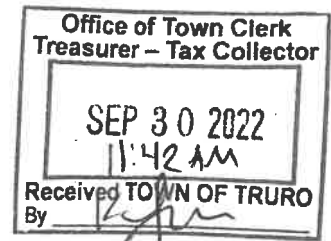




**TOWN OF TRURO  
CONSERVATION COMMISSION**  
P.O. Box 2030  
Truro MA 02666-0630



**Conservation Commission Meeting Minutes: May 2, 2022**

**Commissioners Present:** Chair Carol Girard-Irwin, Commissioners Bob White, Mark Adams, Amy Wolff, Linda Noons-Rose & Larry Lown **Absent:** Diane Messinger Also Present: Emily Beebe, Conservation Agent.

This was a remote meeting. The Chair called the public hearings to order at 5:01 and provided virtual instructions.

**Public Comment:** no public comments were made.

**Herring River Restoration Project Presentation – Phase 1; SE# 75-1144:**

*(This hearing was continued from a joint public hearing with Wellfleet held on April 14)*

Carole Ridley and Jessica Wall from Anderson & Kreiger were on the call to represent the project. Ms. Wall explained that only 2% of the restoration project is located in Truro and will include road and restoration work. Ms. Ridley presented a summary of the proposed restoration work. She explained that the small amount of work that would be conducted in Truro would not affect any residential structures, nor would it affect the current vegetation. They are seeking approval for an Ecological Restoration Limited Project. The project would address and prevent certain conditions such as deterioration of water quality, loss of native wetlands vegetation, loss of estuarine habitat, and obstructed fish passage. The Conservation Agent requested a copy of the power point presentation that was presented. Commissioner Larry Lown asked about the timeline of the project. Carole Ridley responded that they expect to get started at the beginning of 2023.

Commissioner Carol Girard-Irwin requested a continuance until the July 6, 2022, meeting to review the findings. **Motion:** Commissioner Bob White moved to continue the filing till the next conservation meeting on June 6, 2022; **Second:** Commissioner Mark Adams; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 538 Shore Road, Ebbitide Condominiums; SE# 75-1133:**

Paul Shea was on the call to represent the matter, which had been continued from the April 4 public hearing. He explained that the project mitigation included the process of developing a coastal dune. One of the issues they found is how to maintain the easement access to Seasong Condominiums across the street. The proposal describes creating more of a snake-like access way to minimize wave and wind impacts. The proposed buildings will be relocated further landward and raised on pilings. The dune will be vegetated with Beach Plum, Bayberry, and Beach grass. Attorney Ben Zehnder expressed the abutters' concerns about an increase in habitable living space, since their main concern is not to impact the resource areas. Attorney Christopher Snow, representative for Ebbitide, stated that they will be inserting the pilings with the most careful protocols, as his clients would also be negatively affected by any issues that would arise during installation, but did not

provide specifics. Attorney Zehnder inquired whether helical anchors or timber pilings would be used. The method by which the pilings would be installed was discussed. Attorney Snow suggested they will be using driven helical anchors or a less intensive method which would be overseen by the engineer. The conditions to approve the NOI would include protocols submitted regarding the coastal dune, a construction protocol, removal of deconstruction (demo) debris from the beach as an on-going condition, maintenance of the easement area, and a seasonal construction restriction. **Motion:** Commissioner Bob White moved to approve the filing with conditions. **Second:** Commissioner Larry Lown; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 39 Corn Hill Road, Unit 10, Donna Kull:**

Gordon Peabody of Safe Harbor Environmental was on the call to represent the project. The homeowner is proposing to bump out the structure of her building onto the existing deck. The building footprint will increase 40 feet and the deck will decrease 40 feet. The environmental management plan was accepted by the commission and was added as a condition for approval. The deck will be reinstalled using helical anchor footings, which are less intrusive on the surrounding environment. **Motion:** Commissioner Linda Noons Rose moved to approve the filing. **Second:** Commissioner Carol Girard-Irwin; **Vote:** 4-0-0; the motion passed.

**Notice of Intent: 29 Knowles Heights Road, David Walsh:**

Thad Eldredge was on the call to represent the project. He explained that he had provided an alternative analysis plan and a list of elevations as requested at the last meeting. The project involves demolition of the existing building that is currently 23 feet from the top of the Coastal Bank, and reconstruction of a new dwelling farther back from the top of the bank. The proposed building will be 54 feet from the top of bank. When the project is complete, they will implement the plantings outlined in the mitigation plan.

Commissioner Girard-Irwin asked what the difference in square footage would be between the existing versus the proposed construction. Mr. Eldredge stated that the existing building is about 840 square feet and the proposed is 1,350 square feet. A PowerPoint presentation was given to show the proposed plan, the existing conditions and outline the work limit for the project. The driveway area will decrease by 40 feet. The existing observation deck shall remain and be reinforced. The driveway is permeable and is composed of crushed stone. Jack Reimer commented about erosion in this area.

**Motion:** Commissioner Linda Noons-Rose moved to approve the filing with conditions; **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 33 Cooper Road, Robert Davoli; SE# 75-1137:**

Stephanie Sequin was on the call to represent the project. She gave a detailed presentation of the proposed project. The building is located outside the 100-foot buffer zone. The proposed project would expand the existing ground level deck, by adding 140 square feet of new deck. Approximately 60 square feet of the proposed deck will be in the buffer zone. The plan shows expansion that is parallel to the buffer zone and imposing minimal impact on the resource area. They are also proposing the framing for the deck will be hung from the building on one side and will be attached to the existing deck on the other to minimize impact on the resource area and the deck will be supported by diamond pier footings which are less intrusive than posts. For mitigation Wilkinson

Ecological identified invasive species on the property, which will be removed. Stephanie Sequin stated she provided a construction protocol which includes the limit of work. Any disturbance to the property will be restored by planting beach grass. There is an alternative analysis plan that was submitted. Commissioner Larry Lown asked what the status of the fencing is at the toe of the bank. Steve LaBranche of Wilkinson Ecological was on the call to answer the question and stated that the fencing had been removed during the 2016 construction of the house. He also explained that they found some invasives that will be removed, and no new plantings would be added. Commissioner Bob White stated that he wanted to see the alternative analysis as not much mitigation was being proposed. Michael D. Price presented the alternative analysis. Steve LaBranche also stated that mitigation normally involves lawn removal and there is no lawn on this property which is why invasive plant removal is being proposed. Commissioner Girard-Irwin asked whether beach grass could replace any areas left vacant after the invasives are removed. Steve LaBranche agreed that beach grass could be replanted. The commissioners agreed that they wanted to conduct another site visit.

**Motion:** Commissioner Linda Noons Rose moved to continue the filings until the June 6, 2022, meeting; **Second:** Commissioner Amy Wolff; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 12 Pilgrims Path; Richard N. Caron, SE# 75-1146:**

Gordon Peabody was on the call to represent the project for stairway replacement. The existing stairway is wobbly and a safety hazard. He explained the caterpillar strategy for construction which eliminates ancillary impacts. Commissioner Bob White expressed his support for the project. Commissioner Girard-Irwin asked if the stair width would be different, to which Mr. Peabody responded by stating that it is a one for one replacement. The only difference between the existing and the proposed stairs will be that the proposed stairway will be elevated to meet performance standards. **Motion:** Commissioner Linda Noons-Rose moved to approve the notice of intent with conditions. **Second:** Commissioner Amy Wolff; **Vote:** 6-0-0; the motion passed.

**Request for Determination of Applicability: 538 Shore Road unit 2, Clem Bellairs:**

Susan Salvaggio and Clem Bellairs were on the call to represent the matter. Clem Bellairs stated that he would like to do a one for one cinder block replacement to support the existing deck on the property. The footings will remain but will be deeper to secure the deck. **Motion:** Commissioner Larry Lown moved for a negative 3 determination. **Second:** Commissioner Linda Noons-Rose; **Vote:** 6-0-0; the motion passed.

**Request for Determination of Applicability: 6 Katherine Road, 6 Katherine Road**

**Realty Trust:** Alec Marshall was on the call to represent the project. He explained that they would like to do a one for one replacement for their deck to bring it up to code by their contractor. Commissioner Linda Noons-Rose stated that at the site visit she noticed that a work limit needed to be established. Commissioner Bob White agreed that a work limit would preserve the bearberry in the area.

**Motion:** Commissioner Larry Lown moved for a negative 3 determination. **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**Request for Determination of Applicability: 51 South Pamet Road, Denton Family**

**Revocable Trust:** Jason Ellis was on the call to represent the project. He explained the design as a required cesspool upgrade to bring the property into compliance. There are two cesspools on the property, one in the flood zone. Mr. Ellis is proposing to install a title V septic system and found the best location to minimize impacts to the resource areas.

**Motion:** Commissioner Larry Lown moved for a negative 3 determination.

**Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**Request for Determination of Applicability: 25 Elsie's Road, Shirley Drasher**

**Revocable Living Trust:** Jason Ellis was on the call to represent the plans to upgrade the cesspool on the property by installing a title V septic system as required by Truro Health regulations. The property is adjacent to a pond, with a vegetated wetland around it. The house is to the east of the resource area; there is a sewage pipe that is in the buffer zone. Jason Ellis is proposing to put the new system as far away from the resource area as possible. The cesspools will be pumped and filled when the title V is installed.

**Motion:** Commissioner Larry Lown moved for a negative 3 determination.

**Second:** Commissioner Mark Adams; **Vote:** 6-0-0; and the motion passed.

**Request for Determination of Applicability: 121 Slough Pond Road, MacDonald –**

**Truro Trust:** The project is a proposed septic upgrade. The Commissioners had conducted a site visit earlier that day. Jason Ellis was on the call to represent the project. The proposal is for a required cesspool upgrade to comply with the Truro Health Regulations. Due to the number of bedrooms on the property it is required that a nitrogen reducing system be installed. The leach area will be located on the north of the property outside of the 100-foot buffer zone. The cesspools will be filled with sand and abandoned. **Motion:** Commissioner Larry Lown moved for a negative 3 determination. **Second:** Commissioner Linda Noons-Rose; **Vote:** 6-0-0; the motion passed.

**Request for Determination of Applicability: 41 Fisher Road, Peter Tufano:**

The applicants requested a continuance until the June 6<sup>th</sup>, 2022, meeting.

**Motion:** Commissioner Bob White moved to continue until the June 6<sup>th</sup>, 2022, meeting; **Second:** Commissioner Amy Wolff; **Vote:** 6-0-0;

the motion passed.

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

The applicants requested a continuance until the June 6<sup>th</sup>, 2022, meeting.

**Motion:** Commissioner Bob White moved to continue until the June 6<sup>th</sup>, 2022, meeting.

**Second:** Commissioner Bob White **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 39 Bay View Road, Lawrence Gottesdiener; SE# 75-1140:**

The applicants requested a continuance until the June 6<sup>th</sup>, 2022, meeting.

**Motion:** Commissioner Amy Wolff moved to approve the continuance of the filing for the June 6<sup>th</sup>, 2022, meeting. **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 41 Bay View Road, Seascapc, LLC; SE# 75-1141:**

The applicants requested a continuance until the June 6<sup>th</sup>, 2022, meeting.

**Motion:** Commissioner Amy Wolff moved to approve the continuance of the filing for the June 6<sup>th</sup>, 2022, meeting.

**Second:** Commission Bob White; **Vote:** 6-0-0; the motion passed.

**Administrative Review Permit requests:**

**3 Marshall Lane:** Clear brush and invasive plants.

**Motion:** Commissioner Mark Adams moved to approve the Administrative Reviews; **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**218 Shore Road:** Beach raking.

**Motion:** Commissioner Carol Girard-Irwin moved to approve the Administrative Reviews; **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**376 Shore Road:** 1:1 patio replacement and bulkhead stair replacement.

**Motion:** Commissioner Bob White moved to approve the Administrative Reviews. **Second:** Commissioner Linda Noons Rose; **Vote:** 6-0-0; the motion passed.

Commissioner Larry Lown moved to adjourn the meeting.

**Second:** Commissioner Mark Adams **Vote:** 7-0-0.

The meeting was adjourned at 7:54 PM.

Respectfully Submitted by Nina Richey

