



## **TOWN OF TRURO CONSERVATION COMMISSION**

**P.O. Box 2030  
Truro MA 02666-0630**

### **Conservation Commission Meeting Minutes: June 4, 2018**

**The meeting and public hearings were called to order at 6:00 P.M. in the Selectman's Meeting Room. Commissioners Present:** Vice-Chair Jim Bisceglia; Diane Messinger; Jack McMahon; Larry Lown; Chair, Deborah McCutcheon arrived at 6:25; **Others Present:** Emily Beebe, Conservation Agent

**Presentation on Climate Change adaptation-** This was continued to another agenda.  
**Notice of Intent for 405 Shore Rd, Kenneth Shapiro; SE #075-1038;** demo garage, construct dwelling & appurtenances; Land Subject to Coastal Storm Flowage; Barrier Beach. (Continued from April 2, 2018); Noone was present, and the matter was tabled.

**Notice of Intent for 449 Shore Road, Cousins Family Revocable Trust; SE #75- 1026;** Continued from April 2, 2018; The applicant is seeking to continue the hearing to August 6, 2018. **Motion to continue to 8-6-18 by Commissioner Bisceglia; seconded by Commissioner Lown; the vote was unanimously in favor 4-0.**

**Notice of Intent for 8 Kestrel Lane, William & Fay Schutzer; SE #075-1040;** construction of beach stairs on a Coastal Bank. (Map 39, Parcel 244) This matter was continued from the May meeting. Steve Phillips was present to discuss the proposal and described the alternative footings considered for the project as required in the discussion preamble of the original (2010) Order of Conditions for this property that addressed removal of the beach stair and installation of coir fiber rolls. The Coastal Bank is very well stabilized with vegetation and has been anchored/stabilized at the toe with coir envelopes. The Order of Conditions for the coir project required the consideration of alternatives for a new set of beach stairs at this location at such time as they may be proposed to the Commission. The alternatives included the traditional method of hand-dug 4 x 4 posts; the use of pin foundation or diamond piers; and the use of helical anchors. He presented the March 28, 2018 plan by East Cape Engineering which shows helical anchors that would be installed by a hand held driver. Conditions discussed included staking the coir envelopes and stair location; planting disturbed areas; pre-construction site visit; all work to be done from the top of the bank; the last set of stairs shall be removable. There was discussion about why the stairs were not built sooner and it was reported that the bank was not stable for some time after the coir envelopes were installed. Commissioner Lown had questions about the existing coir envelopes and the conditioned maintenance monitoring; the Agent replied that the inspections and monitoring conditions had been followed in accordance with the ongoing conditions. Commissioner Messinger commented that neighbors should share stairs.

**There was a motion made by Commissioner Bisceglia to approve the stair proposal with conditions.**

Chair McCutcheon came to join the meeting at 6:25.

**The motion was seconded by Commissioner Messinger. The vote was 3-1 in favor of the motion.** There was brief discussion on the conditions.

**39 Bay View Road;** proposed **Field Change for 39 Bay View Road; SE # 75-1043;** (map 39, parcel 65) proposed reduction of sod temporarily approved for placement in the buffer zone of a Coastal Bank. This proposal was presented to satisfy a condition set by the Commission at the last hearing; the Order of Conditions has not been issued and the field change sketch would be accepted into the record to satisfy the concerns of the Commission about using sod in the buffer zone. The original condition would have the applicant place the sod as originally proposed, but then return to the Commission in October to determine how much of the sod would need to be removed; the language for removal “a percentage” of the sod - as specified in the condition setting was not determined at the May hearing. Catrine Higgins and Steve LaBranche from Wilkinson Ecological Design presented a new sketch showing a reduction in the amount of sod proposed rather than placing/planting the sod and removing it later. The sketch showed removal of some of the sod and replacement of it with about 1200 square feet of biodegradable erosion control blanketing that would be seeded and plugged with native grasses 18 inches on center. About 1500 sf of high fescue sod is proposed for the buffer (only outside the 50-100 foot buffer) to allow immediate access to the house and the decks, and create usable- stabilized space for the applicant; the balance of the area would be mitigated with the shrub/plug plan already approved. There was discussion about the pros and cons of the proposed use of sod. Sod has a very low habitat value, but is beneficial for satisfying storm-water function and stabilizing soils.

Chair McCutcheon proposed a motion to accept the field change proposal. There was more discussion about the use of sod. Commissioner Lown was concerned about the precedent. Commissioner McMahon felt that the planting plan for the entire surrounding area was acceptable and that the sod could be conditioned to only be dressed with a very low (4 or less) Nitrogen fertilizer, and be seeded with native grasses. The Chair revised the motion to include those conditions with the requirement that the field change sketch be updated to show those conditions. **Commissioner McMahon moved as stated; it was seconded by Commissioner Bisceglia; the vote was 5-0 unanimously in favor.**

**Notice of Intent for 405 Shore Rd -There was a motion by Commissioner McMahon to continue to July 2, 2018; Seconded by Commissioner Bisceglia; the vote was unanimously in favor.**

**Notice of Intent for 120 Prince Valley Rd, William & Jean Cooper; SE #075-104 ;** proposed addition, stairs & landing; Buffer Zone to Bordering Vegetated Wetland. (Map 59, Parcel 68) Jason Ellis presented his proposal to construct an addition on the side of the existing dwelling, significantly increasing the size of the dwelling in the buffer zone.(850 SF house existing with a (450 sf addition proposed) The location of the existing septic system between the house and the road has pushed the addition to the side. The proposal includes a structure on a crawl space foundation, a portion of which would be in the flood plain. The project has not yet received a file number and there was no requirement to file with MESA. Mr. Ellis stated that the sale of the property was contingent upon the permitting of the project. The Commissioners discussed the concept of

this being a hypothetical house, as it was not going to be built by the sellers/owners, but by the buyers. The chair asked for clarification about wildlife in the wetland buffer. The proposal is completely out of the 35' from the BVW and is in the BVW buffer but it is not entirely out of the flood zone. **There was a motion by Commissioner McMahon to continue this matter to July 2, 2018; Seconded by Commissioner Bisceglia; the vote was unanimously in favor.**

**Notice of Intent for 127 Slough Pond Rd, Peter Chermayeff; SE #075-1041;** proposed septic upgrade; new construction of decks, walkways & proposed detached bunkhouse located in the buffer zone to Bordering Vegetated Wetland and Inland Bank. (Map 61, Parcel 8) This hearing was continued from the May 7, 2018 meeting. Dave Lajoie from FELCO presented his site and sewage plan dated 4-10-18 and revised 5-27-18 showing the existing camp on Slough Pond and the associated "bunkhouse" building to which a bathroom addition would be constructed; the septic system would also be upgraded to title 5; the deck would be rebuilt and new walkways around the side of the building would be built. The bathhouse addition would be on piles. The new septic would include pumping the wastewater across the lot to higher elevations where it would be adequately separated both laterally from the pond and vertically from groundwater. Discussion on special conditions ensued, and will include construction notes on the plan and a better description of re-vegetation of the property after construction to match what exists. They may need to return to the Commission if water quality on the adjacent lot does not support the new well and relocation of the septic is proposed.

**Motion to approve the proposal with special conditions as discussed by Commissioner Lown; seconded by Commissioner Messinger; the vote was unanimously in favor.**

**Notice of Intent for 8 Moorings Way, Marsh House Realty Trust; SE #075-1044;** relocate house, upgrade septic; Coastal Bank & Land Subject to Coastal Storm Flowage. (Map 46, Parcel 115) Bob Reedy from JM O'Reilly was present with one of the owners to discuss their project. They considered several new locations for the house, all out of the flood plain, and they settled on the location where the grades were the flattest. They will upgrade the system using plastic components, these require much less clearing of vegetation to install, and are lower impact components. They propose to restore the area where they now park and the area where the house is located with plantings to recreate a meadow. The future driveway access to the house will change as they will not be able to drive closer to the dwelling, as they now can, due to the presence of the Coastal Bank. The house will be jacked up and moved to a new site on the top of the coastal bank to the north and east. The agent had questions about the access for construction as it is not shown on the plan or described in the narrative. The agent suggested they review how the house would be moved with their contractor, and include those details in their proposal. The Chair suggested that those details be sent to the Agent and that an Order of Conditions be developed for the Commission, and if the agent felt the conditions were adequate the applicant would not need to appear at the next meeting but the Commission would vote on the conditions. It was stipulated by both parties that the discussion would be completed at the July 2, 2018 meeting.

**Request of Determination of Applicability; 522 Shore Rd, Sutton Place Condos;** plant 3-5 Rosa Rugosas; Barrier Beach, Land Subject to Coastal Storm Flowage. (Map 7,

Parcel 8) **Motion to approve the RDA with a negative 3 determination. Motion by Commissioner Bisceglia; seconded by Commissioner Messinger; the vote was 4-0-1 in favor.**

**Administrative review permit 640 Shore Road;** trenching for gas lines; presented by MariEllen Serena. **Motion to approve by Chair McCutcheon; seconded by Commissioner McMahon; the vote was unanimously in favor.**

**Administrative review permits for: 82 South Pamet Road; 6 Castle Road; 218 Shore Road; 648 Shore Road, and 497 Shore Road** were moved for approval by Chair McCutcheon; seconded by Commissioner McMahon; the vote was unanimously in favor.

**Requests for Certificate of Compliance**

**503 Shore Road, unit 27-** SE#75- 1019 (new deck)

**503 Shore Road, unit 28 -** SE#75-1020 (new deck)

**538 Shore Road -** SE#75-1037- repairs to foundation; replacement of decks; placement of fill

**Motion to approve all 3 certificates by Chair McCutcheon; seconded by Commissioner McMahon; the vote was unanimously in favor.**

**Request for Field Change; 8 Mill Pond Road, SE#75-1023;** proposed addition of fence; there was brief discussion. The area to be fenced is un-vegetated and sandy. **Motion to accept the field change by Chair McCutcheon; seconded by Commissioner Lown; the vote was unanimously in favor.**

The Chair addressed the fact that this meeting was Commissioner Jim Bisceglia's last meeting; she voiced that she and the Commission let him go with great reluctance, and thanked him for his work. The Chair then nominated Jack McMahon as Vice Chair. There was discussion amongst the Commissioners and it was agreed to that Commissioner Lown would support Vice Chairing with Commissioner McMahon until the end of summer.

**Motion to adjourn the meeting by Commissioner Bisceglia; seconded by Commissioner Messinger; the vote was unanimously in favor, 4-0. Meeting adjourned at 7:58 PM.**

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**Site visits:**

On Monday June 4, 2018, the following Commissioners met at 1:00 PM at the Cobb library: Deborah McCutcheon; Diane Messinger; Jim Bisceglia.

The Commissioners proceeded to: 1) 8 Kestrel Lane; 2) 127 Slough Pond Road; 3) 120 Prince Valley Road; 4) 8 Moorings Way

Minutes prepared by E. Beebe

