



## TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030  
Truro MA 02666-0630

### **Conservation Commission Meeting Minutes: January 8, 2018**

**The meeting and public hearings were called to order at 6:00 P.M. in the Selectman's Meeting Room. Commissioners Present:** Chair, Deborah McCutcheon; Henry Lum; Linda Noons-Rose; Larry Lown; Jack McMahon **Others Present:** Emily Beebe, Conservation Agent

**449 Shore Road, Cousins Family Revocable Trust; SE #75- 1026;** (This matter was continued from the December meeting.) Mr. David Lajoie from Felco Engineering presented revised plans to the Commission at the table; the plans were dated 12/14/17. He also presented preliminary elevation plans of a proposed structure. The Chair asked Mr. Lajoie to sign waivers for the participation of members not present at the first hearing. Mr. Lajoie signed the waivers.

Mr. Lajoie explained the changes to the proposed plans which show a 24 foot by 24 foot house with a 12 foot by 24 foot deck in the same location as previous plans show a proposed structure. Mr. Lajoie asked for a continuance.

**Motion to continue the hearing to February 5 by Commissioner Lum; seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**19 Bay View Road, J&M Family, LLC; SE #75-1031** (Map 39, Parcel 35). The hearing was opened for a Notice of Intent to replace beach stairs and increase width from 2 feet to 4 feet. The project is located on a Coastal Bank, and Land Subject to Coastal Storm Flowage. The plan developed and presented by Dave Lajoie of Felco Engineering, dated 11-27-17, shows a wider stair, elevated at least 18" above the bank face. A platform at the end replacing the existing platform will be constructed so that it is elevated above the flood plain elevation. Total stair length is 22 feet. A set of removable stairs will extend from the platform to the beach. The Commission moved to accept the plan as proposed with special conditions that include all the notes on the plan and pre-construction protocols. **Motion to approve with conditions by Commissioner Noons-Rose; seconded by Commissioner McMahon; the vote was unanimously in favor, 5-0-0.**

**39 Bay View Road, Lawrence Gottesdiener; SE #75-1032** (Map 39, Parcel 65). The hearing was opened for a Notice of Intent to replace beach stairs and increase width from 2.5 feet to 4 feet. The project is located on a Coastal Bank, and Land Subject to Coastal Storm Flowage. The plan developed and presented by Dave Lajoie of Felco Engineering, dated 12-13-17, shows a wider stair to replace an existing more narrow stair that will be elevated at least 18" above the bank face. There was discussion about the way the stair platforms were shown on the plan. They will not exceed 4 feet x 4 feet, and are intended to provide an area to pause or rest while ascending/descending because the bank is steep and long. The exact location of the platforms is not proposed, but the number shown on the plan (4) will be constructed where needed within the stairway layout, that is, the platforms are not decks. The contractor shall not cut back the top of the bank to

accommodate the structure. The motion to approve the plans included these points as special conditions along with the notes on the plan and project description provided by Felco.

**Motion by Commission McMahon; Seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**389 Shore Road, Stephen & Diane Bernardi; SE #75-1029** (Map 10, Parcel 39) The hearing was opened for a Notice of Intent presented by Shawn Shay of Misty Hill Landscaping. The project includes creation of recreational areas on a Barrier Beach, Coastal Dune and in Land Subject to Coastal Storm Flowage. Mr. Shay provided a detailed list of protocols for removal of existing vegetation, regrading and planting of a grassy area using the “harmony” native seed mix; no turf is allowed. All other plantings will be native plants and are shown on the approved plan submitted by Mr. Shay. All watering will be drip irrigation on a timer. No fertilizer will be added unless the soil has been tested, and then will be amended accordingly. New fencing is proposed along the driveway and is shown on the plan.

**Motion to approve the project with special conditions including notes on the plan and detail in materials submitted. Motion by Commissioner Lum; Seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**258 Shore Road, Stephen & Peter Lang; SE #75-1030** (Map 17, Parcel 14) The hearing opened for a Notice of Intent to upgrade the septic systems at the two homes, all work will be done on the Barrier Beach, and Coastal Dune, and in Land Subject to Coastal Storm Flowage. The plans dated November 2017 were developed by William Rogers and presented by Mr. Paul Shea. The project is limited to the upgrade activities; special conditions will require a work limit fence and revegetation using beach grass to stabilize disturbed areas.

**Motion to approve with special conditions by Commissioner McMahon; seconded by Commissioner Lown; the vote was unanimously in favor 5-0-0.**

**8 Falcon Lane, Donna & Charles Ward;** (No DEP file number assigned)(Map 39, Parcel 245) The hearing of a Notice of Intent for vegetation control in a Bordering Vegetated Wetland was continued at the request of the applicant. **Motion to continue to February 5 by Commission Chair McCutcheon, seconded by Lown; the vote was unanimously in favor, 5-0-0.**

**544 Shore Road, Unit 9, Carol Carr & Joan Dreyfuss;** (Map 7, Parcel 5)

Request of Determination of Applicability for the removal of wooden deck and hard surfaces, and build new deck; construction of proposed work is on a Barrier Beach and in Land Subject to Coastal Storm Flowage. This project was presented by the designer, Stephen Manning and included removing the concrete slabs and some bituminous asphalt in the area of unit 9. New decking will cover less area than the existing hard surfaces. The Commission asked about what was planned to address newly exposed areas; the designer stated that American beach grass and other natives would be planted. It was suggested that a removable walk-way should be used, possibly pinned in place for the season and removed for the winter; further, plants shall be used to lock the sand down, and that jute be spread to hold the sand.

The chair asked that the designer provide the Commission with a list of conditions that they will employ, that the Commission will approve. There were comments made by Pat Callihan, abutter to the project. There was considerable discussion on the fate of the existing stockade fence at the property line that belongs to the abutters and whether the removal of the concrete will destabilize the fence. There was discussion about leaving a strip of concrete that supports the fence. The chair temporarily tabled the matter to allow both parties (the applicant's representative and abutters) to discuss the details and find middle ground that would be included as conditions.

**33 Cooper Road- SE # 75- 0910: Request for permit extension and Request for a field change:** The field change request includes relocating the limit of work around the shifted location of the platform walkway leading to the beach stair. Stephanie Sequin was present to make the requests on behalf of the owners. The disturbed area will be completely re-vegetated with bearberry and native grasses. The extension requested is 2 years. **Motion to extend the permit to January 15, 2020 by Commissioner Noons-Rose, seconded by Commissioner Lum; the vote was unanimously in favor, 5-0-0. Motion to accept the proposed field change by Commissioner McMahon, seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**23 Bay View Road;** certificate of compliance request for SE #75-0496; **Motion to approve issuance of the certificates of compliance by Commissioner McCutcheon; seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**Discussion Items:**

There was a brief discussion of the minutes from the December 4, 2017 meeting. **Motion to approve the minutes by Commissioner McMahon; seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**The Commission returned to the discussion of 544 Shore Road, Unit 9, Carol Carr & Joan Dreyfuss; Determination of Applicability.** Mr. Manning read the agreement that addressed stabilizing the areas shown on the plan as "Beach- sand" with native plants; the hard surfaces will be removed and recycled; the neighbor's fence will be stabilized by leaving about a 1 foot strip of the concrete abutting it. **Motion to approve the application as a negative 3 with conditions. The motion was made by Chair McCutcheon; seconded by Commissioner Noons-Rose; the vote was unanimously in favor, 5-0-0.**

**Conservation Agents Report included discussion about storm damage to foundations at 2 of the structures at Ebb Tide Condominiums at 538 Shore Road; after emergency consultation with the building inspector the seaward end of the foundation at unit 1 was "shored-up"; an emergency certificate is now required to cover that work. The property owners will be addressing their situation to possibly elevate the buildings under proper process with the Commission in the near future. Motion to issue the emergency certificate was made by Commissioner Noons-Rose; seconded by McMahon; the vote was unanimously in favor, 5-0-0.**

The DPW has a list of small maintenance items including reinstalling the fence at Snows Park which blew down; re-opening the access path at Corn Hill and clearing sand at Coast Guard beach.

The Agent asked if the Commission would be comfortable with a notification process, rather than an administrative review. The DPW would continue to provide us with a written narrative prior to the work being completed. The process would allow projects to move forward with notification to the Agent, that would be relayed to the Commission during the Agents report.

Motion to approve this new process was made by Commissioner Lown; seconded by Commissioner Lum. Vote was unanimously in favor, 5-0-0.

The Agent also discussed brief over-wash of Mill Creek Road; and that the Eagle-Neck Creek project federal grant funding application had been submitted.

The East Harbor culvert project is moving forward as the field sampling has been completed to facilitate site plan development; the new culvert is scheduled to be installed in the fall.

The Agent asked the Commission how they wanted to address revisions to the regulations. The Commission was comfortable with setting up a date in between regular meetings to work on them.

Motion to adjourn the meeting by Commissioner Lum; seconded by Commissioner Lown; the vote was unanimously in favor, 5-0-0. Meeting adjourned at 7:37 PM.

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**January 8 Site visit minutes: Commissioners in attendance:** Larry Lown, Henry Lum, Jack McMahon, Linda Noons-Rose and Deborah McCutcheon were accompanied by Emily Beebe.

The Commission met at Cobb Library at 1:00 PM and proceeded to 19 and 39 Bay View Road. The Commission drove to Beach Point and looked at the project area of 258, 389 and 544 Shore Road.

The site visits concluded at 3:00 PM.

Minutes prepared by E. Beebe