



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

Conservation Commission Meeting Minutes

October 3, 2016

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

Members Present: Chair Deborah McCutcheon, Linda Noons-Rose, Henry Lum, Jack McMahon

Others Present: Emily Beebe-Conservation Agent

361 Shore Rd, Notice of Intent (After the Fact), Brian Chapman and James Patterson, landscaping/site improvements, SE# 75-0996: Work commenced on this landscaping project without prior review or permitting.

Gordon Peabody, Kayla Anderson and Ethan Poulin were present on behalf of the property owners. Mr. Poulin stated he did not realize that the north-side of Shore Rd was in the Commission's jurisdiction. Landscape timbers were installed to frame a walkway, the driveway edges, and to create steps and a gravel patio area. Mr. Peabody proposes erosion control, planting native vegetation and providing photo documentation to the Conservation Department. Native gravel will be placed by hand in the driveway, walkway and patio; no fill or machinery will be used. **Motion by McMahon to accept the Notice of Intent as submitted with incorporation of the Safe Harbor plan; second by Noons-Rose. Approved unanimously.**

503 Shore Rd Unit 24, Notice of Intent; Jennifer Roberts, new deck; SE# 75-0999:

At the applicants request this matter was continued until November 7, 2016.

586 Shore Rd, Notice of Intent, Leonard and Susan Connolly, porch/deck; SE# 75-0995: The four bedrooms dwelling on this property was built in the 1930s; renovations are proposed. Mariellen Serena represented the owners.

Proposed work includes:

- Dormer north and south side to provide more headroom on second floor
- Construct mudroom over existing entrance deck
- Add screened porch over existing rear deck
- Rebuild second rear deck
- Replace walkway to the beach
- Relocate outdoor shower
- Repair existing shed
- Improve driveway and reinstall sidewalk
- Mitigation plantings

The walkway to the beach passes through the Coastal A and V flood zones, All work would occur in previously altered areas without proposed expansion. The deck

and proposed porch in the rear will be supported on five sono-tubes; two sono-tubes will provide footings for the street side mudroom; all digging will be done by hand and any excess concrete will be taken off site. McCutcheon stated she would like the walkway to be removable. Serena stated the applicants are not opposed to having the walkway elevated with pressure treated materials. The Commission would like more details on the walkway and the planting plan; they asked for a revised plan showing a limit of work, concrete protocol and sonotube locations. **Motion by Noons-Rose to continue to November 7, 2016; second by McMahon. Approved unanimously.**

84 Prince Valley Rd, Notice of Intent (After the Fact), Nancy Pease; site work and retaining wall, SE# 75-0994:

The proposal includes installation of two retaining walls with steps and stepping stones around the shed in the buffer of a BVW. Charles Wentz from Ponderosa Landscaping represented the owner. The areas where vegetation was removed will be seeded with New England Conservation Wildlife mix and Erosion Control Restoration mix; native plantings include 19 woody plants. A silt fence or straw waddle will be installed near the wetland. Temporary irrigation will be installed. The slope behind the shed will be seeded and jute netting or a straw blanket will be put in place to control erosion. McMahon is in favor of the seeding mixes as they only need to be mowed about once a year. McCutcheon stated movement by turtles and other wildlife may be inhibited by the straw waddles and would prefer if they were not used. Wentz agreed with that and mentioned there is currently no erosion occurring. **Motion to approve the Notice of Intent and plan as submitted with the special conditions that the work limit and wetland remain staked throughout the project. Motion by Lum; second by Noons-Rose. Approved unanimously.**

402 Shore Rd, Request to Amend an Order of Conditions, J. Siniscalco & B. Rybeck, SE# 75-0872:

Revised plans were submitted. David Bennett of Bennett Environmental represented the owners. The amendment request includes revised site plans that show a different design for a single family dwelling than what was approved in 2012. The demolition of the motel and the asbestos abatement was completed. Snow fencing and planting of beach grass still needs to be completed. The revised plans show new elevation and flood zone datum. The new dwelling will be constructed on pilings. The entire area will be planted except for a two car parking area. An application has been submitted to the Zoning Board of Appeals. McCutcheon stated that rebuilding the coastal dune is important for flood protection and found that more foundation information was needed. Noons-Rose agreed that she would like to see a foundation plan/piling plan to show exactly what will be occurring. Bennett stated that foundation plans will be included with the building permit and will likely use helical anchors, but would like to defer from submitting a foundation plan at this time to avoid more costs for the applicant. The Agent stated that the location of the pilings is very important relative to rebuilding the Coastal Dune and supported submittal of a foundation plan.

Public Comment:

David Ditacchio, 412 Shore Rd-Mr. Ditacchio agrees that a building should be allowed, but feels that ZBA approval should come first.

Rich Carusello, 389 Shore Rd-Mr. Carusello stated that he likes what has been done with the property so far, in regards to the demolition of the motel, but has a problem with the

location of orange fencing placed on the property and it does not seem to be deterring people from accessing the property. McCutcheon stated that the conservation agent will make a site visit to assess the fencing.

McCutcheon stated that a determination cannot be made until a foundation plan is submitted; she will further examine the submittal packet and let Mr. Bennett know if anything else is needed before the next meeting. **Motion to continue to November 7, 2016 by Noons-Rose; second by McCutcheon. Approved unanimously.**

16 Pilgrims Path, Request for Certificate of Compliance, Alan Cohen, SE# 75-0970:

The work approved in January 2016 was never done. **Motion to approve the Request for a Certificate of Compliance by McMahon; second by Lum. Approved unanimously.**

11 Truro Center Rd, Administrative Review, Gregg Russo & Scott Latime: Request to remove a tree of heaven that would cause damage to the dwelling if it fell. **Motion to approve the Administrative Review by Noons-Rose; second by McMahon. Approved unanimously.**

11 Depot Rd, Administrative Review, Susan & Dan Winslow: Request to remove three locust trees close the house. **Motion to approve the Administrative Review by Noons-Rose; second by McMahon. Approved unanimously.**

7 Yacht Club Rd, Administrative Review, Pamet Harbor Yacht Club: A recreational area around the kayak rack has eroded due to runoff from the parking lot. The lot was regraded and they would like to replace sand in the area. **Motion to approve the Administrative Review by McMahon; second by Noons-Rose. Approved unanimously.**

1 Bluff Terrace, Request to Amend an Order of Conditions, Bluff Terrace LLC; SE# 75-0978: Amendment request includes revised plans that show change to stair design, new patio landing and lawn location.

Tim Brady from East Cape Engineering represented the owners. The owner would like to relocate the stairs in order to protect vegetation during construction of the stair. The revised plans also show the lawn on the property and a proposed dry laid patio with two steps to be installed under a set of existing double doors. When the Commission was on-site visit, it was noted how much lawn was placed on the site and Brady stated that the initial plans were vague, however, it was clear that only native plants were supposed to be in the 35' buffer. Some of the lawn does extend into the 35' area. Temporary irrigation has been installed, but will be removed after the plants have become established. A Commissioner noted that there is a bare area near the stairs that has not been planted and inquired about a plan for a pathway from the house to the beach stairs. It was further noted that there is a location on the bank that would allow for the stairs to be placed that would avoid having to remove three cedar trees and that location should be considered. McMahon stated he has an issue with the lawn and the location of any privet hedge in the buffer. The Agent will meet with Mr. Brady to discuss substitution of the privet hedge and the location of lawn. Due to the history of work being done without the proper approval the Commission would like revised plans to show all pathways that are

intended. **Motion to continue to the November 7, 2016 meeting by Noons-Rose; second by McMahon. Approved unanimously.**

2 Corn Hill Landing, Non-Compliance with Order of Conditions, David and Christina Daglio, SE# 75-0971 and 4 Payomet Ln, Request for Certificate of Compliance, Robert Sachs, SE# 75-0972:

Drift fencing was installed on several properties in non-compliance with their Orders of Conditions.

Jennifer Morris, owner of GFM Enterprises was present.

All four properties involved are non-compliant regarding ID requirements, proper spacing between slats for wildlife passage, notification and access requirements. Two properties are in non-compliance with the sand nourishment requirements. Mr. Sachs, owner of 4 Payomet Lane has requested a Certificate of Compliance and will either have to do the sand nourishment or remove the fence and restore the property to original condition in order to be in compliance. Ms. Daglio (2 Corn Hill Landing) is in non-compliance with sand nourishment, but is keeping the Order of Conditions open at his point.

Jennifer Morris stated that all of the problems with this job were due to the email and telephone communications and work of a single employee who is no longer with the company.

McCutcheon reviewed the fencing regulations and find them very clear; regardless of how the issues arose, nourishment is a requirement. Noons-Rose stated it will be difficult to come to a conclusion about what happened without being able to meet with all property owners and GFM at once. McCutcheon agreed that a meeting between all parties needs to be set up. Agent Beebe will work on setting a meeting date and this discussion will be continued until then.

118 North Pamet Rd, Administrative Review, Barbara Kislak: Simple septic repair work needed. Noons-Rose recused herself. **Motion to approve the Administrative Review by Lum; second by McMahon. Approved unanimously.**

135 South Pamet Rd, Administrative Review, Tom Dennis: Work on shoulder of road and access road.

Motion to approve the Administrative Review by McCutcheon; second by Lum. Approved unanimously.

25 Sturdy Way, Administrative Review, Blum Family Nominee Trust: Beach grass planting work will be done using ladders. **Motion to approve the Administrative Review by McCutcheon; second by Noons-Rose. Approved unanimously.**

15 North Pamet Rd, Conservation Restriction, Richard & Sonia McArdle: **Motion to approve the Conservation Restriction. Motion by Lum; second by McMahon. Approved unanimously.**

588 Shore Rd, Administrative Review/Unpermitted Work: Cutting of vegetation occurred on the barrier beach without approval. McCutcheon stated the applicants can either do mitigation or pay a fine; she would prefer mitigation, but it will be the property

owners' choice. The fine should be equivalent to the cost of mitigation. A specific fine amount and specific mitigation protocol will be presented to the owners.

Discussion Items

Review of revised Administrative Review Permit Application: Motion to approve the new Administrative Review Permit by McCutcheon; second by McMahon. Approved unanimously.

Draft Enforcement Policy and Development of Fining Policy: These will be discussed at the November 7, 2016 meeting.

Motion to adjourn by McCutcheon; second by Lum. Approved unanimously.
The meeting adjourned at 8:30.

Site Visit Minutes- October 3, 2016

1:15 P.M. Met at the Cobb Library parking lot.

Members Present: Chair Deborah McCutcheon, Linda Noons-Rose and Henry Lum.

Others Present: Emily Beebe-Asst. Health/Conservation Agent, Nicole Smith-Secretary

84 Prince Valley Rd: The property was staked. The Commission viewed the areas where work has already been done.

1 Bluff Terrace: The Commission viewed the area for the proposed relocation of the steps. It was noted that there is more lawn area than approved, double doors that have no steps or walkway attached and missing gutters that all need to be discussed at the meeting.

402 Shore Rd: The property was staked. The Commission viewed the area of the proposed residence to see if the site was in compliance with demolition protocols.

586 Shore Rd: Mariellen Serena met the Commission on site and reviewed the proposed work.

2:15 P.M. site visits concluded.

Respectfully Submitted,
Nicole Smith, Secretary