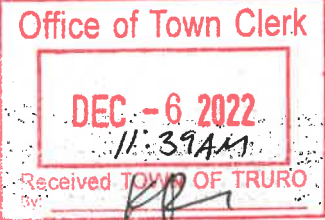




**TOWN OF TRURO
CONSERVATION COMMISSION**

P.O. Box 2030
Truro MA 02666-0630



Conservation Commission Meeting Minutes: October 3, 2022

Commissioners Present: Chair Commissioner Carol Girard-Irwin, Vice Chair Commissioner Linda Noons-Rose Commissioners Bob White, Mark Adams, Diane Messinger, Clint Kershaw, & Larry Lown **Others Present:** Emily Beebe, Conservation Agent, Courtney Warren, Assistant Conservation Agent.

This was a remote meeting. The Chair Carol Girard-Irwin called the meeting and public hearings to order at 5:00 and provided the virtual meeting instructions.

Public Comment: there was no public comment

Notice of Intent: 6 River View Road, Elizabeth & Robert Morrison SE# 75-1154:

The applicant requested a continuance until the November 7, 2022 meeting.

Motion: Commissioner Larry Lown moved to continue the hearing until November 7, 2022; **Second:** Commissioner Mark Adams; **Vote:** 6-0-0; **the motion passed.**

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

Attorney Ben Zehnder requested a continuance until the November 7, 2022 meeting.. Commissioner Larry Lown requested updated materials for the next meeting which. Attorney Zehnder agreed to provide.

Motion: Commissioner Clint Kershaw moved to continue the hearing until November 7, 2022; **Second:** Commissioner Mark Adams; **Vote:** 6-0-0; **the motion was passed.**

Notice of Intent: 127 South Pamet Road, Thomas & Kathleen Dennis:

(continued from 9/12/2022)

Tom Dennis and David Michniewicz, architect, were on the call to represent the project.. The proposed driveway material was changed from shell to stone. Stephanie Sequin was also on the call to explain the changes to the vegetation management plan based on existing site conditions. Commissioner Larry Lown asked about the changes to the original plan, the coir blanket for erosion control, and the nature of the bare root beach grass plantings. The beach grass planting would happen immediately once the foundation of the house is removed to increase the chances of successful growth. Commissioner Clint Kershaw expressed concern over the number of times the house would need to be moved back, therefore suggesting the house be moved as far back as possible this time to avoid having to move it again in the near future. Discussion followed as to why the proposed location is the best for the project. The applicants agreed that the goal is to move the house as few times as possible. Through careful analysis, they believe they have the best possible location for the house. Commissioner Carol Girard-Irwin inquired about the elevations of the driveway and the materials that will be used for the retaining wall. Mr. Michniewicz explained that the retaining wall is a segmented block wall with an

elevation of no more than 4.5 feet from the driveway. The retaining wall will also reduce impact and disturbances to the down slope. Tom Dennis detailed a schedule for the project which is as follows:

The removal of the studio:

1. 8-week process
2. Triggered by when the Town of Truro is ready to receive the house.
3. Planning for mid-late November- April for bare-root beach grass plantings.

The relocation of the main house:

1. Trigger point for relocation is when the corner of the foundation is 10-15 feet from the coastal bank.

Commissioner Larry Lown asked what "MN" represented on the plans. Mr. Michniewicz replied that it stands for "Mother Nature". Conditions discussed include:

1. The applicant shall ensure that measures are taken to preserve the integrity of the area, leaving as much vegetation as possible.
2. The applicant shall control drainage and run-off at the site
3. The applicant will implement an on-going vegetation plan
4. The applicant shall clean the site of all debris that the project creates

Motion: Commissioner Bob White moved to approve the filing with conditions; Second: Commissioner Carol Girard-Irwin; Vote: 6-0-1; the motion passed with Commissioner Diane Messinger having technical difficulties.

Notice of Intent: 627 Shore Road, Neeren & Cubberly Nominee Trust:

Paul Shea, environmental consultant, and Christopher Snow, counsel for the applicant, were on the call to represent the project. Paul Shea explained that this is an upgrade to a Title 5 compliant system from an existing cesspool. The Title 5 upgrade will offer an overall improvement to the property and environmental benefits to the surrounding area. Chair Commissioner Carol Girard Irwin asked what kind of equipment would be used to remove the cesspool and to install the new system. Billy Rogers, engineer, stated that an excavator would be used to complete the project. There is a possibility that the deck will need to be removed because of the limited amount of space available. Mr. Rogers explained that the soil absorption system will be elevated. The Conservation Agent suggested conditioning the approval with the submittal of a planting plan to be detailed in an addendum. The commissioners also agreed that if the deck needed to be removed, it could be replaced one-for-one.

Motion: Commissioner Clint Kershaw moved to approve the request; Second: Linda Noons-Rose; Vote: 7-0-0; the motion passed.

Notice of Intent: 72 Depot Road, Blythe Robertson & Mary Perkins; SE# 75-1157:

Brad Malo, Theresa Sprague, Nick Waldman, and Ben Zehnder as well as owners Blythe Robertson and Mary Perkins were on the call to represent the project. Brad Malo summarized the existing conditions and described the proposed project. An addition is proposed for the northside of the house away from the coastal bank. The existing deck will be removed and replaced with a deck with a smaller footprint. The foundation will remain, so no excavation is required. The addition will also be on a post foundation which will minimize ground disturbance. The bulkhead will be removed, and access to the basement will be added inside the home. A new I/A septic system will be installed outside of the buffer zone as an upgrade to the current system. All the walkways will be

pervious. They are proposing to install embedded steps into the bank on the path down to the river to stabilize it and reduce erosion. Theresa Sprague described the goals of the mitigation plan:

1. To provide mitigation for the increase in structure within the buffer zone by upgrading the septic system and removing it from the buffer zone.
2. To increase the protection of the resource area by removing existing invasive species and restoring native species.
3. To improve wildlife habitat and function within the buffer zone by finding remedies for storm water runoff. They will be supporting the natural environment by removing the lawn and planting native species in its place.

Commissioner Carol Girard-Irwin asked whether the proposed kayak rack would be seasonal to which Theresa Sprague stated that it could be. Commissioner Larry Lown asked what the plan was for the existing septic system and Commissioner Carol Girard-Irwin suggested a condition that the septic tank be removed instead of just pumped and filled. Commissioner Bob White commended the planting plan and the installation of the new septic system. He expressed concern over the kayak rack and suggested only approving it if it remains a permanent structure versus removing it seasonally.

Motion: Commissioner Larry Lown moved to approve the request with the condition that the existing septic tank be removed and that the landscape management be submitted; **Second:** Linda Noons-Rose; **Vote:** 7-0-0; **the motion passed.**

Notice of Intent: 25 Knowles Heights Road, Peter Casperson; SE# 75-1158:

Laura Schofield from Schofield Brothers was on the call to represent the project. The existing dwelling is a 1950s construction which predates the Wetlands Protection Act. The dwelling is situated 15 feet from the top of a steep coastal bank. Remnants of a bulkhead are still visible but the proposal is to remove it. The toe of the bank has receded between 12-15 feet on the property since 1993. To further slow erosion, the homeowner would like to install a sand drift fence. For mitigation, beach nourishment and beach grass planting are proposed. Ms. Schofield also asked for a continuance until the December 5, 2022 meeting due to the fact that they are still assessing the best way to access the beach for construction. Commissioner Girard Irwin stated that at the beach grass at the site was very healthy. She agreed that the bulkhead remnants should be removed. She noted that there are vacant spots around and to the sides of the existing stairwell that could be vegetated with additional beach grass. Commissioner Larry Lown suggested clarifying the terminology as sand and drift fencing are two different things in the by-laws. Commissioner Linda Noons-Rose was not in favor of the fencing. Commissioner Mark Adams applauded the applicants desire to be proactive but that prevention measures that might be detrimental should not be undertaken. He stated that the beach grass is healthy in the area, he observed little erosion apart from the erosion at the top of the coastal bank. The Conservation Agent suggested exploring nourishment options.

Motion: Commissioner Carol Girard-Irwin moved to continue the matter until the December 5, 2022; **Second:** Clint Kershaw; **Vote:** 7-0-0; **the motion passed.**

Request for Determination of Applicability: 33 Black Pond Road, Catherine D Shainberg:

Jason Ellis was on the call to represent the project. He explained that the homeowner is proposing to add two additions to the dwelling. He also added that he is aware that the filing might need to be upgraded to a Notice of Intent. Commissioner Bob White stated that he would need more information including a written description of the project. Commissioner Mark Adams observed that the land has been preserved well over the years. He also noted that he did not have enough information on the mitigation and construction to make an informed decision. Commissioner Diane Messinger suggested putting kayak racks where she observed kayaks on the property to reduce impact to the resource area. The commission agreed that a Notice of Intent would need to be filed for the proposed project.

Motion: Commissioner Carol Girard-Irwin moved for a positive 3 determination; Second: Bob White; Vote: 7-0-0; the motion passed.

Administrative Review Permit requests:

(1) 10 Pilgrims Path: dead tree removal and trimmings;

(2) 10 Pilgrims Path: stringers/tread replacement;

Motion: Commissioner Clint Kershaw moved to approve the beach stair stringers and treads 1:1 and the dead tree removal but with no with no vista pruning;

Second: Commissioner Carol Girard-Irwin; Vote: 7-0-0; the motion passed.

(3) Pond Rd: Bench installation;

Motion: Commissioner Clint Kershaw moved to approve the Administrative Review request; Second: Commissioner Larry Lown; Vote: 7-0-0; the motion passed.

(4) 566 Shore Rd: beach grass plantings;

Motion: Commissioner Carol Girard-Irwin moved to approve the Administrative Review request; Second: Commissioner Bob White; Vote: 7-0-0; the motion passed.

(5) 6 Castle Rd: plantings;

Motion: Commissioner Clint Kershaw moved to approve the Administrative Review request; Second: Commissioner Mark Adams; Vote: 7-0-0; the motion passed.

(6) 26 Pond Rd: beam repair;

Motion: Commissioner Larry Lown moved to approve the Administrative Review request; Second: Commissioner Bob White; Vote: 7-0-0; the motion passed.

(7) 482 Shore Rd: extension request (sand replenishment); **Motion: Commissioner Clint Kershaw moved to approve the 60-day extension; Second: Commissioner Mark Adams; Vote: 7-0-0; the motion passed.**

Minutes: June 6, 2022

Motion: Commissioner Bob White moved to approve the minutes as corrected; Second: Commissioner Diane Messinger; Vote: 5-0-2 with Carol Girard Irwin and Clint Kershaw recusing themselves due to being absent at the June 6, 2022, meeting; the motion passed.

Commissioner Larry Lown stated that he would like to review the regulations with the commission. Commissioner Diane Messinger agreed. This matter will be considered for a future agenda.

Commissioner Clint Kershaw moved to adjourn the meeting.

Second: Commissioner Larry Lown; Vote: 7-0-0; the motion passed.

The meeting was adjourned at 7:20 PM.

Respectfully Submitted by Nina Richey

