linda Noons-Rose; **Vote:** 6-0-0; **the motion passed.**

**Request for Determination of Applicability: 5 Joseph's Road, Abigail Swan & Robert Galligan:**

Jason Ellis was on the call to represent the owner's application for a proposed septic upgrade. Because of the steepness of the lot, the Agent suggested jute netting or other erosion control fabric be used to ensure revegetation is successful. Mr. Ellis agreed to work closely with the installer to ensure that an aggressive steep slope grass be used during revegetation.

**Motion:** Chair Girard-Irwin moved for a negative 3 determination; **Second:**

Commissioner Mark Adams; **Vote:** 6-0-0; **the motion passed.**

**Administrative Review Permit requests:**

**All the Administrative Review Permit Requests were voted on together:**

(1) 5 Marshall Lane: removal of invasives & brush; (2) 1 Dune Way: 1:1 replacement railings and decking; (3) 10 Pilgrims Path: 60-day extension request: dead tree removal, tread & stringer replacement; (4) 2 Meetinghouse Road: dead tree removal & ambulance clearance; (5) 26 Pond Road: 30-day extension request (step replacement); (6) 510 Shore Road, U:A: 30-day extension request (deck board and railing replacement); (7) 510 Shore Road, U:B: deck board and railing replacement **Motion:** Commissioner Mark Adams moved to approve all of the Administrative Review Permit Requests; **Second:** Commissioner Clint Kershaw; **Vote:** 6-0-0; **the motion passed.**

**Certificate of Compliance:** 118 North Pamet Road SE #75-1110

**Motion:** Commissioner Bob White moved to approve the request for a Certificate of Compliance; **Second:** Commissioner Linda Noons-Rose; **Vote:** 6-0-0; **the motion passed.**

**Minutes:**

July 11, 2022- there was brief discussion on amendments. **Motion:** Commissioner Bob White moved to approve the amended July 11, 2022, minutes; **Second:** Commissioner Mark Adams; **Vote:** 5-0-1; Clint Kershaw abstained; **the motion passed.**

August 1, 2022- there was brief discussion. **Motion:** Chair Girard-Irwin moved to approve the August 1, 2022, minutes; **Second:** Commissioner Mark Adams; **Vote:** 6-0-0; **the motion passed.**

**Discussion and vote to designate representative member to the Community Preservation Committee (CPC)-** request to return Diane Messinger to CPC as representative member. Commissioner Diane Messinger stated that she enjoys the CPC. **Motion:** Chair Girard Irwin moved to designate Diane Messinger as Conservation Commission representative to the CPC; **Second:** Commissioner Mark Adams; **Vote:** 5-0-1 with Diane Messinger abstaining; **the motion passed.**

Commissioner Clint Kershaw moved to adjourn the meeting.  
**Second:** Commissioner Bob White; **Vote:** 6-0-0.

The meeting was adjourned at 6:14 PM.

Respectfully Submitted by Nina Richey

