



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



Conservation Commission Meeting Minutes: January 9, 2023

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

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: 6 River View Road, Elizabeth & Robert Morrison (SE# 75-1154):
David Lyttle represented the applicants and gave a project overview. The locations of the proposed structures have shifted further landward of the buffer zone to the coastal bank. The only portions of the structure left in the Commission's jurisdiction are a cantilevered deck and porch. Theresa Sprague was also on the call to explain the proposed mitigation for any construction disturbance. They plan to match existing vegetation and no trees in jurisdiction will be removed. They propose to maintain an existing path to a sitting area. The huckleberry in the sitting area will be flush cut and the area will be revegetated with Pennsylvania sedge. A box turtle protection plan was submitted. Both Clint Kershaw and Diane Messinger asked about the width of the path and the proposed flush cutting. Theresa Sprague stated their goal to maintain a safe path and remove the huckleberry from the existing clearing and replace it with native grasses. Chair Carol Girard-Irwin asked for more detail on the turtle protection plan which Theresa Sprague then provided. Commissioner Diane Messinger asked about the success of these types of plans. The Agent stated she has seen it done successfully in the past. Commissioner Carol Girard Irwin noted that following the turtle protocol would be a condition for approval. Commissioner Linda Noons-Rose asked about how the turtle protocol gets relayed to the contractors. The Agent responded that this information will be discussed with the contractors at the pre-construction site visit.

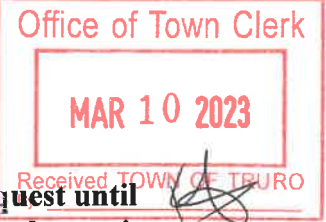
Motion: Commissioner Clint Kershaw moved to approve the request with the condition that the box turtle protection plan be part of the order of conditions;
Second: Commissioner Linda Noons-Rose; **Vote:** 5-0-1; Commissioner Bob White Recused himself; **the motion passed.**

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

A continuance was requested until the February 2, 2023 meeting.

Motion: Commissioner Larry Lown moved to continue the request until February 6, 2023; **Second:** Commissioner Diane Messinger; **Vote:** 6-0-0; **the motion passed.**

Notice of Intent: 2 Marian Lane, Paul & Nancy Fenichel:



A continuance was requested until the February 2, 2023 meeting.

Motion: Commissioner Carol Girard-Irwin moved to continue the request until February 6, 2023; Second: Commissioner Clint Kershaw; Vote: 6-0-0; the motion passed.

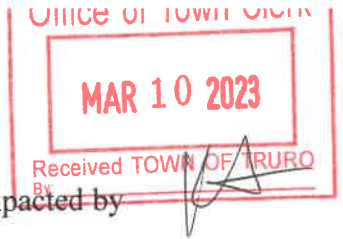
Notice of Intent: 4 Payomet Lane; 4, 6&23 Corn Hill Landing; 2&3 Corn Hill Path, Rob Berman, (SE#75-1159):

A continuance was requested until the February 6, 2023 meeting.

Motion: Commissioner Clint Kershaw moved to continue the request until February 6, 2023; Second: Chair Carol Girard-Irwin; Vote: 6-0-0; the motion passed.

Notice of Intent: 6 Baker Lane, Richard & Jill Meyer (SE#75-1161):

Theresa Sprague was on the call to represent the project along with architect Paul Krueger. She noted that trees to be removed had been flagged and a limit of work added. She described the changes from the last meeting including a redesigned driveway, grading plan, and an updated alternatives analysis with table. She also reviewed the benefits of the proposed mitigation for the project which will include reduction of the use from four bedrooms to two and upgrade of the septic system to an innovative/alternative system, removal of existing oil burning furnace and oil storage tank, reduction of driveway area, conversion of the lawn to drought tolerant grasses, and management of invasive vegetation followed by planting of more robust native vegetation. She also reviewed the coverage calculations of the structure and noted that the proposed dwelling will offer a reduction in coverage. Chair Carol Girard-Irwin inquired about the increase in deck space and what materials the new deck would be made of. Paul Krueger stated that the deck would be wood, and the pathway consists of pervious material. Commissioner Clint Kershaw asked where the generator and the septic system would be located. Theresa Sprague answered that the septic system is currently being designed and that they would provide a notation showing the generator on the plan. Commissioner Diane Messinger suggested donating the house for affordable housing. Paul Krueger stated that they could make the house available to the town. Commissioner Bob White added that a 3/8" space should be provided between deck boards for the proposed deck. Theresa Sprague confirmed for the Agent that no machinery would be used outside of the limit of work. Aaron Patterson was on the call representing the neighboring Dunn family and expressed concern about construction traffic and potential damage to Baker Lane itself. The Agent suggested conditioning approval to ensure the driveway does not wash out and the road is maintained. The homeowner stated that it is in his interest to preserve the area, including keeping the road in optimal condition. Another abutter, Elliot Laidlaw, expressed concern about the potential turning around of construction vehicles at the end of the road and wanted to ensure that his plantings were protected. The Agent added that she could collect the abutters' email addresses and stay in contact with them about roadway concerns. The Commission preferred to condition the project to ensure that the contractor develop and adhere to a construction parking protocol. They were clear that the contractor shall be responsible for preventing runoff from the lane onto Mill Pond Road, or abutters properties, and shall ensure that Mill Pond Road is properly swept, and maintained free from any sediment that may migrate from the lane. The contractor is responsible for repairing the lane access as needed to its original condition and understands that erosion of the lane onto Mill Pond Road may cause the project to be



stopped by the Town to ensure that downstream wetland resources are not impacted by stormwater runoff.

Motion: Commissioner Clint Kershaw moved to approve the request with the condition that septic approval be obtained from the Board of Health, that the owner be responsible for any damage, and that a construction vehicle parking protocol be developed. Also, the possibility of donating the home should be investigated;

Second: Commissioner Bob White; **Vote:** 6-0-0; **the motion passed.**

Request for Determination of Applicability: 432 Shore Road Cottages 3 & 4, Vito Moreno:

Vito Moreno was representing the project. The project is a one-for-one replacement of an existing walkway with dry-laid, pervious pavers.

Motion: Commissioner Carol Girard-Irwin moved for a negative 3 determination;

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

Request for Determination of Applicability: 22 Great Hills Road, Jason & Pamela Moriarty:

Fred Vanderschmidt was representing the project. There is an existing foundation under the house that needs more support. Commissioner Clint Kershaw asked whether all the work would be conducted by hand and Mr. Vanderschmidt confirmed. Chair Carol Girard-Irwin mentioned that construction debris was observed on the property at their site visit and that it needed to be picked up and maintained.

Motion: Commissioner Clint Kershaw moved for a negative 3 determination with the condition that the site be kept clean; **Second:** Commissioner Diane Messinger; **Vote:** 6-0-0; **the motion passed.**

Request for Determination of Applicability: 492 Shore Road, Laura Keegan:

Chair Carol Girard-Irwin described the project as a septic upgrade on a barrier beach. No representative was present but since a sufficient plan had been provided the commission was comfortable approving the request.

Motion: Commissioner Clint Kershaw moved for a negative 3 determination;

Second: Commissioner Carol Girard-Irwin; **Vote:** 6-0-0; **the motion passed.**

Request for Determination of Applicability: 15 Depot Road, Kelsey Tyler:

John O'Reilly was on the call to represent the project. This is an upgrade from a cesspool and leach pit to a Title 5 septic system. The resource areas are a Coastal Bank, Land Subject to Coastal Storm Flowage, and Riverfront area. Both the cesspool and leach will be pumped, filled with sand by hand, and abandoned. No machinery shall be used due to the proximity of the existing cesspool to the Coastal Bank.

Motion: Commissioner Clint Kershaw moved for a negative 3 determination;

Second: Chair Carol Girard-Irwin; **Vote:** 6-0-0; **the motion passed.**

Administrative Reviews:

(1) **334 Shore Rd:** sand replacement-ratification for emergency work done;

This is a ratification request for emergency work already done.

Motion: Chair Carol Girard-Irwin moved to approve the request; **Second:** Commissioner Diane Messinger; **Vote:** 6-0-0; **the motion passed.**

The rest of the Administrative Reviews were voted on all together:

(1) **2 Obbo Dr:** removal of black locust; (2) **4 River View Rd:** 30-day extension request;
(3) **276 Shore Rd:** water line work; (4) **51 Depot Rd:** limb removal;

Motion: Commissioner Linda Noons-Rose moved to approve the Administrative Review Requests; **Second:** Chair Carol Girard-Irwin; **Vote:** 6-0-0; **the motion passed.**

Discussion on process to update Open Space and Recreation plan

Minutes

1. A letter of endorsement from the Commission will be required but the plan is still in draft format.
2. Commissioner Larry Lown will e-mail the Conservation Agent with questions.

Minutes:

Motion: Clint Kershaw moved to approve the November 7, 2022, minutes as amended; **Second:** Commissioner Bob White; **Vote:** 6-0-0; **the motion passed.**

Chair Carol Girard-Irwin moved to adjourn the meeting.

Second: Commissioner Clint Kershaw; Vote: 6-0-0.

The meeting was adjourned at 6:53 PM.

Respectfully Submitted by Nina Richey

