



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

Conservation Commission Meeting Minutes

December 5, 2016

6:30 P.M. in the Selectman's Meeting Room

Members Present: Deborah McCutcheon (Chair), Diane Messinger, Larry Lown, Henry Lum, Jim Bisceglia, Linda Noons-Rose, Jack McMahon

Others Present: Emily Beebe-Conservation Agent

476 Shore Rd, Administrative Review permit application; William Bazyk; The project includes work on the landward side of a bulkhead to replace filter fabric lining the inside wall, and adding sand nourishment. Linda Noons-Rose recused herself.

Motion to approve the Administrative Review by Bisceglia, second by Lown.

Approved unanimously.

The Minutes of October 3, 2016 were discussed briefly with minor corrections made.

Motion to approve the October 3, 2016 minutes, as corrected; Motion by Lown; second by Bisceglia. Approved unanimously.

15 Avocet Rd, Administrative Review permit application; Richard Summers; The project includes planting beach grass across the toe of a Coastal Bank. **Motion to approve the Administrative Review by Bisceglia; second by Noons-Rose. Approved unanimously.**

PUBLIC HEARINGS

The Truro Conservation Commission holds the following public hearings in accordance with the provisions of MGL Ch. 131, s. 40, the Wetlands Protection Act and the Truro Conservation Bylaw, Chapter 8:

Ballston Beach, South Pamet Road, Notice of Intent, Town of Truro, removal of portion of parking lot, SE# 75-1000: DPW Director Jarrod Cabral was present to describe the project which includes removing the seaward section of the Beach Parking lot located North of the access road. The DPW will remove the sand that covers part of the parking lot and temporarily stockpile it at the back (the south end) of the parking lot. They will remove the pavement and replace the sand to rebuild the dune to match the adjoining grades. It is estimated that the project will take 5-7 business days and require only one machine. After the sand is replaced a split rail fence with signage will be installed to keep people from walking on the dune. If groundwater is found a de-watering protocol will be developed. There will be no plantings at this time. The purpose of this project is to have more natural drainage. Pavement will be removed as far seaward as possible, without causing more damage to the beach. NHESP has not completed their review and the Commission cannot issue the Order of Conditions until the agency's

comments are received. **Motion to continue the hearing to January 9, 2017 by Bisceglia; second by Noons-Rose. Approved unanimously.**

4 Payomet Ln, Request for Certificate of Compliance/Non-Compliance with Order of Conditions, SE#74-0972:

This matter was continued from November 7, 2016. The March 2016 project to repair and replace sections of serpentine fences north of Corn Hill Beach resulted in significant non-compliance by the contractor performing the work on numerous properties;

The contractor, GFM enterprises was represented by Jen and Greg Morris. At issue is how to make corrections to the fences to bring them into compliance and how to handle the nourishment and beach grass issues. There are different permits for each property. The Commission had originally suggested a meeting of all parties involved but most people seem unavailable. The Commissioners concurred that issuance of a fine was not optimal but, mitigation in the form of a community project was viewed favorably. The contractor was agreeable to this. In the consent decree it would need to be stated that the fences will brought into compliance and the two properties that had not contracted for fences will have the new sections removed, but the main posts will be left. The fence components will need to be appropriately labeled with the property identification. If property owners wish to retain fencing they will need to come back to the Conservation Commission.

The owner of 4 Payomet Lane, Robert Sachs commented that he would like to seek an amendment to allow for less nourishment. Proposed was 290 cubic yards, which he thought was excessive. The Truro regulations state that the sand (nourishment) needs to be added to half the height of the fence; however, he observed that a large volume of sand had already accreted naturally, and only needed about 6 more inches. He would have beach grass planted after placement of sand and believes that this would put him in position that is consistent with regulations. He asked the Commission if they found this a favorable amendment. There was brief discussion about this process. Mr. Sachs will seek an amendment at another meeting. **Motion to proceed with drafting a consent decree by Bisceglia; second by Messinger. Motion approved unanimously.**

There was brief discussion about developing a policy for the use of consent decrees versus fines. **Motion to adjourn by Bisceglia; second by McCutcheon. Approved unanimously.**

Site Visit Minutes

December 5, 2016: 1:15 P.M. Met at the Cobb Library parking lot.

Members Present: Deborah McCutcheon, Diane Messinger, Larry Lown, Henry Lum, Linda Noons-Rose, Jim Bisceglia **Others Present:** Emily Beebe, assistant Health/Conservation Agent, Nicole Smith-Secretary

Ballston Beach: The Commission viewed the area where concrete parking area will be removed. The area was staked. 1:45 P.M. site visits concluded.

Respectfully Submitted, Nicole Smith, Secretary