



**TOWN OF TRURO
CONSERVATION COMMISSION**

P.O. Box 2030
Truro MA 02666-0630

TOWN OF TRURO
K. Irwin
MAY 19 2022
10:17 AM
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Conservation Commission Meeting Minutes: January 3, 2022

Commissioners Present: Chair Carol Girard-Irwin, Diane Messinger, Linda Noons-Rose, Bob White & Larry Lown **Absent:** 0 **Present:** Conservation Agent, Homeowners and Representatives

The Chair called the meeting and public hearings to order at 5:07 and provided instructions for the virtual meeting.

Notice of Intent: 494 Shore Road, Sharon Santangelo:

Architect John Lefrevieve represented the project along with homeowner Sharon Santangelo. The notice of Intent is concerning two small additions This is land subject to coastal storm flowage. Mr. Lefrevieve explained that the house is a simple rectangular structure that had a handicapped bathroom addition completed less than 20 years ago. The current project involves making modifications to this addition which includes another addition. Mr. Lefrevieve clarified that the project would be a volumetric change to the building making the house more functional. The dimensional changes to the structure would include increasing the property dimensions 3 feet towards the bayside of the house and 3 feet towards the street side. The application did not meet the requirements and was missing a few documents which Mr. Lefrevieve mentioned he would provide and that despite the missing documents the elevation of the house would not be altered. Mr. Lefrevieve also mentioned that mitigation strategies, such as planting native species, were part of the plan. Commissioner Girard-Irwin mentioned that the Agent had provided a list of requirements including staking, flagging, alternative analyses and a site plan. The commissioners state they would need the complete application to continue the conversation on the project. The commissioners, representatives and homeowners agreed on a continuance.

Motion: Commissioner White moved to continue the matter for February 7th, 2022

Seconded: by Commissioner Diane Messinger. **Vote: 5-0-0, motion carried.**

Notice of Intent: 72 Depot Road, Anne Robertson & Mary Perkins; SE# 75-1125:

Commissioner Girard-Irwin stated that the applicant requested a continuance for February 7th, 2022.

Motion: Commissioner Diane Messinger moved to continue the matter for February 7th, 2022

Seconded: by Commissioner Larry Lown. **Vote: 5-0-0, motion carried.**

Notice in Intent: 590 Shore Road, Big Monkey LLC; SE# 75-1130

Motion:

Gordon Peabody of Safe Harbor represented the project along with the homeowners: Mike Miller and Ross Zachs. Commissioner Girard-Irwin stated that she had observed the flags on the property during the site visit conducted before the meeting, which painted

a clear picture of the project. Commissioner Girard- Irwin also commended the mitigation strategies being implemented. Gordon Peabody reported that the homeowners had decreased the original construction plan by 102 square feet and explained the mitigation strategies being implemented, which includes the planting of native species on 7,061 square feet of the lot. Commissioner Noons -Rose was concerned about the project staying within the confines of the 24-inch easement. The Commission was concerned about maintaining the integrity of the abutting property. The Agent explained that during the earlier site visit the Commissioners noted that the proposed construction plan would raise the first-floor elevation to about 13 feet – currently at about 8.4 feet. The Agent suggested that the easement should include a clause outlining a preservation condition for the abutting property protecting the abutters from any damages suffered during construction. Commissioner Messinger suggested that the homeowners just build onto the other side of the house to avoid complications with the easement. Mr. Miller countered that they were unable to carry out the project on the opposite side due to the 5-bedroom septic system that is located there. Deborah Paine represented the abutting property (“The Burrows”) and expressed concern over the piles causing “cave-ins”. Ms. Paine stressed that the abutters were not interested in reparations after the fact, but rather in making sure that no damages occur to the existing structure (“They need to be very careful. They can’t have encroachments that go over those 24 inches in the easement”). Ms. Paine also recalled that a foundation on pilings has an allowance of less distance from the septic tank, specifically 5 feet versus 10 feet, because of the access that the pilings allow. Ms. Paine suggests moving the house in the direction of the septic instead of risking encroaching on the abutters property and avoiding potential damages and encroachments. Representative Ilana Quirk rebutted by explaining that the pilings would be located on the owner’s property and are designed to be installed in such a way that minimizes any chance of remediation being needed on the abutter’s property. Jamy Madeja represented the abutting property owners and emphasized that there is no permission present for the homeowners to utilize any land beyond the 24-inches in the easement. The 24-inch easement is in place for pedestrian and maintenance purposes only. The abutters are not opposed to allowing the construction to take place; however, they need a more detailed and concrete construction plan in place before proceeding. The Agent addressed the abutters’ concerns stating that she had conducted a site visit that day and saw how tight the scope of work was. Due to this the Agent mentioned that it would not be enough to say reparation to the abutting property rather there must be a clear protocol that addresses the issue of staying within the property limits and on how the work will be contained on the property. The Agent suggests an air-tight protocol that addresses all the abutters concerns and the easement limitations. Commissioner Noons Rose suggests cantilevering to the south in order to keep the scope of work contained on the property line. Commissioner Girard-Irwin inquired about getting a detailed protocol for installing the pilings. Attorney Madeja explains there needs to be a legal agreement on paper that is signed by both property owners before the scope of work can cross the easement restrictions. Gordon Peabody of Safe harbor offered to continue the matter for February 7th, 2022.

Motion: Commissioner Messinger moved for a continuance

Seconded: Commissioner Lown; **Vote:** 5-0-0, motion carried.

Request for Determination of Applicability: 6 River View Road, Diana

Worthington: David Lajoie represented the project. Commissioner Girard-Irwin stated

that the commissioners had conducted a site visit earlier in the day and viewed the area for the proposed installation of the well. Mr. Lajoie stated that the well would be out of the 100-foot buffer zone for the coastal bank, and it would be located 200 feet from the riverfront area.

Motion: Commissioner Messinger moved for a Negative 3 determination.

Seconded: Commissioner Noons-Rose. **Vote: 5-0-0, motion carried**

Request for Determination of Applicability: 63 Depot Road, Chris Griffin:

Ezra Ambrose represented the project on behalf of Chris Griffin. Mr. Ambrose explained that the second story addition would be 25 feet by 18 feet. Mr. Ambrose stated that they are planning on using the existing foundation and would be working from inside the footprint of the building to create the second story over the solarium. Commissioner Messinger expressed concern over the debris that would be going towards the coastal bank.

Motion: Commissioner White moved for a negative 3 determination with the condition that debris be moved outside the jurisdiction.

Seconded: Commissioner Noons-Rose. **Vote: 5-0-0, motion carried.**

Request for Extension (3 years): 6/6A/ Highland Road & South Pamet, MASS DOT

(#75-0951): Commissioner Lown suggested allowing a one-year extension versus the three requested.

Motion: Commissioner Lown moved to allow extension for 1 year.

Seconded: Commissioner Girard-Irwin **Vote: 5-0-0, motion carried.**

Administrative Reviews

1.) 14 Quansett Road: Tree planting

Motion: Commissioner Messinger moved to approve the applications.

Seconded: Commissioner White. **Vote: 5-0-0, motion carried.**

2.) 51 Depot Road: Tree removal/ pruning

The Agent had a series of photographs that were exhibited to the Commission. There were a few trees that were damaged during the last Nor'easter. There are a few pitch pines that the homeowners want to remove. There is an Eastern red Cedar tree that is close to the top of the coastal bank. The homeowners want to remove the Cedar; however, the Agent recommends not allowing the removal or pruning and instead asking the homeowners to move the steps they had just recently put in.

Motion: Commissioner Lowns moved to approve except for the eastern cedar pruning

Seconded: by Commissioner Messinger. **Vote: 5-0-0, motion carried.**

3.) 6 Bridge Lane

Motion: Commissioner Girard-Irwin moved to continue the matter for 30 days

Seconded: Commissioner White **Vote: 5-0-0, motion carried.**

Minutes: September 2021 - Continued till February 7th, 2022, for review.

Notes: The Commission agreed to meet at town hall henceforth for site visits.

Commissioner Noons-Rose moved to adjourn

Seconded by Girard-Irwin.

Respectfully Submitted,

Nina Richey

Approved 3/7/2022, Vote 4-0-0

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