



TOWN OF TRURO
Conservation Commission
24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission Meeting Minutes: May 1, 2017

The meeting and public hearings were called to order at 6:34 P.M. in the Selectman's Meeting Room. Commissioners Present: Jim Bisceglia, Vice Chair, Linda Noons-Rose, Larry Lown, Jack McMahon, Henry Lum
Others Present: Emily Beebe, Assistant Health/Conservation Agent

Minutes of April 3, 2017 were reviewed and changes discussed. **Motion to accept with corrections. Motion by Commissioner Bisceglia; second Commissioner Lown; Vote 4-0-1.**

314 Shore Rd Unit 1, Diane Vergnani, (notice of intent), SE#75-1010; Project includes replacement and enlargement of an existing deck located within the resource areas of Barrier Beach and Land Subject to Coastal Storm Flowage. (Map 13, Parcel 20.1)
Felco's Dave Lajoie was present for the applicant. He described the footings for the new deck and the proposed elevation to match the first floor. The deck will not be connected to the building. Work limit and access is shown on the plan. **Motion to accept the site plan with the conditions as noted on the plan. Motion by Commissioner Bisceglia; Seconded by Commissioner Noons-Rose; Voted 5-0. Motion approved.**

8 Castle Rd, Louise Briggs, (request for Amended Order of Conditions), SE#075-0841; (Map 50, Parcel 145) Additional elements are being added to the project to address landscape plantings and septic repair. The property is within Riverfront Area and the buffer zone of a Coastal Bank. Louise Briggs described the proposed changes to the plan which include: location of 850 sf of previously approved mitigation plantings; construction of a pervious patio with small retaining wall of "petri-block" and stair to address 31 inch difference in grade on the west side of studio; raised 6x5 garden beds at end of proposed patio; outdoor shower; walkway to shower; stone trench at dripline; relocation of a single tree outside the work limit; new plantings of arrowwood viburnum over the electrical service trench to the studio; planting around the studio. Applicant withdrew her request to bury the main electrical service to the house. There was also a request for planting Leyland cypress as screening trees, though the applicant was looking for a suitable native alternative other than eastern red cedars. **Motion to accept the amendment request. Motion by Commissioner Bisceglia; Seconded by Commissioner Lum; Voted 5-0. Motion approved.**

4 Payomet Lane, Robert Sachs, request for Amended Order of Conditions, SE # 75-0972, (Map 45, Parcel 18) Change proposed to the nourishment volume specified in the Order of Conditions (condition #B7) which specified placement of 290 cubic yards of sand. The owner asked that the language be changed to require compliance with the local

regulations and state “nourishing to at least ½ the fence height”. **Motion to accept the amendment request. Motion by Commissioner Bisceglia; Seconded by Commissioner Noons-Rose; Voted 5-0. Motion approved.**

4 Payomet Lane, Robert Sachs (administrative review permit) de-thatching beach grass in the buffer zone top of the bank. **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Lum; Voted 5-0. Motion approved.**

6 Castle Road, (administrative review permit) (Map 50, Parcel 146) Fencing around yard and at top of the bank to tie into existing fence. Gates included. Area was previously fenced. Planting native grasses to screen fence. **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Lum; Voted 5-0. Motion approved.**

Castle Road & Corn Hill Road(administrative review permit)) (Map 46, Parcel 44)) (Map 45, Parcel 126) clean obstructions from both ends of culverts. **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Lum; Voted 5-0. Motion approved.**

538 Shore Road ; Ebb Tide; (administrative review permit) beach nourishment (Map 7, Parcel 7) **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Lum; Voted 5-0. Motion approved.**

670 Shore Road ; (administrative review permit) unit 2, installing an outdoor shower (Map 2, Parcel 12) **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Lown; Voted 5-0. Motion approved.**

40 Great Hollow Road; (administrative review permit) planting/landscaping in outer buffer zone of Coastal Bank using native plants(Map 42, Parcel 191 & part of 309) **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Noons-Rose; Voted 5-0. Motion approved.**

2 Obbo Drive; (administrative review permit) remove locust trees from Buffer of Coastal Bank. (Map 45, Parcel 146) **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Noons-Rose. Voted 5-0. Motion approved.**

9 Castle Terrace; (administrative review permit) remove brush. (Map 46, Parcel 12) **Motion to approve the administrative review permit. Motion by Commissioner Bisceglia; Seconded by Commissioner Noons-Rose. Voted 5-0. Motion approved.**

5 Falcon Lane, (certificate of compliance) SE #75-717 (Map 39 Parcel 306) **Motion to issue the certificate of compliance with on-going conditions. Motion by Commissioner Bisceglia; Seconded by Commissioner Lum; Voted 5-0. Motion approved.**

55 Pond Road- Notice of Non Compliance to the Order of Conditions, SE #75-942,

The Agent described the installation and subsequent inspection of the septic at 55 Pond Road on April 17, 2017, and the observations that led to issuance of a Notice of non-compliance with the Order of Conditions to the contractor, GFM Enterprises. The installation of the system was not in compliance with the approved plan, as the construction activity was staged from the beach side of the property not the landward side. The contractor used the town landing to access the property without the required access permit and established a work-limit for the project which bore no resemblance to the plan approved by the Conservation Commission. There is no record of any attempt by the contractor to contact the Conservation office or the engineer about these changes.

The contractor stated that the job had to be completed in one day, which happened to fall on the Patriot's Day holiday. Town Hall was closed and they had no emergency number to call to discuss the change in plans. They described making the decision to change the plan of installation in order to save the dune behind the house.

There was brief discussion on the consent agreement, pursuant to a question by a Commissioner; this will be discussed at the next meeting.

The Commission discussed issuance of fines, and asked if Town Counsel could provide guidance on fines. **Motion to Continue until June 5 meeting. Motion by Commissioner Lown; Seconded by Commissioner Lum. Voted 4-0-1. Motion approved.**

Discussion Items:

The Woods Hole sea grant pamphlet entitled "A primer on beach raking" was distributed to the Commissioners as background information about the process of beach raking. The Commission has received and discussed the draft permitting guidelines/regulations about beach raking. The process of beach raking was described, as it is used by some property owners to "manage" the summer wrack-line when it piles up to levels where it becomes a nuisance. The draft document describes the two different kinds of wrack lines. The proposed requirements include cleaning the wrack line of human debris (plastic/trash) before it is moved back below the tide line. Under the proposal mechanical raking would be permitted under an administrative review permit, provided it occurs on those portions of Beach Point outside the mapped habitat of MESA; properties within MESA habitat would need to file a Notice of Intent unless performing the work by hand under an administrative permit. The town will advertise a public hearing on the proposed draft regulations for the June meeting.

Other business included:

- A brief follow-up "progress report" on the now completed repairs to the seawall at Seaside Condominium was provided to the Commission with site photos. Work was completed April 29, and this update was due by the May 1 hearing.
- Receipt of a letter from Dan Smith which provides an annual progress report on his shellfish grant.

Motion to adjourn the meeting. Motion by Bisceglia; second by Lown. Approved unanimously. Meeting adjourned at 8:43.

Site Visit Minutes

May 1, 2017. Commissioners Messinger, Lown, Bisceglia and Noons-Rose, met at 1:15 at the Cobb Library parking lot; Assistant Health/Conservation Agent, Emily Beebe was also present.

The Commission went to 8 Castle Road, and viewed the construction area, and the areas of proposed changes. At 55 Pond Road the Commissioners viewed the project site. The final visit was at 314 Shore Road and the Commission viewed the area for the new deck which was staked.

Site visits concluded at 2:30.

Minutes prepared by E. Beebe