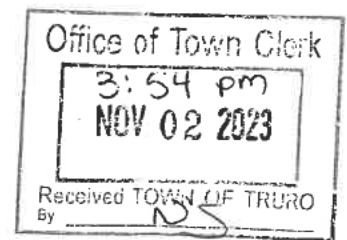




# TOWN OF TRURO

## Conservation Commission

**PUBLIC MEETING AGENDA**  
**Monday, November 6, 2023**  
**Meeting start time 5:00**



## Remote Meeting Access Instructions

This will be a remote meeting. Citizens can view the meeting on Channel 8 in Truro and on the Town's website on the "Truro TV Channel 8" button under "Helpful Links" on the homepage. Once the meeting has started, click on the green "Watch" button in the upper right of the page. To provide comment during the meeting, please call-in toll free at **1 646-931-3860** and enter the following Meeting ID when prompted: Meeting ID: 895 3065 4082 To join this Zoom meeting from your computer, tablet or smartphone <https://us02web.zoom.us/j/89530654082> Please note that there may be a slight delay (15-30 seconds) between the meeting and the live-stream (and television broadcast). If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in; citizens may also provide public comment for this meeting by emailing the Conservation Agent at [ebeye@truro-ma.gov](mailto:ebeye@truro-ma.gov) with your comments.

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

- 1. Request for Determination of Applicability: 37 Ryder Beach Road, Harriet R Meiss Trust:** septic upgrade; Barrier Beach and Land Subject for Coastal Storm Flowage. (Map 63, Parcel 9)
- 2. Request for Determination of Applicability: 525 Shore Road Unit 7, Paul & Cheryl Silvernail:** repair walkway; Barrier Beach, Coastal Dune and Land Subject for Coastal Storm Flowage. (Map 63, Parcel 9)
- 3. Request for Determination of Applicability: 11 Knowles Heights Road, Joseph Siciliano & Larry Richardson:** cesspool upgrade; Buffer Zone to a Coastal Bank. (Map 24, Parcel 5)
- 4. Notice of Intent: 544 Shore Road, Beach Townhomes Condominium Trust (SE#75-1171):** install bulkhead; Barrier Beach, Coastal Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 7, Parcel 5) *continued from 10/2/2023*
- 5. Notice of Intent: 522 Shore Road, Sutton Place Condominium (SE#75-1187):** coastal stabilization; Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. (Map 7, Parcel 8) *continued from 10/2/2023*
- 6. Notice of Intent: 566 Shore Road Ocean Breeze Condominium (SE#75-1186):** shoreline stabilization; Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. (Map 5, Parcel 29) *continued from 10/2/2023*
- 7. Notice of Intent: 22 Resolution Road, James & Anne Marie Corner (SE#75-1190):** construction of two additions; Buffer Zone to a Coastal Bank. (Map 45, Parcel 68)
- 8. Notice of Intent: 432 Shore Road Unit 8, Travis & Anne Zukowski (SE#75-1191):** renovate existing building onto flood compliant foundation with two additions to footprint; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 9, Parcel 8.8) *(Applicant has requested a continuance to the 12/4/2023)*

## II. ADMINISTRATIVE MATTERS

- 9. Extension Request:** 4 Kill Devil Rd, SE# 75-1102
- 10. Field Change:** 40 Corn Hill Rd, SE# 75-1139
- 11. Certificates of Compliance:** (1) 584 Shore Road (SE# 75-742); (2) 49 Fisher Rd (SE# 75-1093)
- 12. Minutes**
- 13. Agreement for judgement-** 3 Corn Hill Path,

**Site visits:** Commissioners will meet at Town Hall on Monday, November 6, 2023, at 10:00 AM and proceed to:  
(1) 37 Ryder Beach Road, (2) 22 Resolution Road, (3) 11 Knowles Heights Road, (4) 432 Shore Road, U:8, (5)

1



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability** Truro

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Harriet R Meiss Trust c/o Amy Ginsburg  
 First Name Last Name  
 333 West & 86th Street, Apt 705A  
 Address  
 New York, NY 10024  
 City/Town State Zip Code  
amyginsburg@rcn.com  
 Phone Number Email Address

2. Property Owner (if different from Applicant):

\_\_\_\_\_  
 First Name Last Name  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 City/Town State Zip Code  
 \_\_\_\_\_  
 Phone Number Email Address (if known)

3. Representative (if any)

Laura Schofield  
 First Name Last Name  
 Schofield Brothers of Cape Cod  
 Company Name  
 PO Box 101  
 Address  
 Orleans MA 02653  
 City/Town State Zip Code  
 508.255.2098 schobro@capecod.net  
 Phone Number Email Address (if known)

**B. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

37 Ryder Beach Road Truro  
 Street Address City/Town  
 41.96410 -70.07630  
 Latitude (Decimal Degrees Format with 5 digits after decimal) Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)  
 e.g. XX.XXXXX  
 63 9  
 Assessors' Map Number Assessors' Lot/Parcel Number

b. Area Description (use additional paper, if necessary):  
 See Additional Sheet

c. Plan and/or Map Reference(s): (use additional paper if necessary)  
 Proposed Sewage Disposal System For: An Existing Four Bedroom Cottage  
 Title  
 At: 37 Ryder Beach Road Truro, Massachusetts"  
 Title

How to find Latitude and Longitude

and how to convert to decimal degrees

Date  
10/5/23  
Conservation Commission  
TOWN OF TRURO  
Date

OCT 11 2023





**B. Project Description (cont.)**

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

See Additional Sheet

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

See Additional Sheet

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



**WPA Form 1 - Request for Determination of Applicability** Truro

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Municipality

**C. Determinations**

1. I request the Truro Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

Truro

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Harriet R. Meiss (Amy P. Ginsburg, POA)

Signature of Applicant

10/10/23

Date

Laura Schobield

Signature of Representative (if any)

10/5/23

Date

**Request for Determination**

Project address: 37 Ryder Beach Road Map 63 Parcel 9

- Is the project located in a resource area or buffer zone \_\_\_\_\_
- Resource Area Type(s): Barrier Beach, Land Subject to Coastal Storm Flowage, Shrub Swamp
- If Buffer Zone what is the distance from Resource Area: 0

Description of project: (list all activities and describe methodology for construction or installation including equipment type if applicable) See Attached project narrative

Attached site plan titles/dates, and any other plan or narratives title/dates: See Attached plan "Proposed Sewage Disposal System For: An Existing 4 Bedroom Cottage at 37 Ryder Beach Road Truro, Massachusetts" & dated 10/5/23

Describe the best management practices/mitigation that will be used on the site: See Attached Narrative

Special Conditions required by the Conservation Include: \_\_\_\_\_

The proposed project is approved subject to the conditions included herein.

The use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen. The owner and applicant/representative are responsible for obtaining this permit prior to work start.

The owner and applicant/representative shall, avoid and otherwise minimize any activities in the buffer zone or in resource areas by use of best management practices on the site, such as:

- Placement of an agreed upon work limit;
- Proper placement of construction materials in developed or already disturbed areas;
- Proper installation/maintenance of erosion control;
- Good housekeeping that includes at a minimum daily trash pickup; no dumping of paint, plaster or concrete on the site but rather, disposing of it properly.

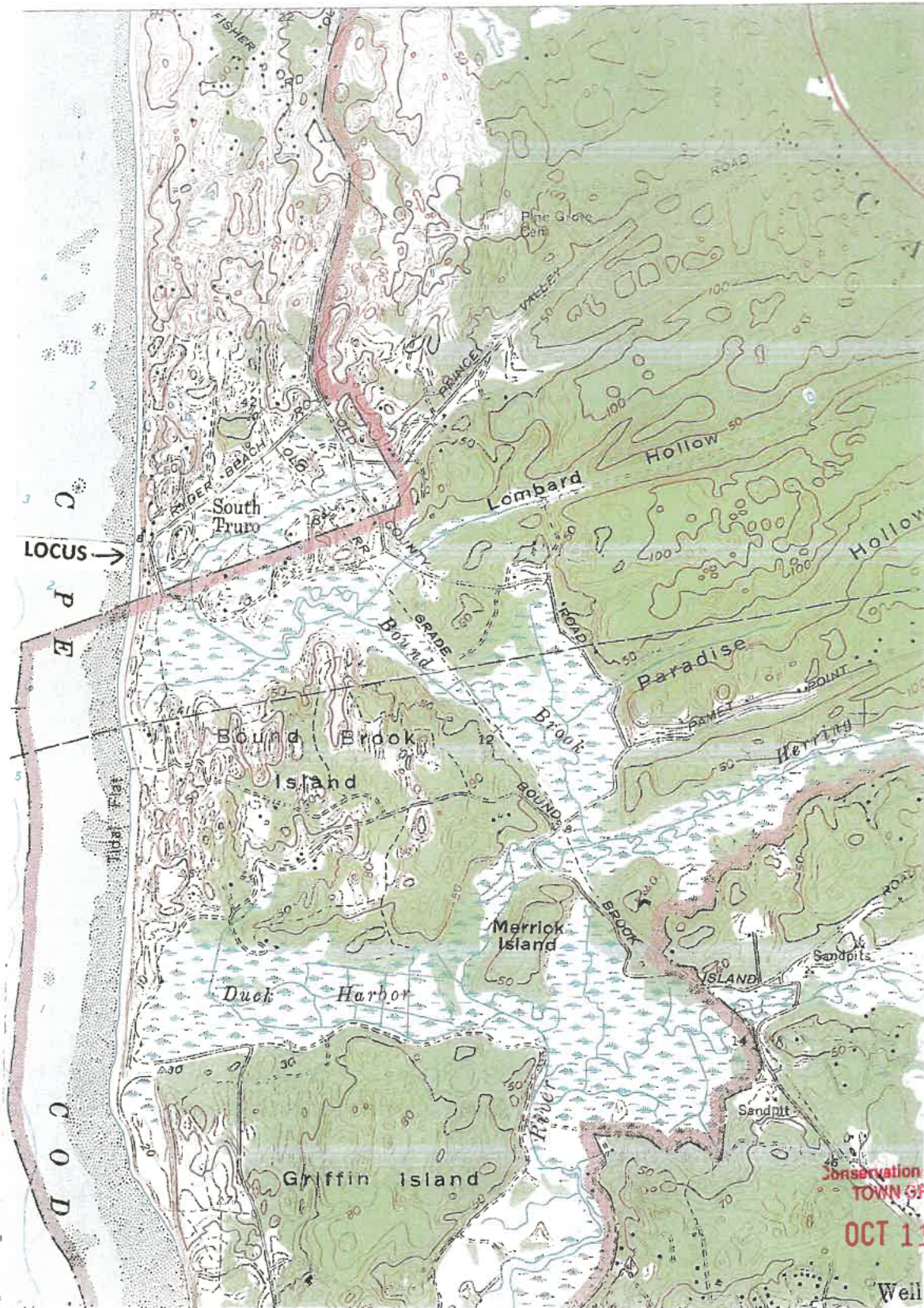
Approval of the project as described herein includes only the scope and specifications reviewed by the Conservation Commission; any changes to this project shall require additional review by the Conservation Commission prior to the work being done. Expansion of the scope of work may result in the applicant being required to file a full notice of intent. Any work done that exceeds the scope defined in the approved application shall be subject to issuance enforcement action; Violation of these conditions may result in issuance of an enforcement Order; non-criminal violation citations to the owner and/or applicant/representative accompanied by fines that accrue per offense and may accrue daily.

By reading and signing this letter of agreement the applicant acknowledges that they have read and understand the terms as stated herein; the scope of this approval is limited to the work described herein; and your signature on this conditional approval is acknowledgement that no work shall go forward until the RDA conditions have been issued by the Conservation Commission.

Applicant/Representative printed name and signature: Laura Schofield A. Schofield  
Owners printed name and signature: Harriet R. Meiss  
Harriet R. Meiss (Amy P. Giraburg - POA)



**LOCUS MAP**  
**37 Ryder Beach Road, Truro**  
**A Portion of USGS Wellfleet**  
**Quadrangle**





# National Flood Hazard Layer FIRMette



41°55'41"N 71°05'58"W



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT.

### SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)  
Zone A, V, A99
- With BFE or Depth Zone AE, AH, VE, AR
- Regulatory Floodway

### OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

### OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone D

### GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

### OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

### OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

### MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/20/2022 at 5:23 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



SCHOFIELD BROTHERS OF CAPE COD  
Land Surveying and Environmental Permitting  
161 Cranberry Highway  
P.O. Box 101  
Orleans, MA 02653-0101  
508-255-2098 - 508-240-1215 (fax)  
E-mail: schobro@capecod.net

**Narrative to Accompany  
a Request for Determination of Applicability  
at 37 Ryder Beach Road in Truro, Massachusetts**

**Area and Project Description**

The subject property is a .61± acre lot overlooking Cape Cod Bay to the west and the Ryder Beach Parking lot to the east. An existing 4 bedroom cottage built in 1930 exists on the site with associated appurtenances. The cottage is served by cesspools and a private well. The entire property is on a barrier beach and is within Land Subject to Coastal Storm Flowage. Additionally, there is a shrub swamp across Ryder Beach parking lot from the subject parcel.

**Work Description**

The project is the upgrade of the septic system serving the dwelling. A 1,500 gallon septic tank is provided along with a soil absorption system comprised of Cultec chambers in trench configuration to provide the required 5 foot separation to groundwater and to maintain the existing grade once the system is installed. The leaching area design takes advantage of the reduction of leaching area allowed pursuant to a local upgrade approval and in anticipation of a future enhanced innovative/alternative technology being installed at a later date. During backfilling of the septic system, the existing walkway to the cottage will be re-graded as necessary to facilitate access to the cottage.

The existing dwelling is a seasonal dwelling that is not winterized and therefore not possible to utilize for most of the year. The property owners would like to phase in the requirement for providing an innovative/alternative technology to such a time that the house is winterized, the house is sold or an enhance innovative/alternative technology receives a General Use Permit.

Erosion control shall be installed prior to any disturbance on the site and shall remain in good working order until disturbed areas have been stabilized. Disturbed areas created during installing the septic system will be replanted with American Beach Grass. Details of the septic system are shown on the attached site plan.

**Provisions from the Massachusetts Wetlands Protection Act which may exempt the applicant from having to file a Notice of Intent:**

The proposed project is the upgrade of an existing cesspool to a Title 5 septic system. The project itself is a benefit to many of the interest of the MA Wetlands Protection Act. The project is limited and temporary in nature. Erosion control has been provided on the plan to prevent adverse impact to any resource area during installation of the new septic system. Upon completion of the project disturbed areas are to be revegetated with native species. The upgraded septic system is a significant environmental improvement over the existing cesspools and the future enhanced innovative/alternative technology will provide an even greater level of environmental protection.

Conservation Commission  
TOWN OF TRURO

OCT 11 2023

2023  
Z





Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

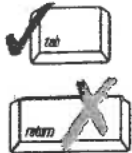
Truro MA
Municipality

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

2

A. General Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant: Paul & Cheryl Silvermail
First Name Last Name
525 Shore Rd Unit 7
Address
North Truro MA 02652
City/Town State Zip Code
Phone Number Email Address

2. Property Owner (if different from Applicant):
First Name Last Name
Address
City/Town State Zip Code
Phone Number Email Address (if known)

3. Representative (if any)
First Name Last Name
Company Name
Address
City/Town State Zip Code
Phone Number Email Address (if known)

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):
525 Shore Rd Unit 7 North Truro
Street Address City/Town
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
6 006-005-000
Assessors' Map Number Assessors' Lot/Parcel Number

How to find Latitude and Longitude

and how to convert to decimal degrees

b. Area Description (use additional paper, if necessary):
front door walkway

c. Plan and/or Map Reference(s): (use additional paper if necessary)
Map
Title Existing Conditions & Poposed Walkway
Date 10/11/2023
Date 10/11/2023
Date 10/11/2023

Conservation Commission
TOWN OF TRURO
OCT 13 2023





**B. Project Description (cont.)**

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

Replace incorrectly installed brick ramp to front door with correctly laid out granite slabs, platform and steps from parking lot to door (see attachments). All work to be done by hand.

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

Conservation Commission  
TOWN OF TRURO

OCT 13 2023



**C. Determinations**

1. I request the Truro Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Town of Truro

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).
- 

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Cheryl R., Silvernail

Signature of Applicant

10/11/2023

Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

Conservation Commission  
**TOWN OF TRURO**

**OCT 12 2023**



Barrier  
Back

MAP  
BUILDING'S  
UNITY

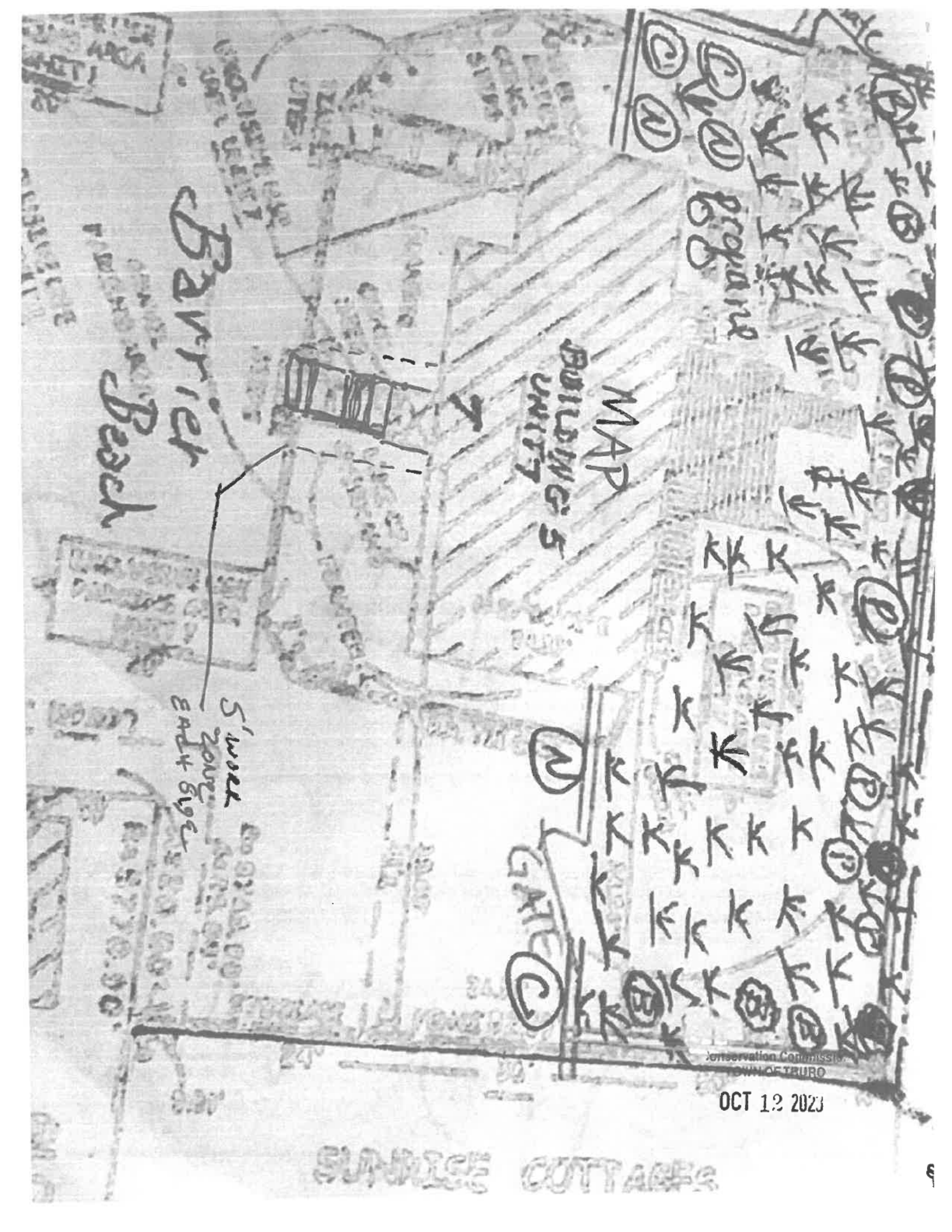
5' walk  
zone  
each side

Prepare

Conservation Commission  
TOWN OF TRURO

OCT 12 2023

SUNNYSIDE COTTAGES



525 STAGE RD UNIT #7

Observation Commission  
TOWN OF TRURO

OCT 12 2023

- brick slanting walkway bordered by wood pieces; bushes on each side of walkway

" EXISTING CONDITIONS "

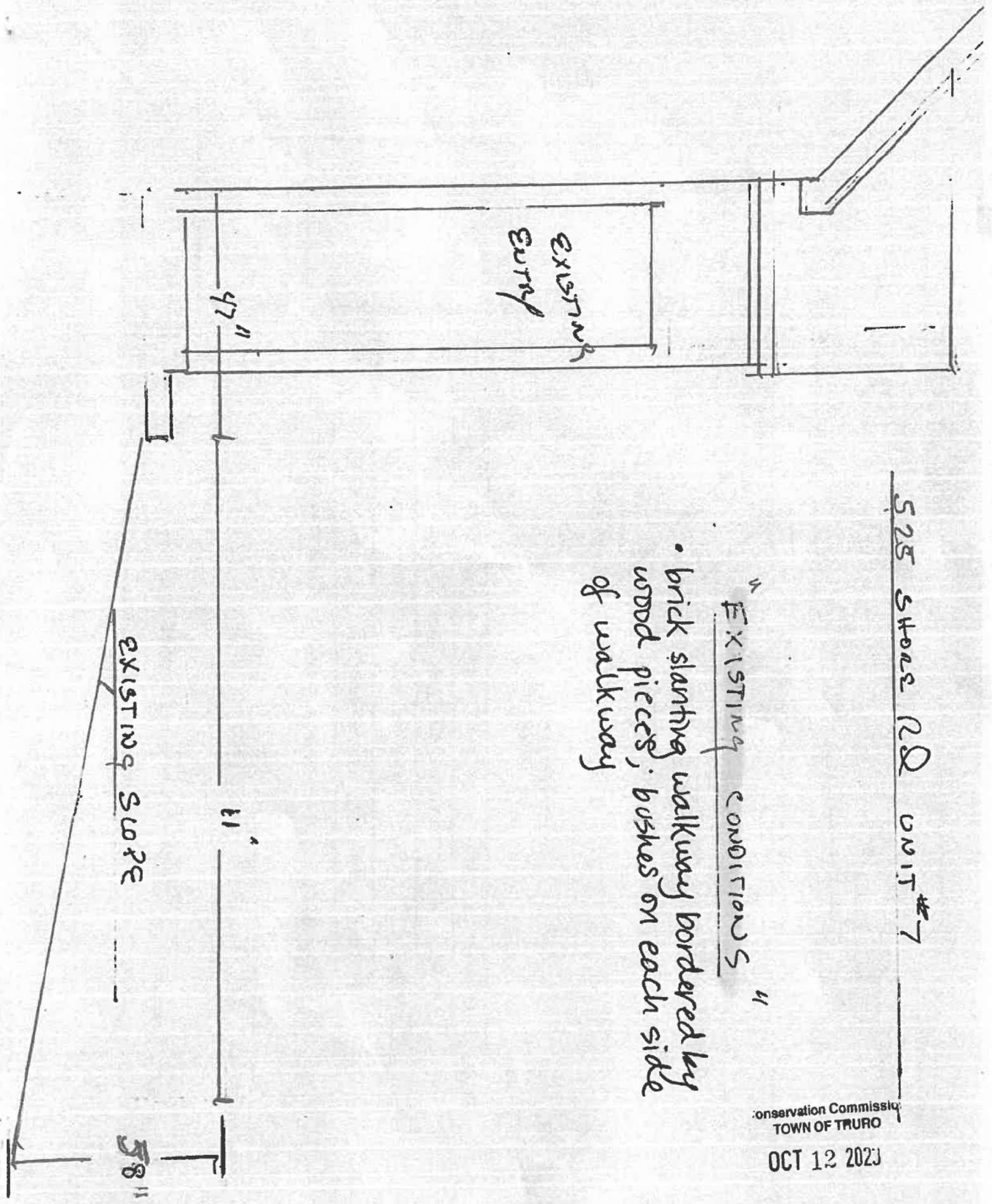
EXISTING CURB

47"

61"

EXISTING SCORE

58"

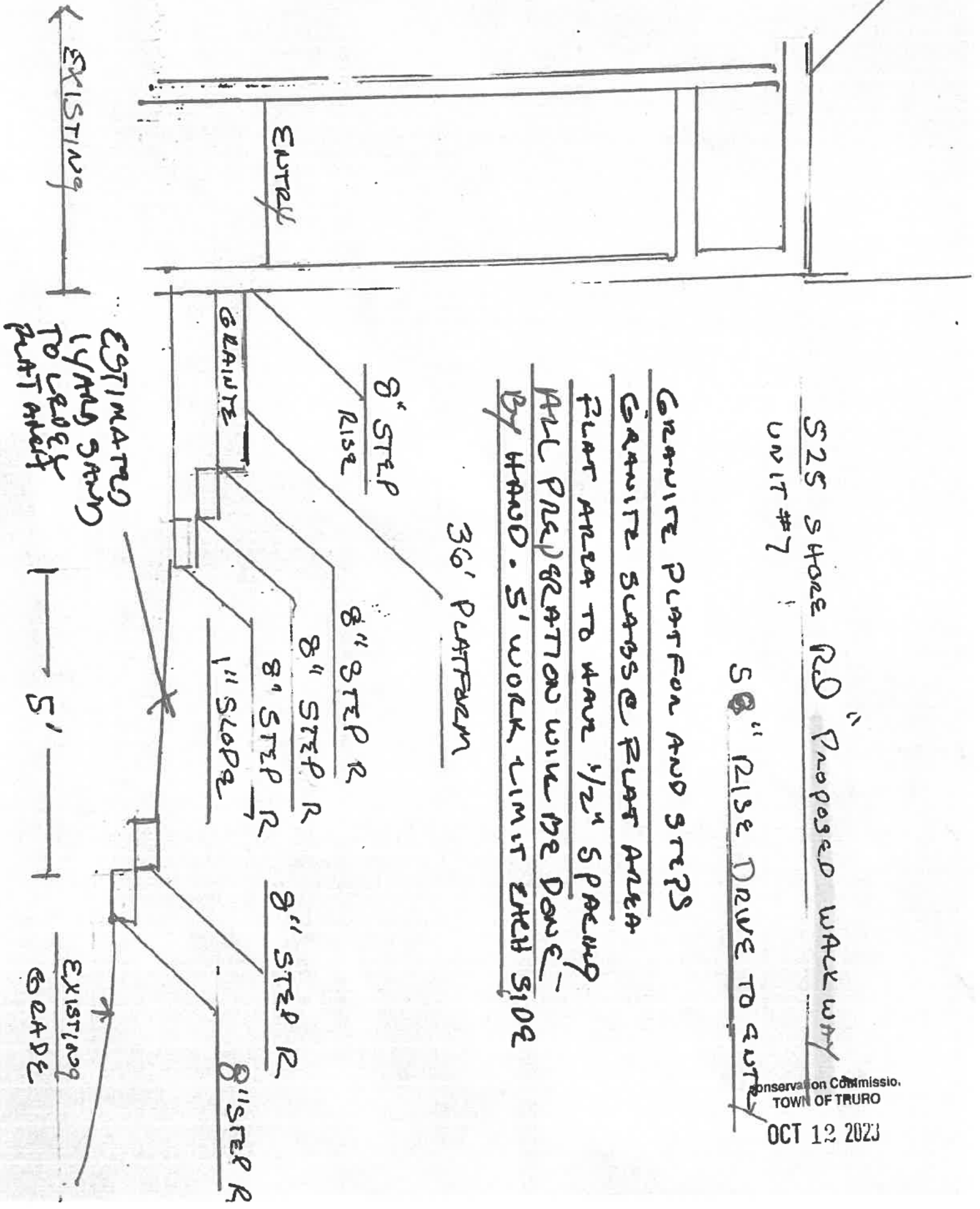


S25 STATE RD " PROPOSED WATERWAY  
 UNIT #7  
 50" RISE DRIVE TO ENTRY

Conservation Commission  
 TOWN OF TRURO  
 OCT 12 2023

GRANITE PLATFORM AND STEPS  
GRANITE SUBSCE PLAT AREA  
PLAT AREA TO HAVE 1/2" SPACING  
ALL REGISTRATION WITH THE DRIVE  
BY HAND . 5' WORK LIMIT EACH SIDE

36' PLATFORM





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Truro  
City/Town

**WPA Form 1- Request for Determination of Applicability**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

3

**A. General Information**

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Joseph Siciliano and Larry J. Richardson, Trustees  
Name

[Redacted] E-Mail Address

[Redacted] Mailing Address

N. Truro MA 02652  
City/Town State Zip Code

[Redacted] Phone Number Fax Number (if applicable)

2. Representative (if any):

Ryder & Wilcox, Inc.  
Firm

Stephanie J. Sequin, P.E. stephanie@ryder-wilcox.com  
Contact Name E-Mail Address

Box 439  
Mailing Address

S. Orleans MA 02662  
City/Town State Zip Code

508-255-8312  
Phone Number Fax Number (if applicable)

**B. Determinations**

1. I request the Town of Truro make the following determination(s). Check any that apply:  
Conservation Commission
- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
  - b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
  - c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
  - d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:
- Town of Truro  
Name of Municipality
- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).

Conservation Commissioner  
TOWN OF TRURO  
OCT 16 2023



# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

<u>11 Knowles Heights Road</u>	<u>Truro</u>
Street Address	City/Town
<u>24</u>	<u>5</u>
Assessors Map/Plat Number	Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

The Site is a developed residential property located at the top of a coastal bank adjacent to Cape Cod Bay.

c. Plan and/or Map Reference(s):

<u>Proposed On-site Sewage Treatment and Disposal System</u>	<u>10/9/2023</u>
Title	Date
<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Installation of a sewage disposal system to replace an existing cesspool. Work will occur within 100' of a coastal bank.





## WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### C. Project Description (cont.)

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).
- 
3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.
- Single family house on a lot recorded on or before 8/1/96
  - Single family house on a lot recorded after 8/1/96
  - Expansion of an existing structure on a lot recorded after 8/1/96
  - Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
  - New agriculture or aquaculture project
  - Public project where funds were appropriated prior to 8/7/96
  - Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
  - Residential subdivision; institutional, industrial, or commercial project
  - Municipal project
  - District, county, state, or federal government project
  - Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.
- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

Conservation Commissioner  
TOWN OF TRURO

OCT 16 2023



# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

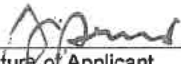

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Joseph Siciliano and Larry J. Richardson, Trustees of SICILIANO/RICHARDSON  
 Name FAMILY NOMINEE TRUST  
 Box 593  
 Mailing Address  
 N. Truro  
 City/Town  
 MA 02652  
 State Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

  
 Signature of Applicant Date  
  
  
 Signature of Representative (if any) Date 10/16/23



4660

5'

4659

4658

6968 II SW  
(PROVINCETOWN)

PROVINCETOWN 4.2 MI.

4655

2' 30"







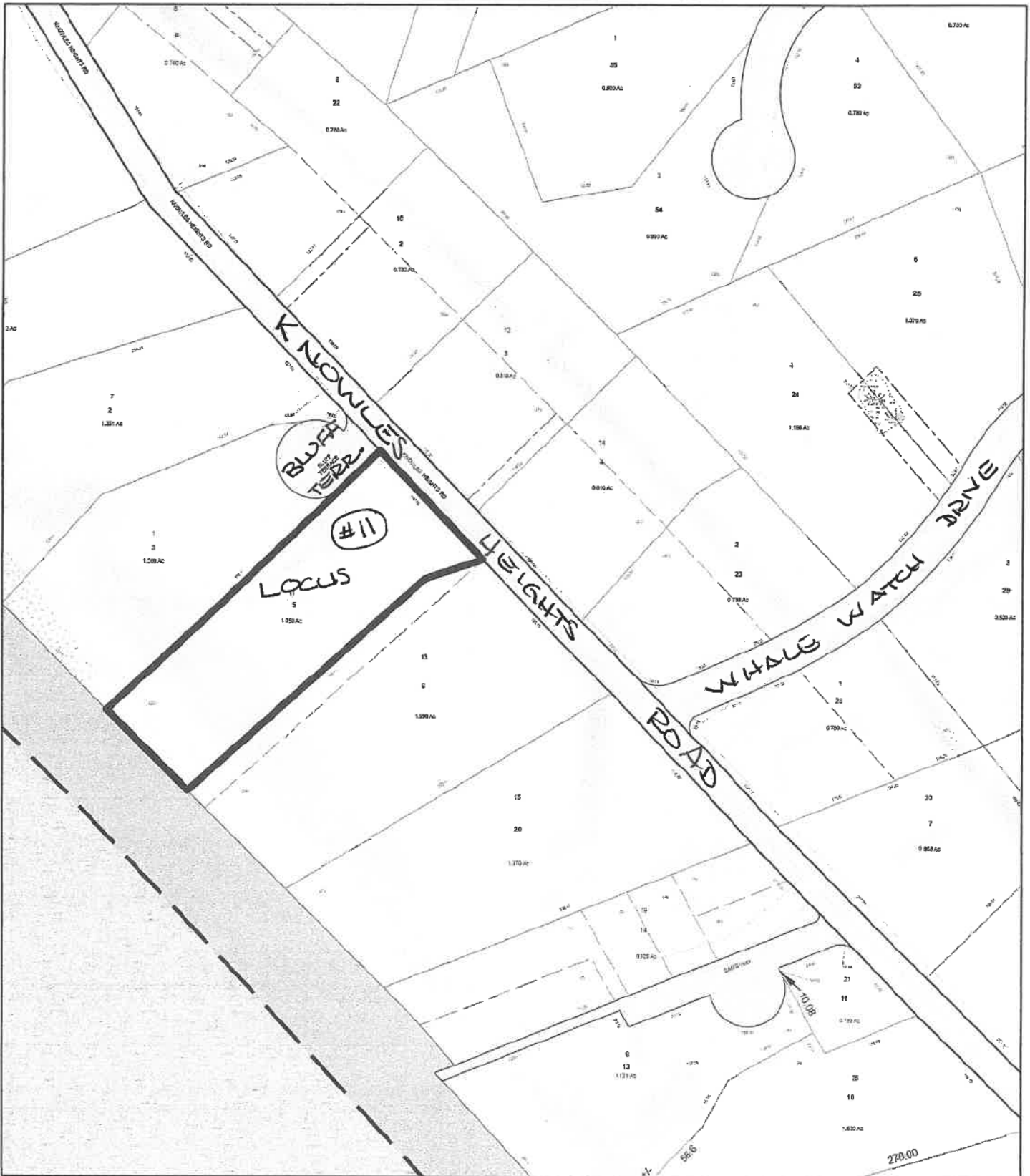
Town of Truro, MA

1 inch = 140 Feet



www.cai-tech.com

October 14, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



**TOWN OF TRURO**  
**Conservation Commission**

24 Town Hall Road  
P.O. Box 2030, Truro MA 02666  
Tel: 508-349-7004, Ext. 31 Fax: 508-349-5508

WAIVER

I, Stephanie J. Sequin, P.E. (print name), hereby waive the twenty-one (21) day time period for a public hearing following receipt of a:  Notice of Intent  Abbreviated Notice of Intent  Request for Determination of Applicability  Amended Order of Conditions  Abbreviated Notice of Resource Area Delineation by the Truro Conservation Commission under Massachusetts General Laws, Ch. 131, sec. 40, and under Truro Conservation Bylaw, Section 8.5.2.

The  Notice of Intent  Abbreviated Notice of Intent  Request for Determination of Applicability  Amended Order of Conditions  Abbreviated Notice of Resource Area Delineation was submitted on 10/16/23 (date) for work at 11 Knowles Heights Road (address). I understand that the next meeting of the Conservation Commission is scheduled for \_\_\_\_\_ and that the Commission will open the public hearing on that date.

I am the:  Applicant  
 Applicant's Representative

Stephanie J. Sequin  
(signature)

10/16/23  
(date)

Conservation Commission  
TOWN OF TRURO  
OCT 19 2023



**Request for Determination**

Project address: 11 Knowles Heights Road Map 24 Parcel 5

- Is the project located in a resource area or buffer zone Buffer Zone
- Resource Area Type(s): \_\_\_\_\_
- If Buffer Zone what is the distance from Resource Area: 15'

Description of project: (list all activities and describe methodology for construction or installation including equipment type if applicable) Installation of a sewage disposal system; existing cesspool to be pumped dry and filled with clean sand.  
Equipment to include mini-excavator, excavator, backhoe and dump truck.

Attached site plan titles/dates, and any other plan or narratives title/dates: "Proposed On-site Sewage Treatment and Disposal System" dated 10/19/2023; Prepared by Ryder & Wilcox, Inc. (10/19/2023)

Describe the best management practices/mitigation that will be used on the site: Fabric silt fence to be installed at limit of work; all excess excavated material stockpiled outside of Buffer; all disturbed areas to be restored with native vegetation.

Special Conditions required by the Conservation Include: \_\_\_\_\_

The proposed project is approved subject to the conditions included herein.

The use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen. The owner and applicant/representative are responsible for obtaining this permit prior to work start.

The owner and applicant/representative shall, avoid and otherwise minimize any activities in the buffer zone or in resource areas by use of best management practices on the site, such as:

- Placement of an agreed upon work limit;
- Proper placement of construction materials in developed or already disturbed areas;
- Proper installation/maintenance of erosion control;
- Good housekeeping that includes at a minimum daily trash pickup; no dumping of paint, plaster or concrete on the site but rather, disposing of it properly.

Approval of the project as described herein includes only the scope and specifications reviewed by the Conservation Commission; any changes to this project shall require additional review by the Conservation Commission prior to the work being done. Expansion of the scope of work may result in the applicant being required to file a full notice of intent. Any work done that exceeds the scope defined in the approved application shall be subject to issuance enforcement action; Violation of these conditions may result in issuance of an enforcement Order; non-criminal violation citations to the owner and/or applicant/representative accompanied by fines that accrue per offense and may accrue daily.

By reading and signing this letter of agreement the applicant acknowledges that they have read and understand the terms as stated herein; the scope of this approval is limited to the work described herein; and your signature on this conditional approval is acknowledgement that no work shall go forward until the RDA conditions have been issued by the Conservation Commission.

Applicant/Representative printed name and signature: Joseph Scialignero

Owners printed name and signature: [Signature]



SURVEYING · ENGINEERING  
HOME PLANNING & DESIGN

3 GIDDIAH HILL ROAD · P.O. BOX 439  
SO. ORLEANS, MASSACHUSETTS 02662-0439  
TEL: 508.255.8312 FAX: 508.240.2306  
EMAIL: [info@ryder-wilcox.com](mailto:info@ryder-wilcox.com)

**PROJECT NARRATIVE**  
**SICILIANO/RICHARDSON PROJECT**  
11 Knowles Heights Road  
October 16, 2023

**Property Description**

The property is a one-acre +/- developed single family site. The site is located on the southwest side of Knowles Heights Road and abuts Cape Cod Bay. A steep coastal bank is located on the southwest side of the property. The top of coastal bank is defined as the points where the slope of the land becomes less than 4:1. The 50' and 100' buffers are measured from the top of the coastal bank.

The Site is developed with a one-story single-family dwelling, deck, and attached garage. The building is constructed on a poured concrete slab (no basement or crawlspace). Hardscaping includes stone walkways and a brick driveway. According to Assessor's records, the dwelling was constructed in 1974. The original cesspool is located on the seaward side of the building, approximately 15' from the top of coastal bank. The site is thickly vegetated with beach grass, mature trees, shrubs and groundcover.

**Project Description**

The Applicant has been ordered to upgrade the existing cesspool. A new Title 5 sewage disposal system is to be installed on the landward side of the dwelling and outside of the 100' Buffer. Because the building is on a slab, the location of the building sewer cannot be changed. Therefore, septic piping from the building to the proposed septic tank is located within the 100' Buffer. The existing cesspool will be pumped dry and filled with clean sand.

Upon completion of the work, the disturbed areas within the buffer will be revegetated with American beach grass.

**Construction Protocol**

The project engineer shall stake the location of the approved limit of work as shown on "Proposed On-site Sewage Treatment and Disposal System". A fabric siltfence shall be securely staked in place along the limit of work. The siltfence shall remain in place until all disturbed areas have been stabilized and revegetated.

Access to the work area shall be from the existing driveway. No disturbance shall occur beyond the siltfence.

Conservation Commission  
TOWN OF TRURO

OCT 16 2023

Excess excavated material will either be stockpiled outside of the 100' buffer or will be placed directly into trucks for removal from the Site. All excess material will be removed from the site upon completion of backfilling.

Upon completion of construction, all disturbed areas shall be stabilized and revegetated.







# DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581  
p: (508) 389-6300 | f: (508) 389-7890  
**MASS.GOV/MASSWILDLIFE**

**MASSWILDLIFE**

October 16, 2023

Eric Shapiro  
Sutton Place Condo Trust  
c/o RKM Property Management  
Provincetown, Massachusetts 02657

Truro Conservation Commission  
P.O. Box 2030  
Truro, MA 02666

RE:    **Applicant:**               Eric Shapiro  
      **Project Location:**       522 Shore Road  
      **Project Description:**   Coastal Stabilization: Coir Logs  
      **DEP Wetlands File No.:** 075-1187  
      **NHESP File No.:**        **23-8571**

Dear Commissioners and Applicant:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37). The Division also received the MESA Review Checklist and supporting documentation for review pursuant to the MA Endangered Species Act Regulations (321 CMR 10.18).

The Division has determined that this Project, as currently proposed, will occur **within** the actual habitat of the following species:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Charadrius melodus</i>	Piping Plover	Bird	Threatened
<i>Sternula antillarum</i>	Least Tern	Bird	Special Concern

State-listed species and their habitats are protected in accordance with the MESA and state-listed rare wildlife habitats are protected pursuant to the rare wetland wildlife provisions of the WPA. The Piping Plover is also protected as a Threatened species pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11).

Piping Plovers nest on sparsely vegetated, sandy areas of coastal beaches and dunes. Their nests are comprised of

**MASSWILDLIFE**

shallow depressions in the sand that may be lined with shell fragments or pebbles. Nests for this species are particularly vulnerable to predators, unleashed pets, and human disturbance. Piping Plover chicks are not capable of flight for 25-30 days after hatching, and during this period they must feed themselves with parents in attendance, often ranging widely to forage during this period of rapid growth.

The purpose of the Division's review of the proposed project under the WPA regulations is to determine whether the project will have any adverse effects on the Resource Area Habitats of state-listed species. The purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project.

Based on the information provided and the information contained in our database, this project, as currently proposed, **must be conditioned in order to avoid adverse effects to the Resource Area Habitats of state-listed wildlife species (310 CMR 10.37, 10.58(4)(b), 10.59) and must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a)).** **To avoid adverse effects to the Resource Area Habitats and to avoid a prohibited Take of state-listed species, the conditions attached to this letter must be met.**

Provided these conditions are included in any approving Orders of Conditions issued by the Conservation Commission, and the applicant complies with all the attached conditions, the project **will not result in an adverse impact to the resource area habitats of state-listed wildlife species pursuant to the WPA and will not result in a prohibited Take pursuant to the MESA.** A copy of the final Order of Conditions shall be sent to the NHESP simultaneously with the applicant as stated in the Procedures section of the WPA (310 CMR 10.05(6)(e)).

This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Emily Holt, Endangered Species Review Assistant, at [Emily.Holt@mass.gov](mailto:Emily.Holt@mass.gov), (508) 389-6385.

Sincerely,



Everose Schlüter, Ph.D.  
Assistant Director

cc:

Attachment: List of Conditions



## List of Conditions

Applicant: Eric Shapiro

Project Location: 522 Shore Road

Project Description: Coastal Stabilization: Coir Logs

NHESP File No.: 23-8571

Heritage Hub Form ID: RC-65218

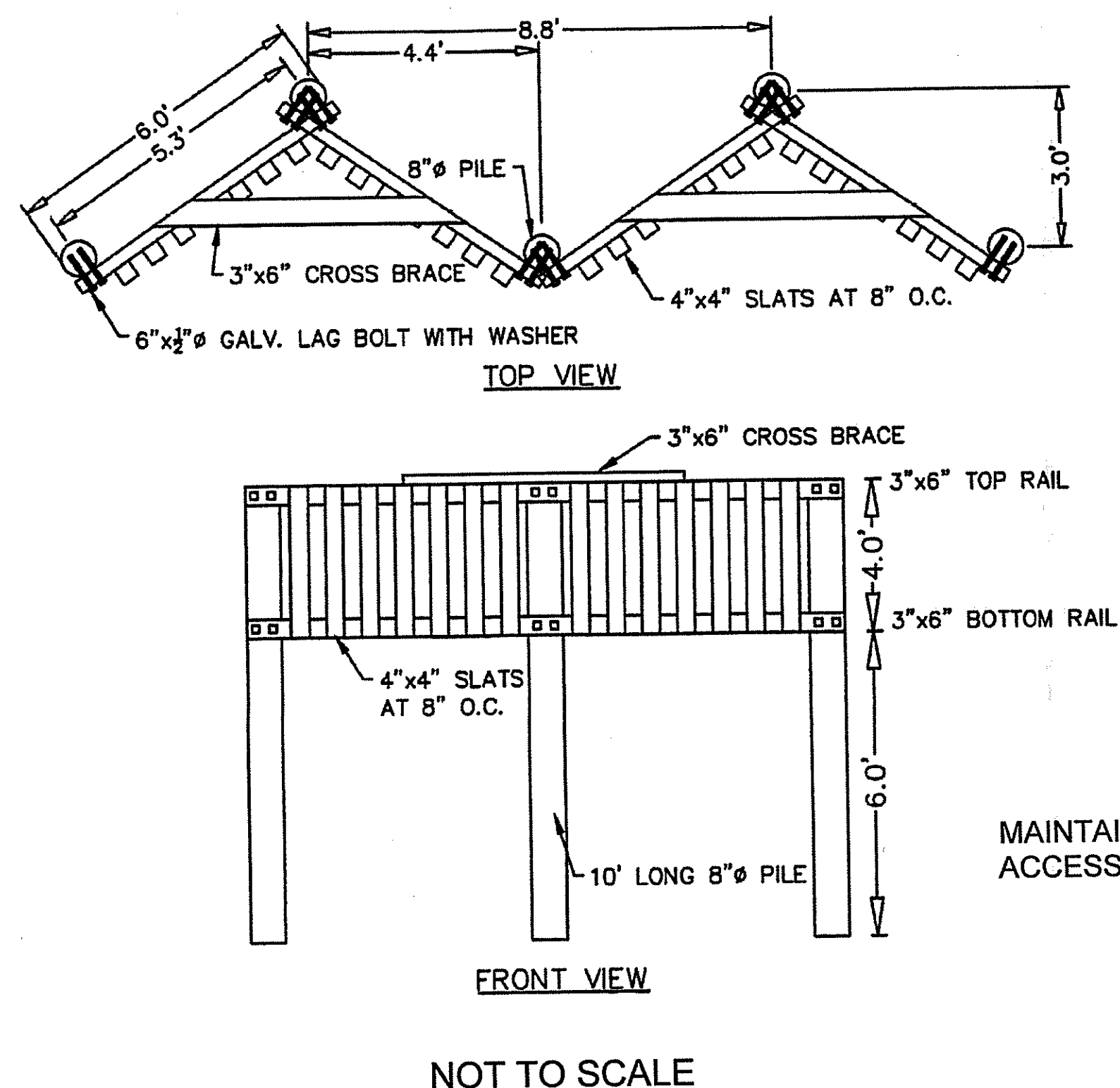
Approved Plan: PROPOSED COIR LOG ARRAY SCHEMATIC, 522 SHORE ROAD, TRURO

Plan date: AUGUST 21, 2023 (1 SHEET)

To avoid adverse effects to the Resource Area Habitats and to avoid a prohibited Take of state-listed species, the following condition(s) must be met:

1. **Time of Year Restriction: Time of Year Restriction:** To protect state-listed species, work associated with installation and maintenance of the coir log array installation shall not be conducted during the period April 1 – August 31.
2. **State-listed Species Protection:** The property owner(s) have the responsibility of protecting breeding Piping Plovers or state-listed species of terns that may be on this section of beach. Therefore, the property owner(s) must allow regular monitoring for the presence of Piping Plovers and terns by a qualified shorebird monitor, as determined by the Division, during the period April 1 – August 31 and shall allow any nests, scrapes, or unfledged chicks to be protected with symbolic fencing (warning signs and twine fencing).
3. **Nourishment:** As proposed, the coir system will be covered with 6" - 8" of compatible sand cover. The Applicant is responsible to replenish the sand cover and maintain the coir system. All nourishment and maintenance must avoid the shorebird nesting period (April 1 – August 31)
4. **Authorization Duration:** This authorization is valid for 5 years from the date of issuance. Work may be completed at any time during this 5-year period in compliance with the conditions herein. Thereafter, the Applicant must re-file pursuant to the MESA.
5. **Notice:** Upon filing for renewal, extension, or amendment of the Orders of Conditions, the Applicant shall contact the Division for written response regarding impacts to Resource Area habitat of state-listed wildlife.

**SAND DRIFT FENCE DETAIL:**



**PROPOSED CONDITIONS PLAN**

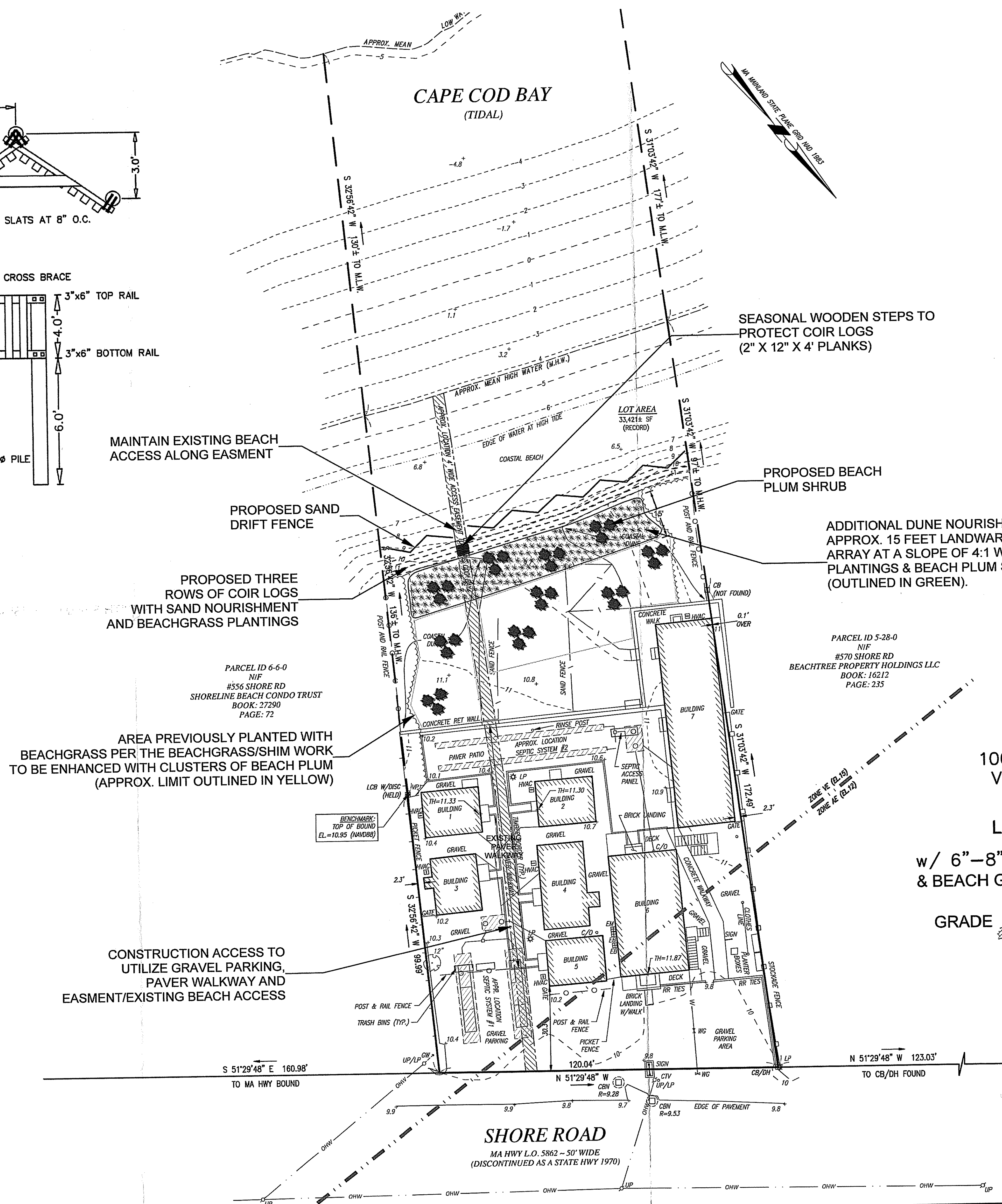
**566 SHORE ROAD, TRURO**

DATE: AUGUST 14, 2023  
 REV.: OCT. 20, 2023

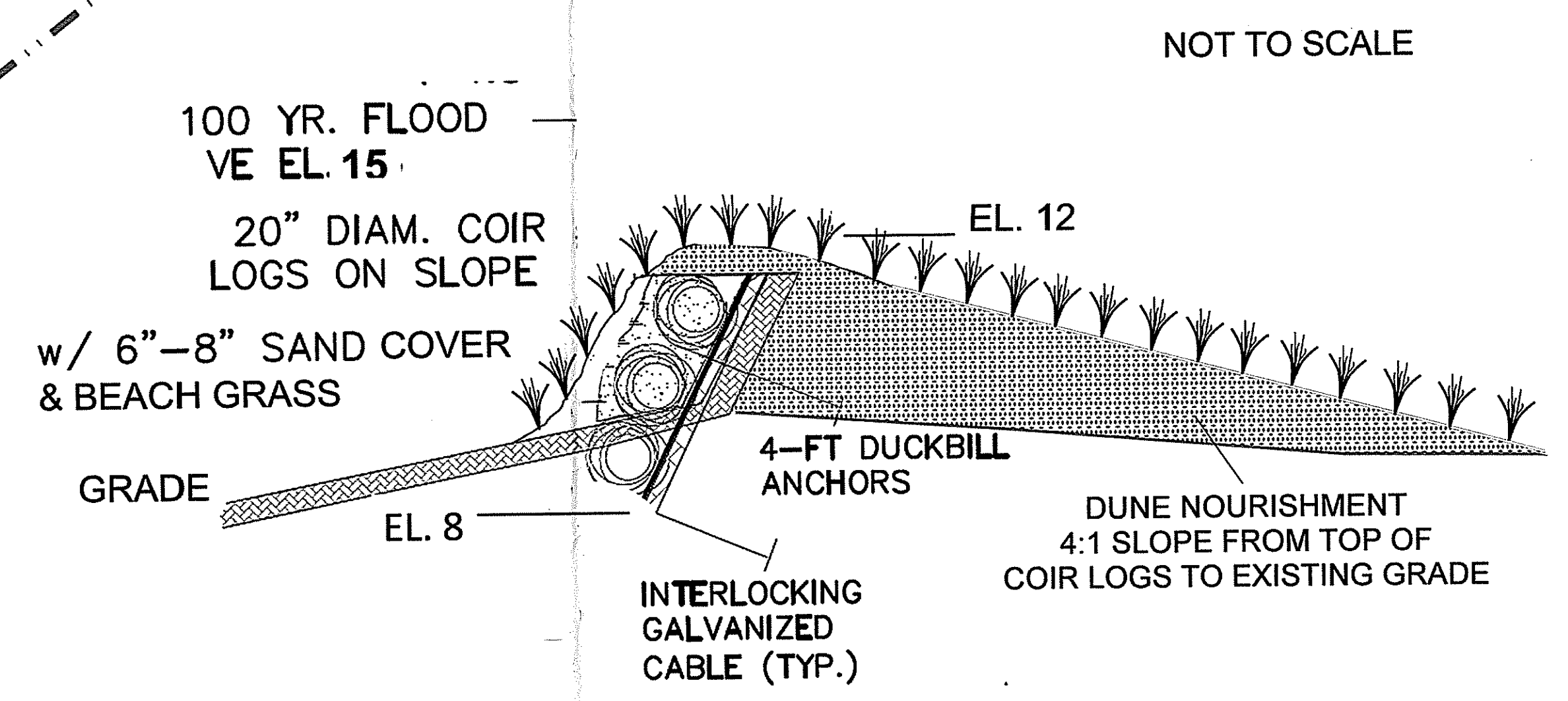
SHEET: 1 OF 1

Prepared By: Environmental Consulting & Restoration, LLC

NOTE:  
 1.) PROPOSED CONDITIONS OVERLAID BY ECR, LLC ONTO THE PLAN TITLED: EXISTING CONDITIONS PLAN, PREPARED BY MERRILL ENGINEERS & LAND SURVEYORS, DATED: APRIL 15, 2023.  
 2.) PROPOSED CONDITIONS PREPARED BY ENVIRONMENTAL CONSULTING & RESTORATION, LLC.



**PRIMARY FRONTAL DUNE RESTORATION & COIR LOG DETAIL:**





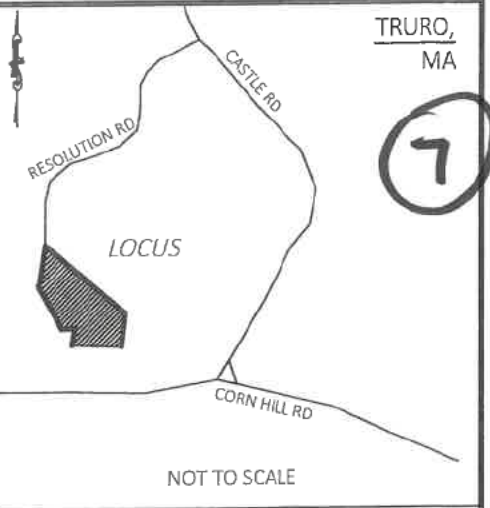
CONSERVATION COVERAGE TABLE:

EXISTING CONDITIONS:

	0-50-FOOT B.Z.	50-100-FOOT B.Z.
DWELLING	1,366 SF	0
DECK & STEP	786 SF	26
WALKWAYS	471 SF	175 SF
RINSE STATION	38 SF	0 SF
DRIVEWAY	355 SF	380
RETAINING WALLS	219 SF	103 SF
<b>TOTAL</b>	<b>3,235 SF</b>	<b>684 SF</b>

PROPOSED CONDITIONS:

	0-50-FOOT B.Z.	50-100-FOOT B.Z.
DWELLING	1,656 SF	28 SF
DECK	812 SF	222 SF
WALKWAYS	408 SF	26 SF
RINSE STATION	58 SF	0 SF
DRIVEWAY	204 SF	294 SF
RETAINING WALLS	186 SF	68 SF
<b>TOTAL</b>	<b>3,324 SF (+89 SF)</b>	<b>638 SF (-46 SF)</b>



PLAN BOOK 212  
DEED BOOK 21989  
ASSESSORS' MAP 45

PAGE 45  
PAGE 80  
PARCEL 68

**LEGEND**

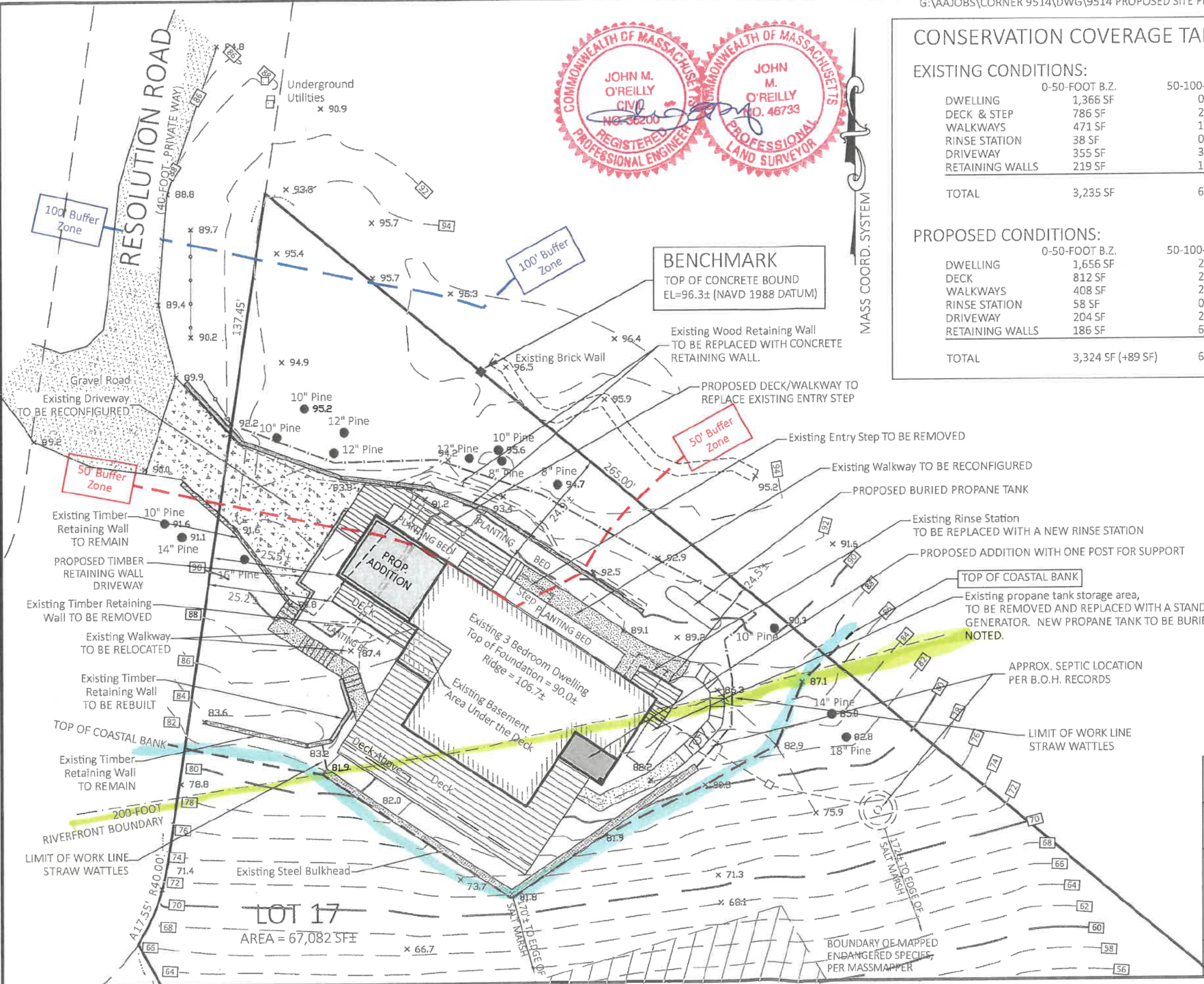
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT GRADE
- PROPOSED SPOT GRADE
- WATER SERVICE LINE
- OVERHEAD UTILITY SERVICE
- ELECTRIC / COMM. SERVICE LINE
- GAS SERVICE LINE
- TEST HOLE / BORING LOCATION
- SEPTIC TANK
- DISTRIBUTION BOX
- SOIL ABSORPTION SYSTEM
- RESERVED FOR FUTURE
- UTILITY POLE
- CATCH BASIN
- FIRE HYDRANT
- WELL
- DRAINAGE MANHOLE
- CONCRETE BOUND, FOUND
- LIMIT OF WORK
- FENCE
- EDGE OF CLEARING

0 20 40 60  
SCALE 1"=20'  
Town of Truro  
OCT 12 2023

COMMONWEALTH OF MASSACHUSETTS  
**JOHN M. O'REILLY**  
CIVIL ENGINEER  
REG. NO. 36200  
PROFESSIONAL ENGINEER

COMMONWEALTH OF MASSACHUSETTS  
**JOHN M. O'REILLY**  
LAND SURVEYOR  
REG. NO. 46733  
PROFESSIONAL LAND SURVEYOR

**BENCHMARK**  
TOP OF CONCRETE BOUND  
EL=96.3± (NAVD 1988 DATUM)



**James Corner**  
655 GATEHOUSE LANE, PHILADELPHIA, PA 19118

**PROPOSED SITE PLAN- ADDITION**  
22 RESOLUTION ROAD, TRURO, MA

**J.M. O'REILLY & ASSOCIATES, INC.**  
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A  
P.O. Box 1773  
(508)896-6801 Office Brewster, MA 02631 (508)896-6802 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
10-6-2023	As Noted	JMO/gb	JMO	JMO-9514





# J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

7

October 11, 2023

JMO # 9514

Truro Conservation Commission  
24 Town Hall Road  
Truro, MA 02666

Conservation Commission  
TOWN OF TRURO  
OCT 12 2023

RE: **Notice of Intent**  
22 Resolution Road, Truro, MA      Map: 45 / Parcel: 68

Dear Board Members,

On behalf of our client, Mr. and Mrs. James & Anne-Marie Corner, J.M. O'REILLY & ASSOCIATES, INC. is filing a Notice of Intent relative to the proposed construction of two small additions to the existing single family dwelling on the above referenced property. The Corner Family purchased the property in November 2010. Having used the home as a seasonal vacation home for the past 13 years, the Corner's are looking to retire and move more full-time which requires making some improvements to the dwelling, primarily expanding the kitchen and the master bathroom areas, along with some landscape work. The current kitchen and bathroom are very small and require more space to be properly functional. The two additions allow for the increase in area, and do not involve adding bedrooms to the three the property already has.

You will note from the survey that the site is very constrained, with the property set very close to the North and West property lines on a plateau, with very steep slopes to the South and East, leading down to the marsh. There is literally nowhere else to build on this property except for the proposed area to the west, into the existing driveway area.

The parcel was created through the Cathedral Hill Subdivision in 1966. The parcel is about 67,082 sf (1.5 acres) and abuts the Little Pamet River estuary and associated salt marsh, to the south. The existing topography slopes from the dwelling, on the north side of the parcel, down to the salt marsh on the south side. The elevations around the existing dwelling range from elevation 90 (street) to a walkout elevation of 82. A steel bulkhead retaining wall system wraps around the southern side of the dwelling, having a top of wall at elevation 82 and a bottom of wall of 72. The ground continues to slope at a 2.5 to 1 slope from the steel retaining wall to the salt marsh. The closest the steel retaining wall is to the salt marsh is about 170 feet (67 foot drop).

Mr. Corner is a professional architect and landscape architect (he designed the High Line in New York, and the Presidio in San Francisco), and he has invested a lot in the ecological health of the property over the years, including replacing an asphalt driveway with shell, removing various invasive species, and planting over 40 new pines and native ground covers. The site is today well vegetated with native species, and is in good ecological health, with an annual professional management program.

A careful inspection of the vegetation found the lot does not have any significant invasive species and is generally covered with native vegetation. The wetland resources are as follows:

- Riverfront Area: Little Pamet River is a River under the MA Wetland Protect Regulations. The boundary for the River is the edge of the Salt Marsh. 310 CMR 10.58
- Salt Marsh: Along the southern boundary of the parcel, at the bottom of the slope is the edge of the Salt Marsh. 310 CMR 10.32
- Land Subject to Coastal Storm Flowage: The southern portion of the parcel is subject to the 100-year Flood Boundary, as defined by FEMA. The 100-year flood boundary is Zone AE, EL=11
- Coastal Bank: The Coastal Bank is the landform from the edge of the Salt Marsh to the break in slope adjacent to the dwelling. The Coastal Bank for this parcel is defined by having a slope greater than 1 in 4 slope and intersects the 100-year flood boundary. The upper boundary of the Coastal Bank is shown on the Site Plan and corresponds to a break in slope and the steel bulkhead. Please refer to the Site Plans for additional information.

The 50 and 100 foot Buffer Zones have been established from the Coastal Bank boundary. The Site Plans also show the 200 foot Riverfront Area and the mapped area for the endangered species program of NHESP.

#### **Project Narrative:**

The project includes two small additions to the dwelling along with a reconfiguration of the existing driveway, walking paths and landscape walls. All work is proposed on the landward side of the Coastal Bank. The proposed improvements are as follows:

1. South Addition: The proposed addition is on the south-east side of the dwelling and will serve as additional space for bathroom and re-configured bedroom area. The addition is to be supported by the existing foundation walls and a proposed support post. The post shall be set on a concrete sono-tube footer. The addition is proposed over an area of existing deck and a walkout area below. The excavation for the single footer shall be completed by hand with no excavating equipment needed for this addition.
2. North Addition: The proposed addition is on the north-west side of the dwelling in the existing walkway and gravel driveway. The addition will serve as replacing the current bedroom and bathroom to allow for an expanded and reconfigured kitchen area in the interior. The addition will be set on a full concrete foundation to match the existing foundation.
3. Walkways & Retaining Walls: With the two proposed additions, the existing pathways and retaining walls need to be reconfigured and/or replaced. The location and size of the retaining walls and pathways have been coordinated to provide access to the lower portion of the dwelling while keeping the site disturbance to a minimum.
4. Rinse Station: The existing rinse station is proposed to be replaced and slightly enlarged to allow direct access from the master bedroom. The location of the rinse station is in the same general location at the east corner of dwelling. The rinse station will be positioned over a bed of gravel to address the water runoff.
5. Landscape: The area on the west and north sides of the dwelling are going to be disturbed to provide access to the construction. The intention of the application is to restore the disturbed

area with native shrubs and grasses along with native groundcover. The Application has been very diligent in keeping the parcel well vegetated with native species and protecting some old and majestic pine trees.

The majority of the developed areas of the parcel exist within the 50-foot Buffer Zone of the Coastal Bank. The remaining developed areas are within the 50 to 100-foot Buffer Zone. Please refer to the Site Plans for additional information. The Proposed Site Plan outlines the existing and proposed coverage amounts within the Buffer Zones. As shown, the proposed improvement to the existing conditions results in a minor increase of 89 sf within the 50-foot Buffer and a minor decrease of 46 sf within the 50 to 100-foot Buffer.

The Applicant has worked to reduce and limit the additional hardscape within the Buffer Areas. Unfortunately, the orientation of the existing driveway and pathways does not allow for a further reduction of the proposed hardscape. Given the existing condition of the parcel, the ability to mitigate the additional hardscape is very difficult. Note that the driveway will be re-finished in shell, and the wood decks allow for permeability throughout. Rain-water from the roof falls into planted areas below, which will also have additional gravel beds for effective drainage and percolation. Note that the site is very flat in this area and there has not been any excess run-off or erosion, with already good percolation and drainage.

The Applicant, prior to our involvement with the project, sought out guidance from Theresa Sprague of BlueFlax to inspect the parcel for invasive species or areas suitable for a mitigation proposal. Ms. Sprague didn't find invasive species on the parcel and reflected that the entire site is vegetated with native species.

#### **Performance Standards:**

##### Riverfront Area:

The Riverfront Area does include a portion of the existing dwelling and the entire proposed southern addition. The project is presumed to protect the Riverfront Area as long as the parcel does not alter up to 5,000 sf of land area or 10% of the Riverfront area on the parcel. The total riverfront area on the parcel is about 39,980 sf leaving the 10% value at 3,998 sf. The parcel is allowed up to 5,000 sf per the MA Wetland Protection Regulations. The proposed coverage area of the ENTIRE project is just over 3,324 sf, well below the maximum limit of 5,000 sf of Riverfront area.

##### Coastal Bank:

The Coastal Bank on the property is a vertical landform which is subject to coastal flood. The Coastal Bank is NOT a sediment source to the salt marsh or a coastal beach. The performance standard for work within the 100 foot Buffer Zone to a Coastal Bank is to NOT de-stabilize the Bank so it cannot provide storm damage prevention. None of the alterations will impact the stability of the Bank to continue to prevent and mitigate storm damage.

##### Salt Marsh:

No work is proposed within the 100-foot Buffer to the Salt Marsh.



Land Subject to Coastal Storm Flowage:

No work is proposed within the L.S.C.S.F.

Endangered Species Program:

The Parcel is within a mapped area of endangered species, please refer to Site Plans. The area of proposed alterations is not within the mapped area, please refer to the Site Plans.

A limit of work is proposed and will be delineated by a row of staked 9-inch straw wattles. The limit of work line will be installed prior to any work being started for the project. The construction access will be from the road and along the northeast side of the dwelling.

We look forward to reviewing the Notice of Intent with the Commission at the virtual hearing on November 6, 2023. Please contact me directly should you have any questions or need any additional information prior to the hearing.

Very truly yours,

J.M. O'REILLY & ASSOCIATES, INC.



John M. O'Reilly, P.E.,P.L.S.

Principal

Cc: MA DEP  
Client

Encl: NOI Application Package



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 – Notice of Intent**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Truro

City/Town Conservation Commission

TOWN OF TRURO

OCT 12 2023

**Important:**  
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**Note:**  
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

### A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

22 Resolution Road  
 a. Street Address

Truro  
 b. City/Town

02666  
 c. Zip Code

Latitude and Longitude:  
 42.004280  
 d. Latitude

-70.073460  
 e. Longitude

45  
 f. Assessors Map/Plat Number

68  
 g. Parcel /Lot Number

2. Applicant:

James & Anne Marie  
 a. First Name

Corner  
 b. Last Name

c. Organization

655 Gatehouse Lane  
 d. Street Address

Philadelphia  
 e. City/Town

PA  
 f. State

19118  
 g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

same  
 a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

John  
 a. First Name

O'Reilly  
 b. Last Name

J.M. O'Reilly & Associates Inc.  
 c. Company

P.O. Box 1773  
 d. Street Address

Brewster  
 e. City/Town

MA  
 f. State

02631  
 g. Zip Code

508-896-6601  
 h. Phone Number

508-896-6602  
 i. Fax Number

joreilly@jmoreillyassoc.com  
 j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

220.00  
 a. Total Fee Paid

97.50  
 b. State Fee Paid

122.50  
 c. City/Town Fee Paid



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Truro

City/Town

## A. General Information (continued)

### 6. General Project Description:

The project proposes to construct two additions to the existing dwelling. The proposed activities are within 100 feet of a Coastal Bank.

### 7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

### 7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1.  Yes  No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

#### 2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

### 8. Property recorded at the Registry of Deeds for:

Barnstable

a. County

25015

c. Book

b. Certificate # (if registered land)

264

d. Page Number

## B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Document Transaction Number \_\_\_\_\_

Truro

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____

- f.  Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland** \_\_\_\_\_
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



**Massachusetts Department of Environmental Protection**  
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**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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**C. Other Applicable Standards and Requirements**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

MA Mapper 9/25/23

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area \_\_\_\_\_  
percentage/acreage

(b) outside Resource Area \_\_\_\_\_  
percentage/acreage

2.  Assessor's Map or right-of-way plan of site

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.





**Massachusetts Department of Environmental Protection**  
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**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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**C. Other Applicable Standards and Requirements (cont'd)**

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d)  Vegetation cover type map of site

- (e)  Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1.  Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3.  Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and  
the Cape & Islands:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



**Massachusetts Department of Environmental Protection**  
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**WPA Form 3 – Notice of Intent**

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**C. Other Applicable Standards and Requirements (cont'd)**

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
a.  Yes  No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
a.  Yes  No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:  
1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)  
2.  A portion of the site constitutes redevelopment  
3.  Proprietary BMPs are included in the Stormwater Management System.  
b.  No. Check why the project is exempt:  
1.  Single-family house  
2.  Emergency road repair  
3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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**D. Additional Information (cont'd)**

- 3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

- 4.  List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Site Plan - Addition

a. Plan Title

J.M. O'REILLY & ASSOCIATES, INC

John M. O'Reilly, P.E., P.L.S.

b. Prepared By

c. Signed and Stamped by

10-6-2023

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

- 5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8.  Attach NOI Wetland Fee Transmittal Form
- 9.  Attach Stormwater Report, if needed.

**E. Fees**

- 1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

13047  
2. Municipal Check Number

10-11-23  
3. Check date

13048  
4. State Check Number

10-11-23  
5. Check date

J.M. O'Reilly & Associates, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number


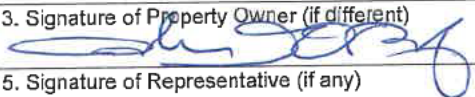
Truro

City/Town

## F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	10th October, 2023
1. Signature of Applicant 	2. Date
3. Signature of Property Owner (if different)	4. Date
	10-16-23
5. Signature of Representative (if any)	6. Date

### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**A. Applicant Information**

1. Location of Project:

22 ResolutionRoad Truro  
 a. Street Address b. City/Town  
 13648 \$ 97.50  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

James and Anne Marie Corner  
 a. First Name b. Last Name  
 c. Organization  
 655 Gatehouse Ln.  
 d. Mailing Address  
 Philadelphia PA 19118  
 e. City/Town f. State g. Zip Code  
 215-990-6566 jcorner@fieldoperations.net  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Same  
 a. First Name b. Last Name  
 c. Organization  
 d. Mailing Address  
 e. City/Town f. State g. Zip Code  
 h. Phone Number i. Fax Number j. Email Address

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1A - Additions	2	110.00	220.00

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	220.00
State share of filing Fee:	97.50
City/Town share of filing Fee:	122.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent, a copy of this form; and the city/town fee payment.

Conservation Commission  
 TOWN OF TRURO  
 OCT 19 2023

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)





**TOWN OF TRURO**  
**Conservation Commission**

24 Town Hall Road  
P.O. Box 2030, Truro MA 02666  
Tel: 508-349-7004, Ext. 31 Fax: 508-349-5508

WAIVER

I, John O'Reilly, P.E., P.L.S. \_\_\_\_\_ (print name), hereby waive the twenty-one (21) day time period for a public hearing following receipt of a:  Notice of Intent  Abbreviated Notice of Intent  Request for Determination of Applicability  Amended Order of Conditions  Abbreviated Notice of Resource Area Delineation by the Truro Conservation Commission under Massachusetts General Laws, Ch. 131, sec. 40, and under Truro Conservation Bylaw, Section 8.5.2.

The  Notice of Intent  Abbreviated Notice of Intent  Request for Determination of Applicability  Amended Order of Conditions  Abbreviated Notice of Resource Area Delineation was submitted on 10/11/2023 (date) for work at 22 Resolution Road (address). I understand that the next meeting of the Conservation Commission is scheduled for 11/6/2023 and that the Commission will open the public hearing on that date.

I am the:  Applicant  
 Applicant's Representative

  
\_\_\_\_\_  
(signature)

10-11-2023  
\_\_\_\_\_  
(date)

## NOTIFICATION TO ABUTTERS

Dear Abutter:

You are being notified pursuant to Massachusetts General Law 131, Section 40 and 310 CMR 10.00, Wetlands Protection Act that a:

Notice of Intent  Amended Order of Conditions  Abbreviated Notice of Intent  
 Abbreviated Notice of Resource Area Delineation (ANRAD)

has been submitted to the Truro Conservation Commission with regard to a project at  
22 Resolution Road Map 45 Parcel 68.

### Applicant (Owner) Information:

(1) Name: James Corner Address: 655 Gatehouse Ln., Philadelphia, PA 19118

(2) Name: \_\_\_\_\_ Address: \_\_\_\_\_

### Representative Information:

Name: John M. O'Reilly, P.E., P.L.S. Organization: J.M. O'Reilly & Associates Inc.

Address: \_\_\_\_\_

### Description of Proposed Project:

Project proposes to construct two additions to the existing dwelling. The proposed activities are  
within 100 feet of a Coastal Bank.

The VIRTUAL public hearing begins at 5:00 pm on 11/6/2023. Access  
information will be within the AGENDA posted on the Town of Truro's website  
prior to the meeting. [www.truro-ma.gov](http://www.truro-ma.gov)

The Notice of Intent, plans and other pertinent information may be examined prior to the public  
hearing by contacting the Conservation Department at 508-349-7004 x131, x 137 or  
[lbudnick@truro-ma.gov](mailto:lbudnick@truro-ma.gov), [nrickey@truro-ma.gov](mailto:nrickey@truro-ma.gov).

  
Signature of Applicant or Representative

10-11-2023  
Date

Conservation Commission  
TOWN OF TRURO

OCT 12 2023

\*\* The Notice of the public hearing, including its date, time and place, will be published at least five  
(5) days in advance in the Independent and will be posted in the Truro Town Hall no less than forty-  
eight (48) hours in advance.

\*\*You may contact the Truro Conservation Commission or the Massachusetts Department of  
Environmental Protection, Wetlands Division about this application or the Wetlands Protection Act.  
Truro Conservation Commission: (508) 349-7004 x 131 or DEP Southeast region: (508) 946-2800



**TRURO ASSESSORS OFFICE**  
PO Box 2012 Truro, MA 02666  
Telephone: (508) 214-0921  
Fax: (508) 349-5506

**Date:** September 26, 2023

**To:** John O'Reilly of JM O'Reilly & Associates, Agents for James Corner

**From:** Assessors Department

**Certified Abutters List:** 22 Resolution Road (Map 45, Parcel 68 )

**Conservation Commission**

Attached is a combined list of abutters for 22 Resolution Road.

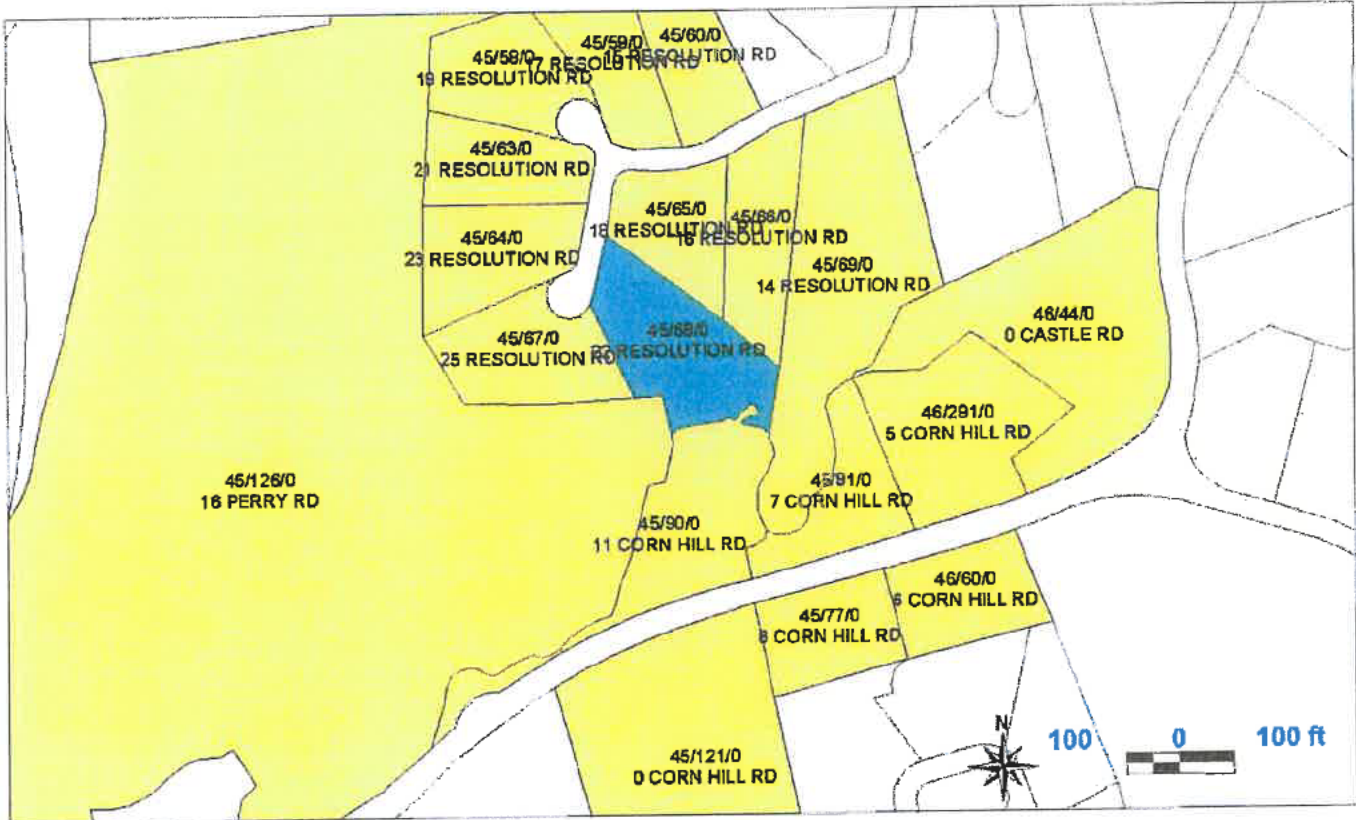
The current owners are James and Anne-Marie Corner.

The names and addresses of the abutters are as of September 22, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Olga Farrell  
Assessing Clerk

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
2167	45-58-0-R	WARREN WILLIAM H & SIEGEL ELEANOR T	19 RESOLUTION RD	125 ARMINGTON ST	CRANSTON	RI	02905
2168	45-59-0-R	FEHLAU-DE LUMEAU TRUST TRS: A. FEHLAU & G.E. DELUMEAU	17 RESOLUTION RD	PO BOX 303	TRURO	MA	02666
2169	45-60-0-R	DEGRUTTOLA VICTOR & LITWACK ROBERT MD	15 RESOLUTION RD	PO BOX 1061	TRURO	MA	02666
2172	45-63-0-R	CITRON JO ANN TRUSTEE THE JO ANN CITRON REV TRUST	21 RESOLUTION RD	PO BOX 900	TRURO	MA	02666
2173	45-64-0-R	CITRON JO ANN REV TRUST 2001 TRS: CITRON JO ANN	23 RESOLUTION RD	PO BOX 900	TRURO	MA	02666
2174	45-65-0-R	CRITCHLEY F THOMAS JR	18 RESOLUTION RD	PO BOX 1154	TRURO	MA	02666-1154
2175	45-66-0-R	LEIGH CHRISTINE REV LIVING TR TRS: LEIGH CHARLES	16 RESOLUTION RD	PO BOX 615	TRURO	MA	02666-0615
2176	45-67-0-R	OVER THE TOP TRUST TRS: DONIGER ANTHONY	25 RESOLUTION RD	1319 E 55TH ST	CHICAGO	IL	60615
2178	45-69-0-R	WARSHAWSKY TRURO REAL EST TR TRS: WARSHAWSKY CAROL	14 RESOLUTION RD	PO BOX 892	TRURO	MA	02666-0892
2184	45-77-0-R	PESIRI FAMILY INVESTMENT TR TRS: PESIRI RICHARD S & CAROL	6 CORN HILL RD	PO BOX 12	TRURO	MA	02666
2197	45-90-0-R	ANDERSON ARTHUR	11 CORN HILL RD	C/O DEMASI SHIRLEY 90 ELLIOT AVE	NO QUINCY	MA	02171
2199	45-91-0-E	TRURO CONSERVATION TRUST TRS: TOM BOW, ET AL	7 CORN HILL RD	PO BOX 327	NO TRURO	MA	02652
2224	45-121-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL	0 CORN HILL RD	PO BOX 327	NO TRURO	MA	02652-0327
5599	45-126-0-R	PERRY LTD PARTNERSHIP ET AL	16 PERRY RD	PO BOX 127	TRURO	MA	02666
2272	46-44-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL	0 CASTLE RD	PO BOX 327	NO TRURO	MA	02652-0327

*Handwritten signature: R. Zukewitz*  
 9/26/2023 Page 1



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
2288	46-60-0-R	ANDERSON REALTY TRUST ANDERSON WILLIAM S & LINDA A	6 CORN HILL RD	55 UPPER GORE ROAD	WEBSTER	MA	01570-3220
2506	46-291-0-R	OLIVER JOHN HEIRS OF	5 CORN HILL RD	ADDRESS UNKNOWN	TRURO	MA	99999

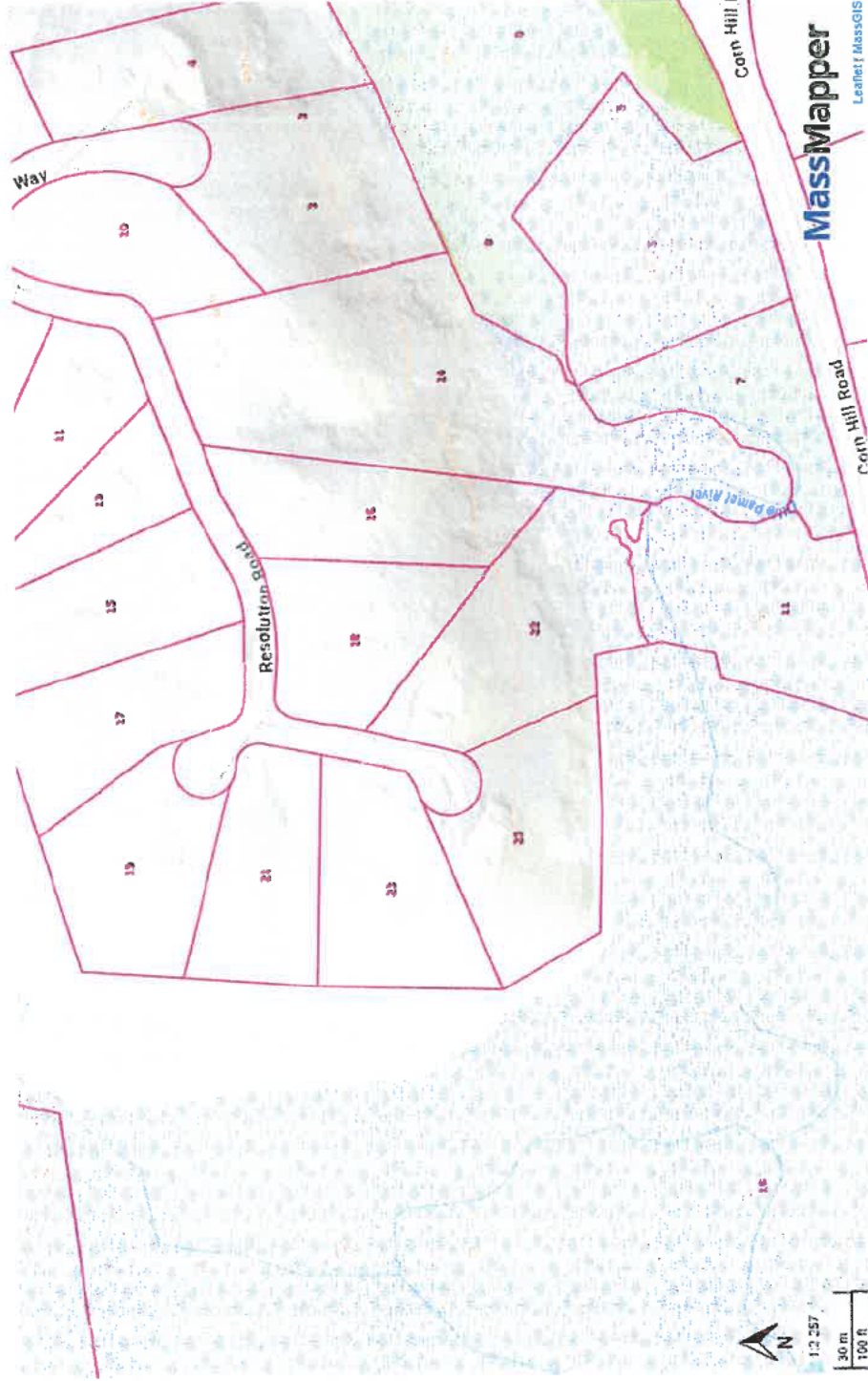
*mzakrakovs*

45-58-0-R	WARREN WILLIAM H & SIEGEL ELEANOR T 125 ARMINGTON ST CRANSTON, RI 02905	45-59-0-R	FEHLAU-DE LUMEAU TRUST TRS: A. FEHLAU & G.E. DELUMEAU PO BOX 303 TRURO, MA 02666	45-60-0-R	DEGRUTTOLA VICTOR & LITWACK ROBERT MD PO BOX 1061 TRURO, MA 02666
45-63-0-R	CITRON JO ANN TRUSTEE THE JO ANN CITRON REV TRUST PO BOX 900 TRURO, MA 02666	45-64-0-R	CITRON JO ANN REV TRUST 2001 TRS: CITRON JO ANN PO BOX 900 TRURO, MA 02666	45-65-0-R	CRITCHLEY F THOMAS JR PO BOX 1154 TRURO, MA 02666-1154
45-66-0-R	LEIGH CHRISTINE REV LIVING TR TRS: LEIGH CHARLES PO BOX 615 TRURO, MA 02666-0615	45-67-0-R	OVER THE TOP TRUST TRS: DONIGER ANTHONY 1319 E 55TH ST CHICAGO, IL 60615	45-69-0-R	WARSHAWSKY TRURO REAL EST TR TRS: WARSHAWSKY CAROL PO BOX 892 TRURO, MA 02666-0892
45-77-0-R	PESIRI FAMILY INVESTMENT TR TRS: PESIRI RICHARD S & CAROL PO BOX 12 TRURO, MA 02666	45-90-0-R	ANDERSON ARTHUR C/O DEMASI SHIRLEY 90 ELLIOT AVE NO QUINCY, MA 02171	45-91-0-E	TRURO CONSERVATION TRUST TRS: TOM BOW, ET AL PO BOX 327 NO TRURO, MA 02652
45-121-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL PO BOX 327 NO TRURO, MA 02652-0327	45-126-0-R	PERRY LTD PARTNERSHIP ET AL PO BOX 127 TRURO, MA 02666	46-44-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL PO BOX 327 NO TRURO, MA 02652-0327
46-60-0-R	ANDERSON REALTY TRUST ANDERSON WILLIAM S & LINDA A 55 UPPER GORE ROAD WEBSTER, MA 01570-3220	46-291-0-R	OLIVER JOHN HEIRS OF ADDRESS UNKNOWN TRURO, MA 99999		

Conservation Commission  
TOWN OF TRURO  
OCT 12 2023

# MA Mapper Corner

Property Tax Parcels

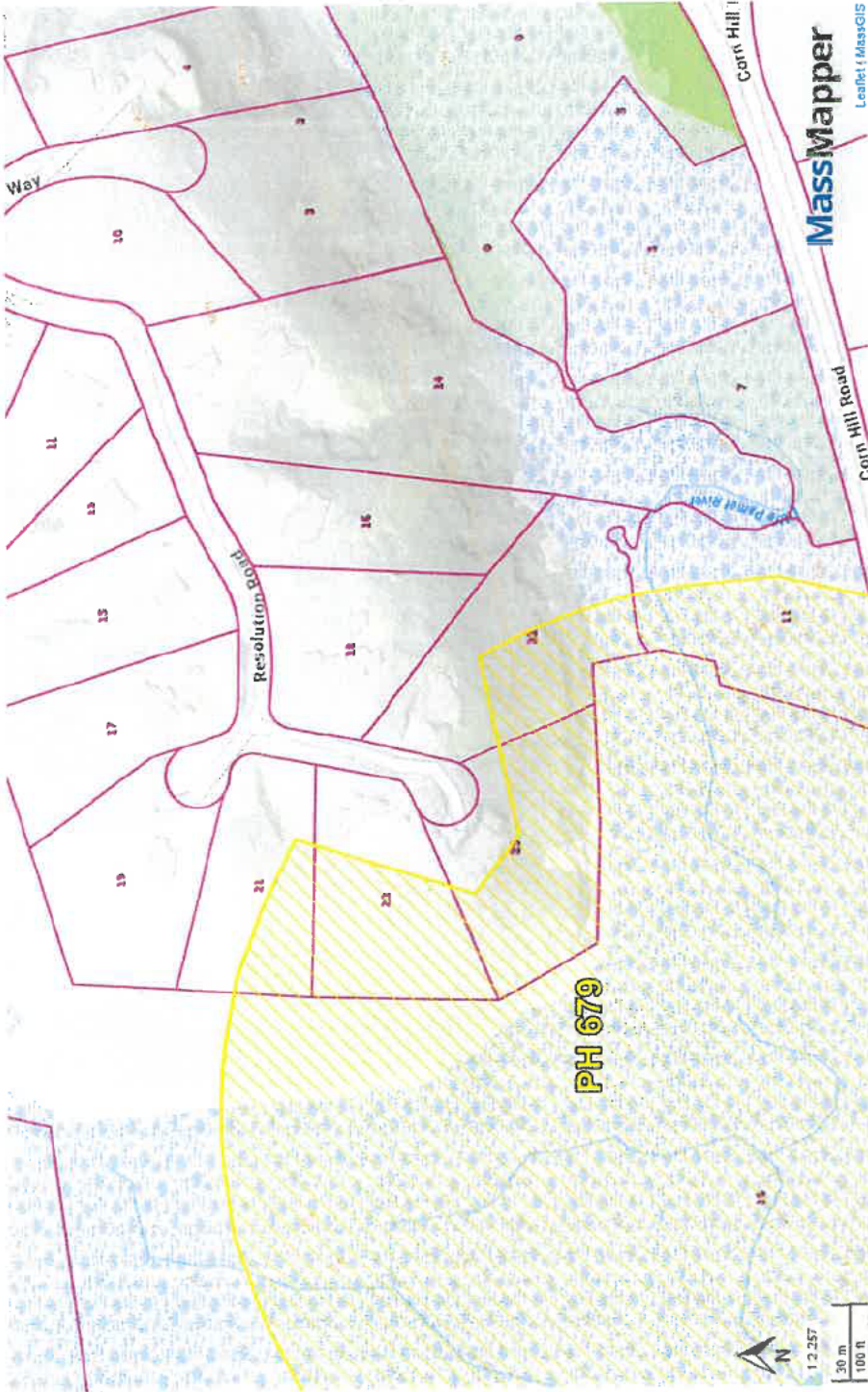


# NHESP Corner

NHESP Priority Habitats of Rare Species



Property Tax Parcels

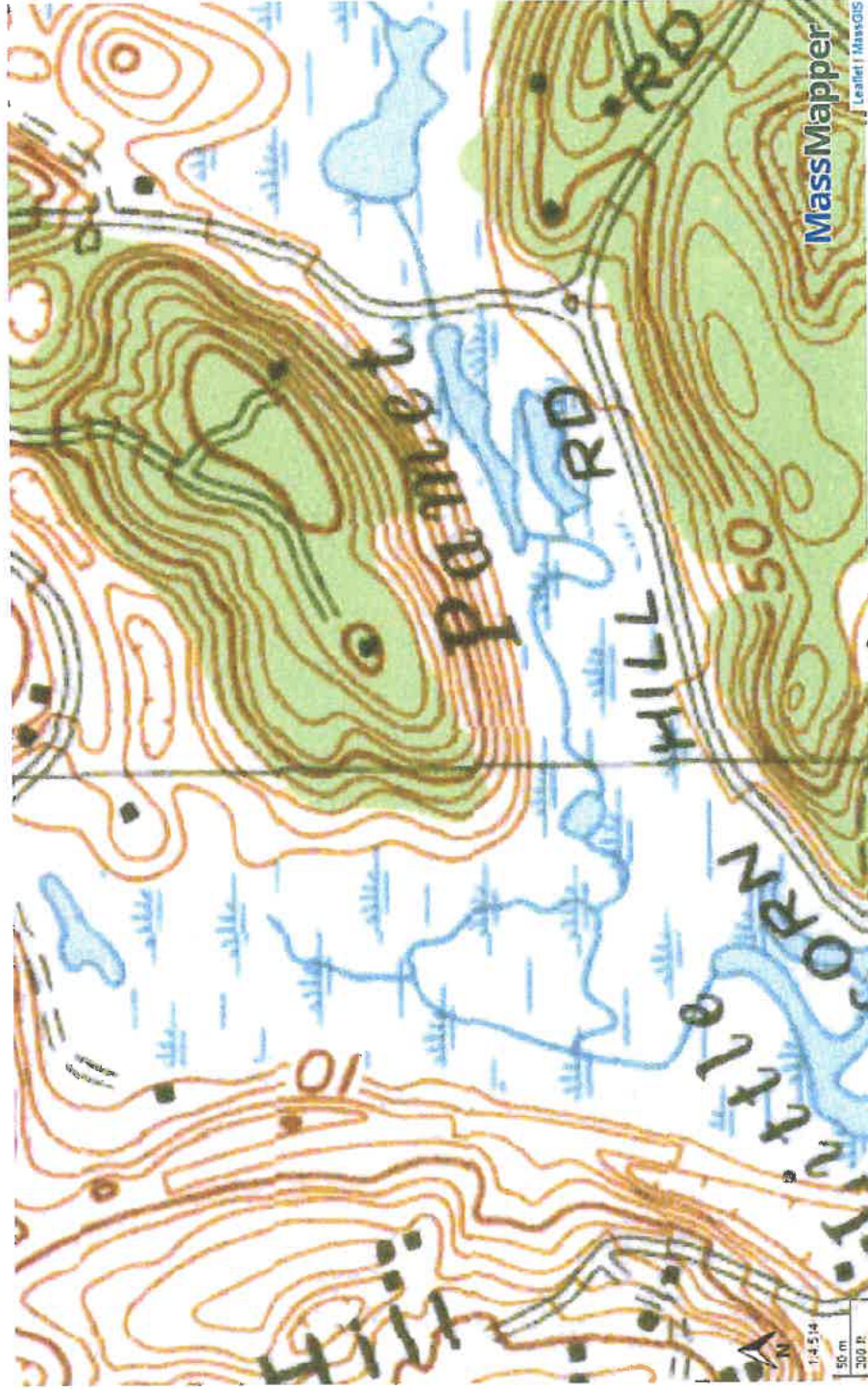


Conservation Commission  
TOWN OF TRURO  
OCT 12 2023



# USGS Corner

USGS Topographic Maps  
Property Tax Parcels









# J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES


Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

## MEMORANDUM

JMO #9514

Date: October 23, 2023

To: Truro Conservation Commission

From: John M. O'Reilly, P.E., P.L.S. 

Applicant: Corner – 22 Resolution Road

RE: Alternatives Analysis – Proposed Additions to the Existing Dwelling

Conservation Commission  
TOWN OF TRURO  
OCT 23 2023

As required by the Truro Wetland Regulations, Section 2.01(d)3, please find below an alternatives analysis for the proposed construction of two additions to the existing dwelling along with the realignment of landscape improvements associated with the additions.

The project proposes two additions to the existing dwelling, as outlined in our previously submitted Project Narrative. The two additions consist of a small addition on the south side of the dwelling and a second addition on the north side of the dwelling. The objective of the two additions is to allow the interior of the dwelling to function and flow of the floor plan.

The smaller, southern addition is to allow for the re-alignment of the bedroom space and to add a bathroom area. The northern addition is to allow for the relocation of a sleeping area to provide a larger kitchen and dining area within the dwelling.

The Applicant is seeking a Variance from the Truro Wetland Regulations to allow for the expansion of a structure within 50-foot Buffer Zone. The location of the Coastal Bank resource puts most of the dwelling within the 50 foot Buffer Zone. The Coastal Bank resource, when the home was constructed in the 1980's, was not defined as Banks are currently defined. The two additions and the landscape improvements will not de-stabilize the Coastal Bank as all the work is proposed in previously altered areas. The additions are getting no closer to the Bank than existing structures.

### Alternative Analysis:

#### Alternative 1: Reposition the Proposed Additions:

The Applicant along with the project architect Nick Waldman reviewed the potential of locating the addition(s) elsewhere on the existing dwelling. After consideration, the placement of additions in other areas of the home would result in a larger remodeling project than is intended. The two proposed

additions provide the least impact to the property. Both additions are proposed within areas previously altered from when the home was constructed. The Alternative of different configured additions was eliminated by the Applicant.

Alternative 2: No Change in Footprint – Second Floor Addition:

As stated above the goal of the Applicant and the project architect was to complete the two additions to improve the function and flow of the floor plan. The addition of a second floor may provide the improved function, but the costs of the improvements and disturbance to the site would make the project potentially more impactful to the resources.

Potential structural improvements to the foundation, to support the second floor, would require significant impacts to the landscape and existing native vegetation. The Alternative of a second floor addition was eliminated by the applicant.

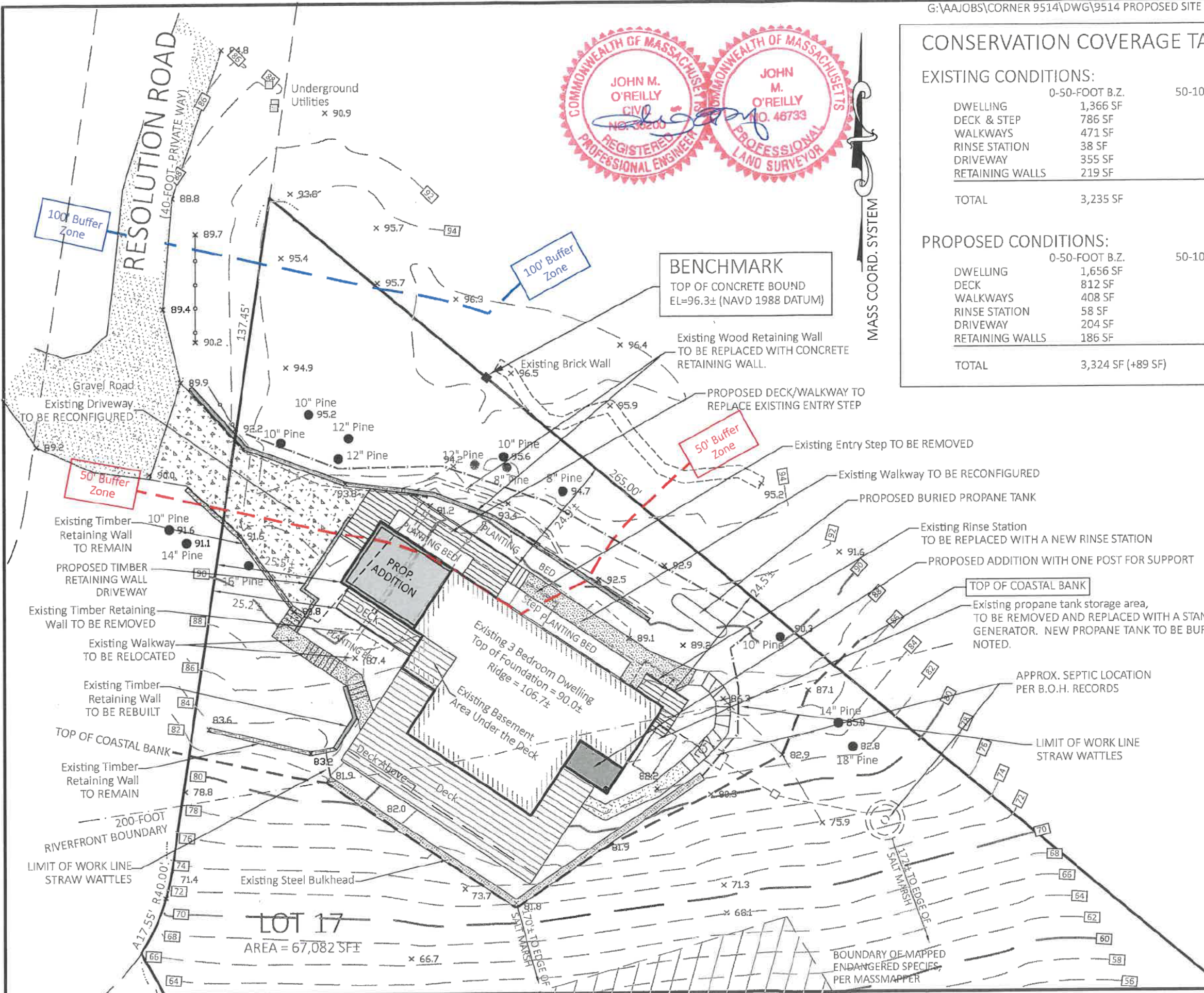
**Conclusions:**

It is the opinion of the Applicant and J.M. O'REILLY & ASSOCIATES, INC. that there is no practical alternative to the two proposed additions to the dwelling which result in the improvement of the floor plan and function. The project further contends that there will be no adverse impact to the Coastal Bank Resource. As per Section 2.01(d)4 and (d)5 we offer the following:

- The project results in a 43 sf expansion of 'hardscape' within the 100 foot Buffer Zone.
- The total proposed alteration is 3,962 sf and is well below the 5,000 sf maximum allowance.
- All work proposed is within previously altered areas from when the dwelling was originally constructed.
- The Applicant will restore any disturbed area with native plants, as specified in the approved plant list of Truro.
- Roof runoff will be controlled by plant beds and stone trenches under the drip lines.
- The driveway will remain pervious.
- The new decking will allow stormwater to seep into the very permeable soils below.
- Both additions are no closer than the existing site conditions to the wetland resources.

We look forward to the Conservation Public Hearing set for November 6, 2023, to present the project. Please contact our office if you need any additional information or if you have any questions.





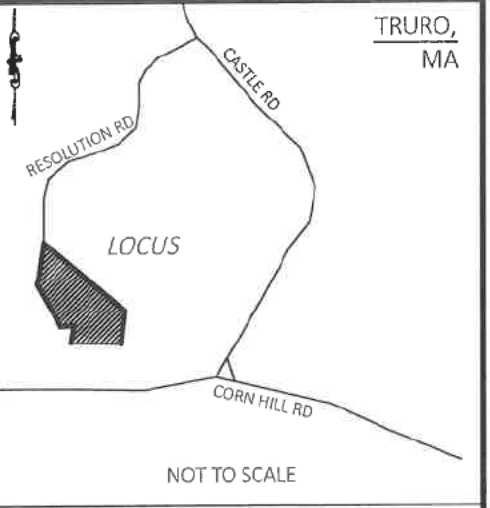
MASS COORD. SYSTEM

CONSERVATION COVERAGE TABLE:

EXISTING CONDITIONS:	0-50-FOOT B.Z.	50-100-FOOT B.Z.
DWELLING	1,366 SF	0
DECK & STEP	786 SF	26
WALKWAYS	471 SF	175 SF
RINSE STATION	38 SF	0 SF
DRIVEWAY	355 SF	380
RETAINING WALLS	219 SF	103 SF
<b>TOTAL</b>	<b>3,235 SF</b>	<b>684 SF</b>

PROPOSED CONDITIONS:	0-50-FOOT B.Z.	50-100-FOOT B.Z.
DWELLING	1,656 SF	28 SF
DECK	812 SF	222 SF
WALKWAYS	408 SF	26 SF
RINSE STATION	58 SF	0 SF
DRIVEWAY	204 SF	294 SF
RETAINING WALLS	186 SF	58 SF
<b>TOTAL</b>	<b>3,324 SF (+89 SF)</b>	<b>638 SF (-46 SF)</b>



PLAN BOOK 212  
DEED BOOK 21989  
ASSESSORS' MAP 45

PAGE 45  
PAGE 80  
PARCEL 68

**LEGEND**

- - - 92 EXISTING CONTOUR
- - - 32 PROPOSED CONTOUR
- x12.34 EXISTING SPOT GRADE
- 24x5 PROPOSED SPOT GRADE
- W- WATER SERVICE LINE
- OH- OVERHEAD UTILITY SERVICE
- E- ELECTRIC / COMM. SERVICE LINE
- G- GAS SERVICE LINE
- TP TEST HOLE / BORING LOCATION
- ST SEPTIC TANK
- DB DISTRIBUTION BOX
- SAS SOIL ABSORPTION SYSTEM
- Reserve RESERVED FOR FUTURE
- UTILITY POLE
- CATCH BASIN
- FIRE HYDRANT
- WELL
- DRAINAGE MANHOLE
- CONCRETE BOUND, FOUND
- x LIMIT OF WORK
- - - FENCE
- ~~~~~ EDGE OF CLEARING



**James Corner**  
655 GATEHOUSE LANE, PHILADELPHIA, PA 19118

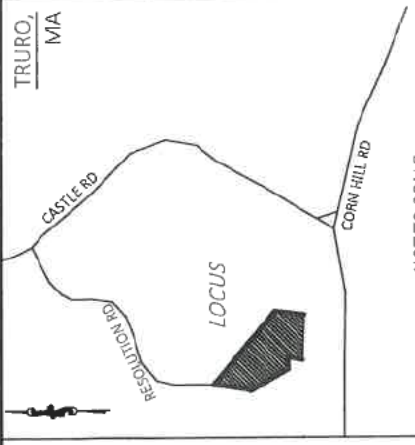
**PROPOSED SITE PLAN- ADDITION**  
22 RESOLUTION ROAD, TRURO, MA

**J.M. O'REILLY & ASSOCIATES, INC.**  
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A  
P.O. Box 1773  
(508)898-6601 Office Brewster, MA 02831 (508)898-6602 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
10-6-2023	As Noted	JMO/gb	JMO	JMO-9514





PLAN BOOK 212 PAGE 45  
 DEED BOOK 21989 PAGE 80  
 ASSESSORS' MAP 45 PARCEL 68

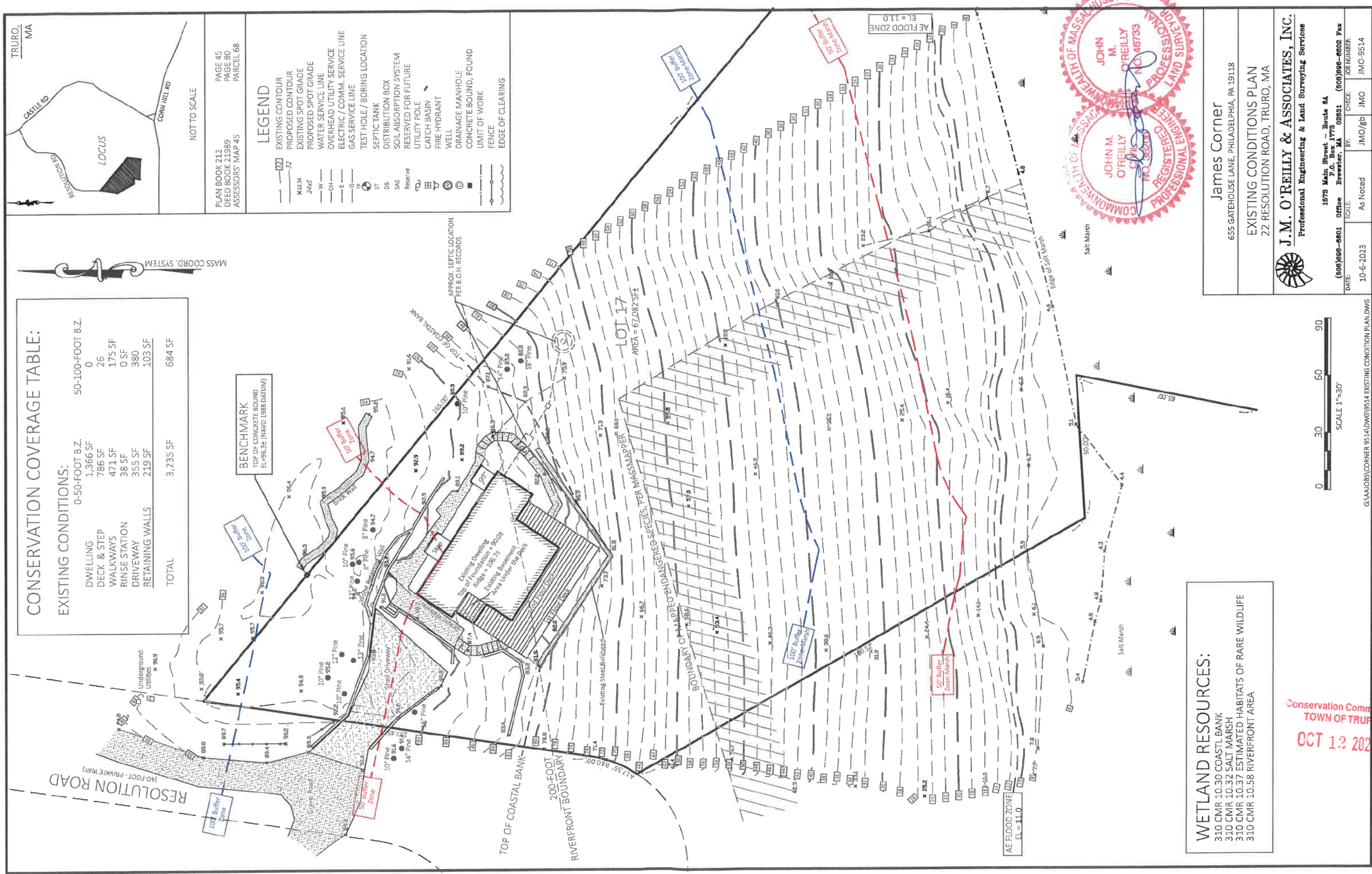
**LEGEND**

— 32	EXISTING CONTOUR
— 32	PROPOSED CONTOUR
X12.34	EXISTING SPOT GRADE
24x5	PROPOSED SPOT GRADE
— W	WATER SERVICE LINE
— OH	OVERHEAD UTILITY SERVICE LINE
— E	ELECTRIC / COMM. SERVICE LINE
— G	GAS SERVICE LINE
TP	TEST HOLE / BORING LOCATION
ST	SEPTIC TANK
DB	DISTRIBUTION BOX
SAS	SOIL ABSORPTION SYSTEM
Reserve	RESERVED FOR FUTURE
⊕	UTILITY POLE
⊕	CATCH BASIN
⊕	FIRE HYDRANT
⊕	WELL
⊕	DRAINAGE MANHOLE
■	CONCRETE BOUND, FOUND
—	LIMIT OF WORK
—	FENCE
—	EDGE OF CLEARING

**CONSERVATION COVERAGE TABLE:**

<b>EXISTING CONDITIONS:</b>	0-50-FOOT B.Z.	50-100-FOOT B.Z.
DWELLING	1,366 SF	0
DECK & STEP	786 SF	26
WALKWAYS	471 SF	175 SF
RINSE STATION	38 SF	0 SF
DRIVEWAY	355 SF	380
RETAINING WALLS	219 SF	103 SF
<b>TOTAL</b>	<b>3,235 SF</b>	<b>684 SF</b>

**BENCHMARK**  
 TOP OF CONCRETE BOUND  
 EL=96.34 (NAVD 1988 DATUM)



**WETLAND RESOURCES:**  
 310 CMR 10.30 COASTL BANK  
 310 CMR 10.32 SALT MARSH  
 310 CMR 10.37 ESTIMATED HABITATS OF RARE WILDLIFE  
 310 CMR 10.58 RIVERFRONT AREA

Conservation Commission  
 TOWN OF TRURO  
 OCT 12 2020



James Corner  
 655 GATEHOUSE LANE, PHILADELPHIA, PA 19118  
 EXISTING CONDITIONS PLAN  
 22 RESOLUTION ROAD, TRURO, MA

**J.M. O'REILLY & ASSOCIATES, INC.**  
 Professional Engineering & Land Surveying Services

1679 Main Street - Route 6A  
 P.O. Box 17775  
 Brewer, MA 02861 (608)998-8802 Fax  
 (608)998-8801 Office  
 DATE: 10-6-2023 SCALE: As Noted BY: JMO/gb JMO CHECK: JMO JOB NUMBER: JMC-9514

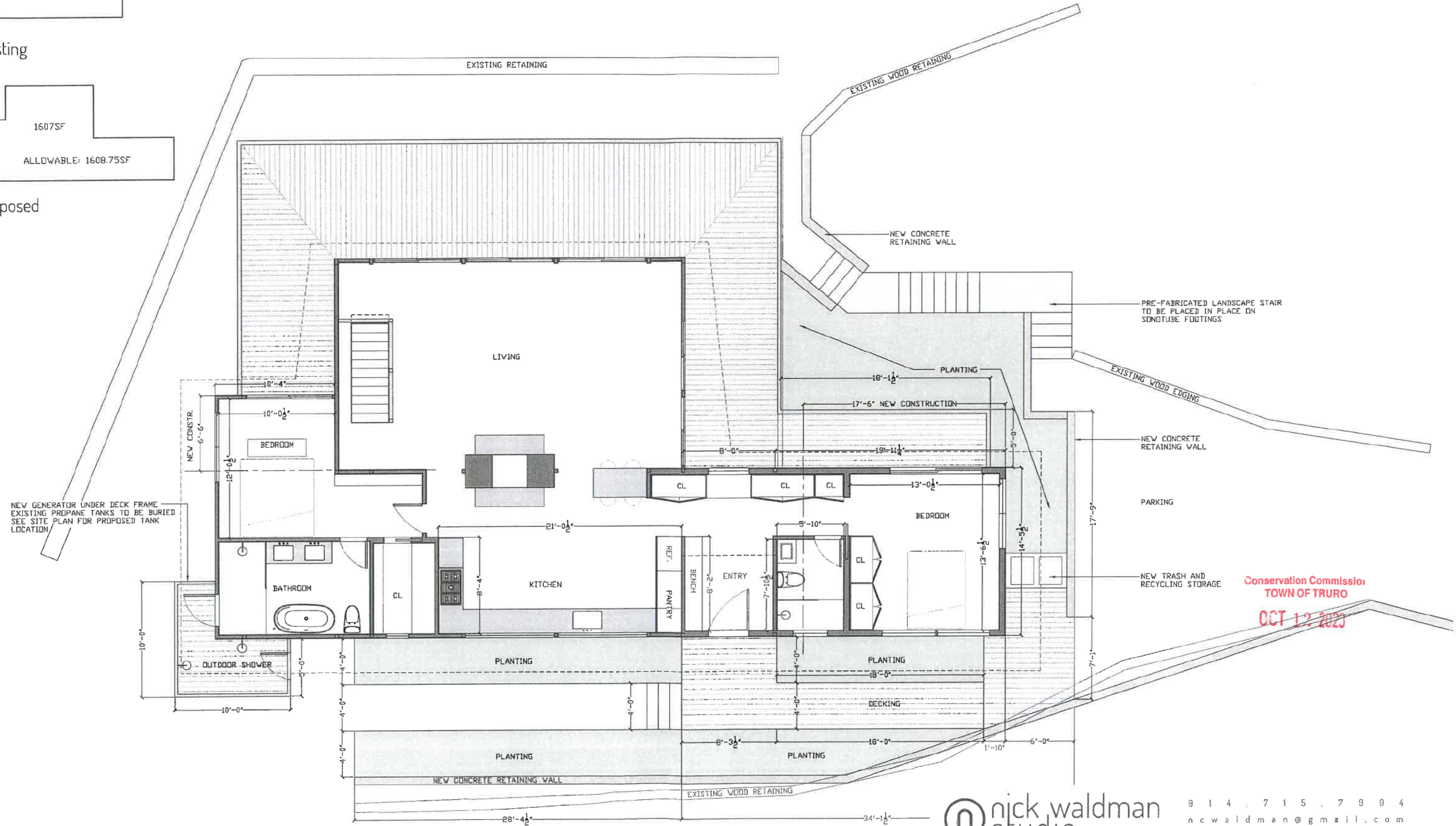


1287sf  
 25% is 321.75sf

existing

1607SF  
 ALLOWABLE: 1608.75SF

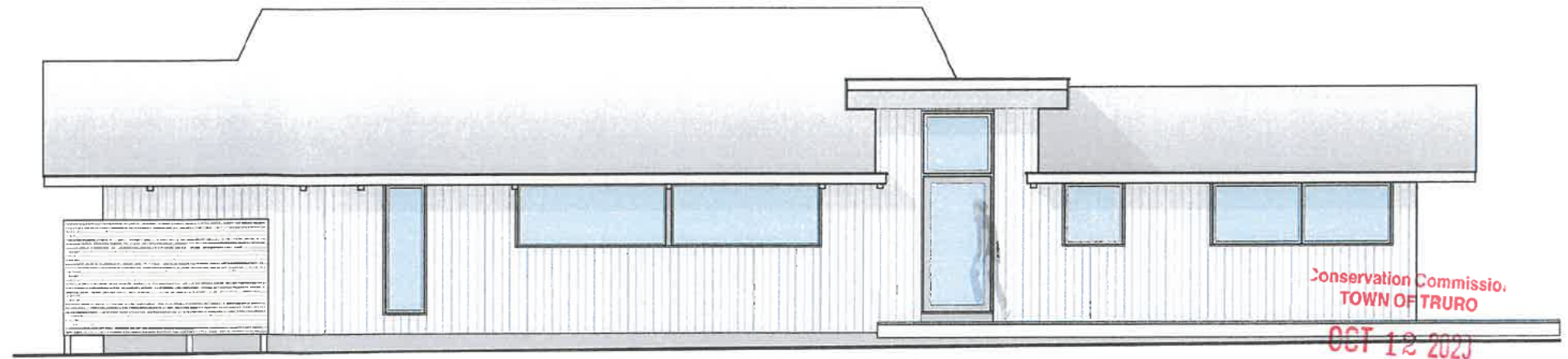
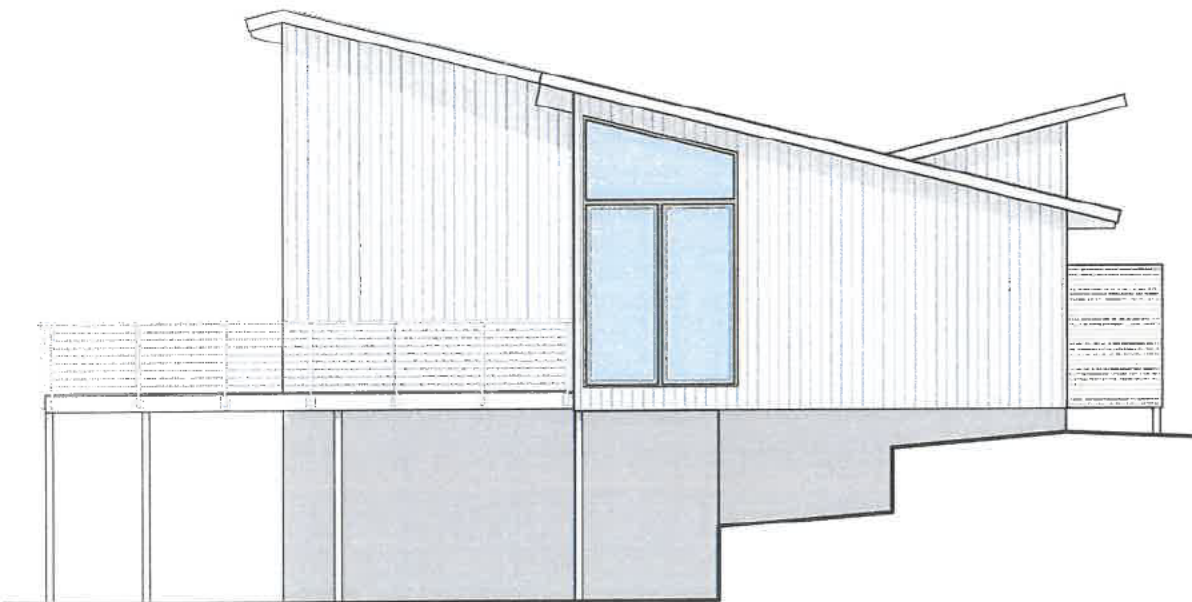
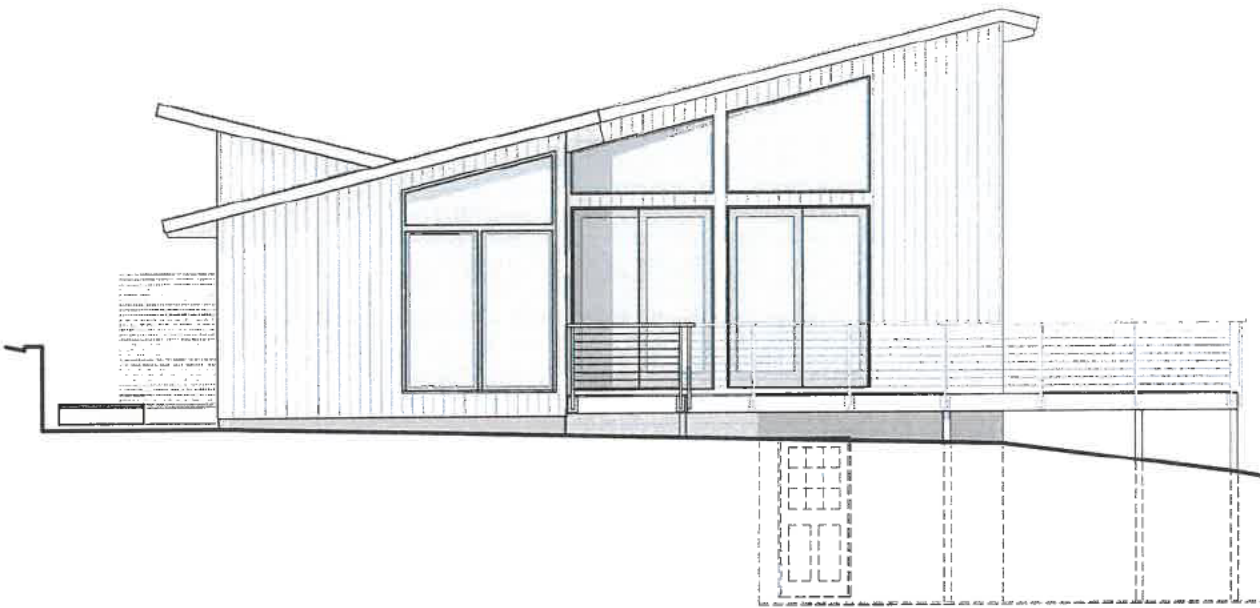
proposed



NEW GENERATOR UNDER DECK FRAME  
 EXISTING PROPANE TANKS TO BE BURIED  
 SEE SITE PLAN FOR PROPOSED TANK  
 LOCATION

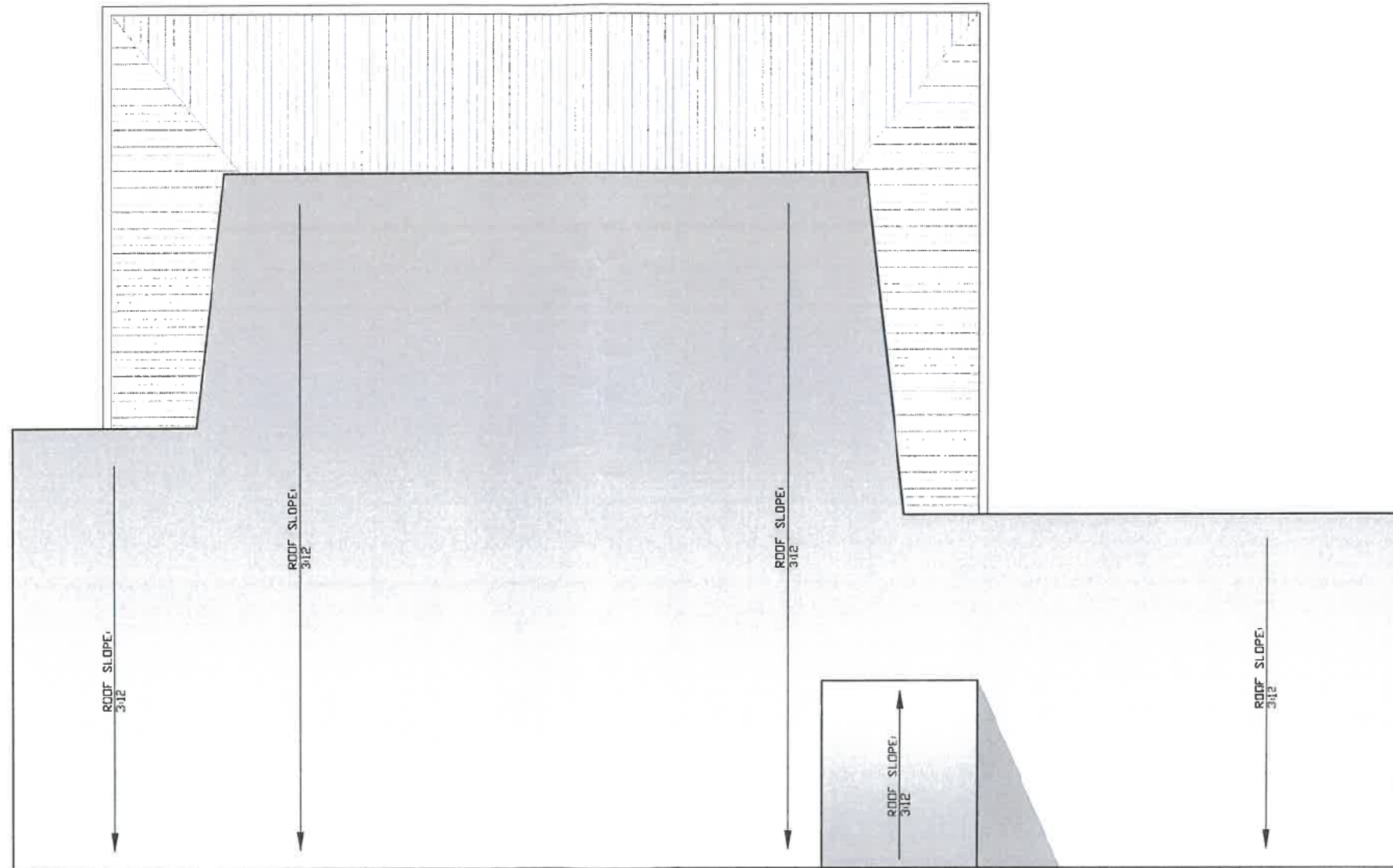
Conservation Commission  
 TOWN OF TRURO  
 OCT 12 2023



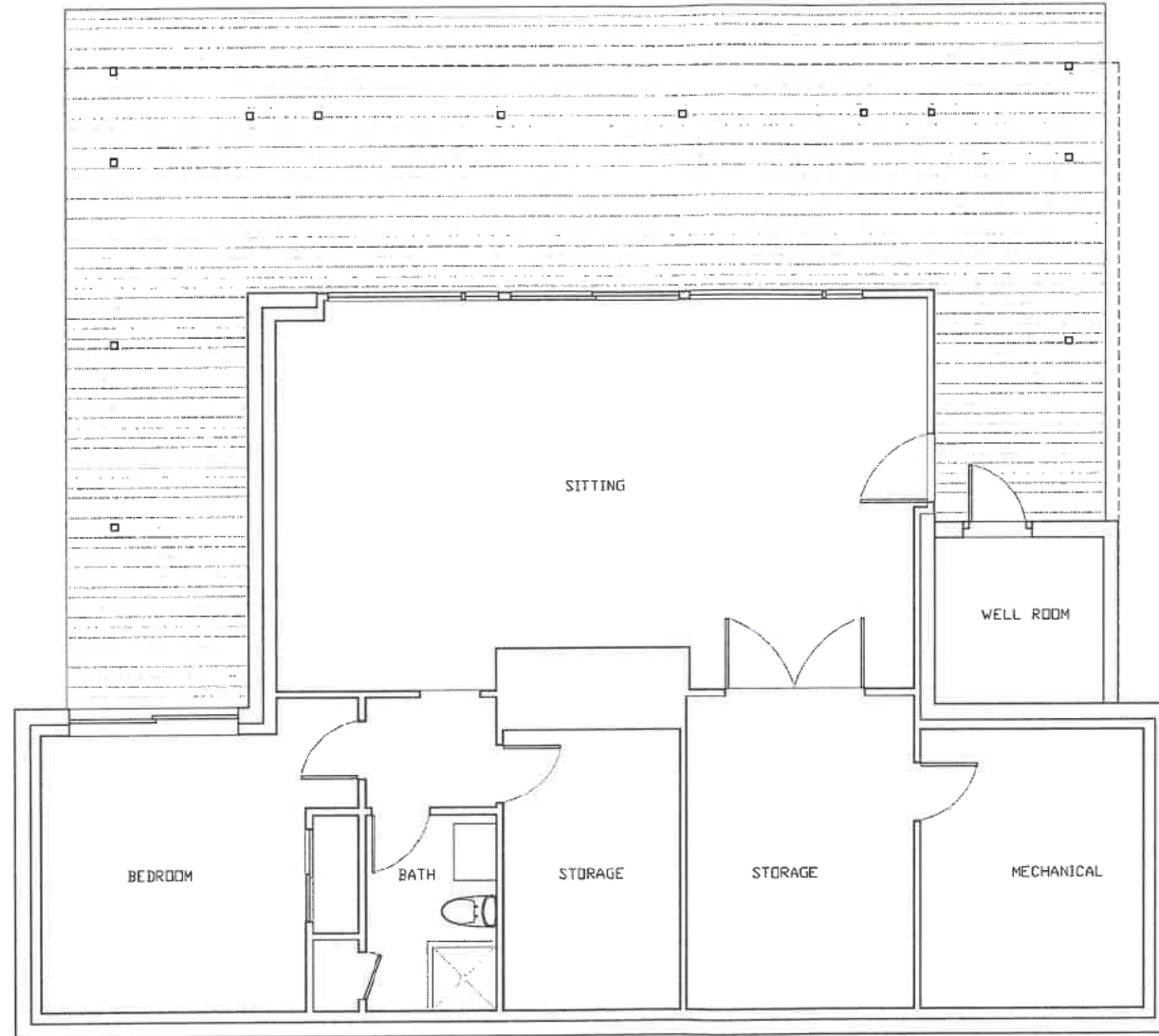


Conservation Commission,  
TOWN OF TRURO  
OCT 12 2023

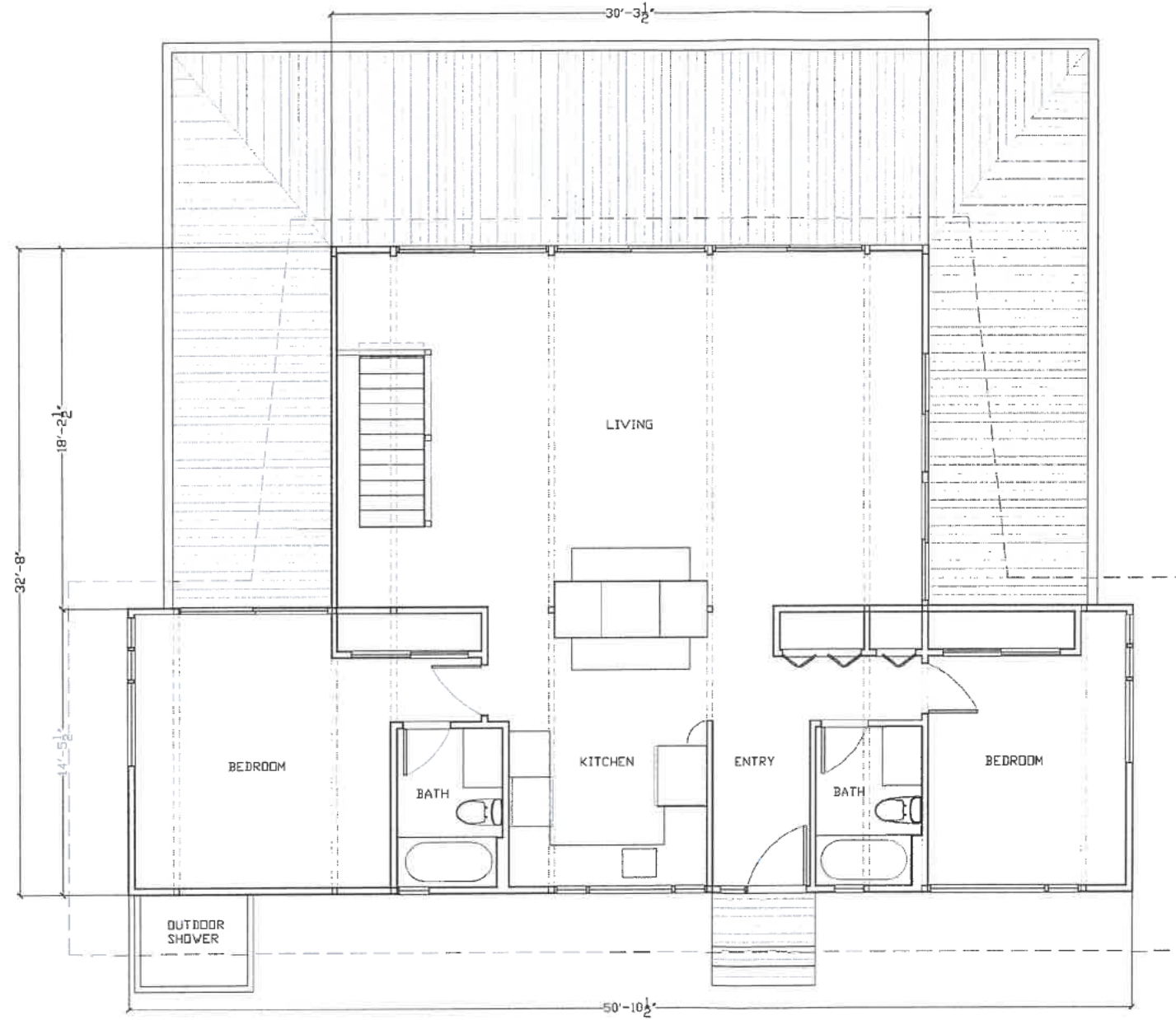




Conservation Commission  
TOWN OF TRURO  
OCT 12 2023

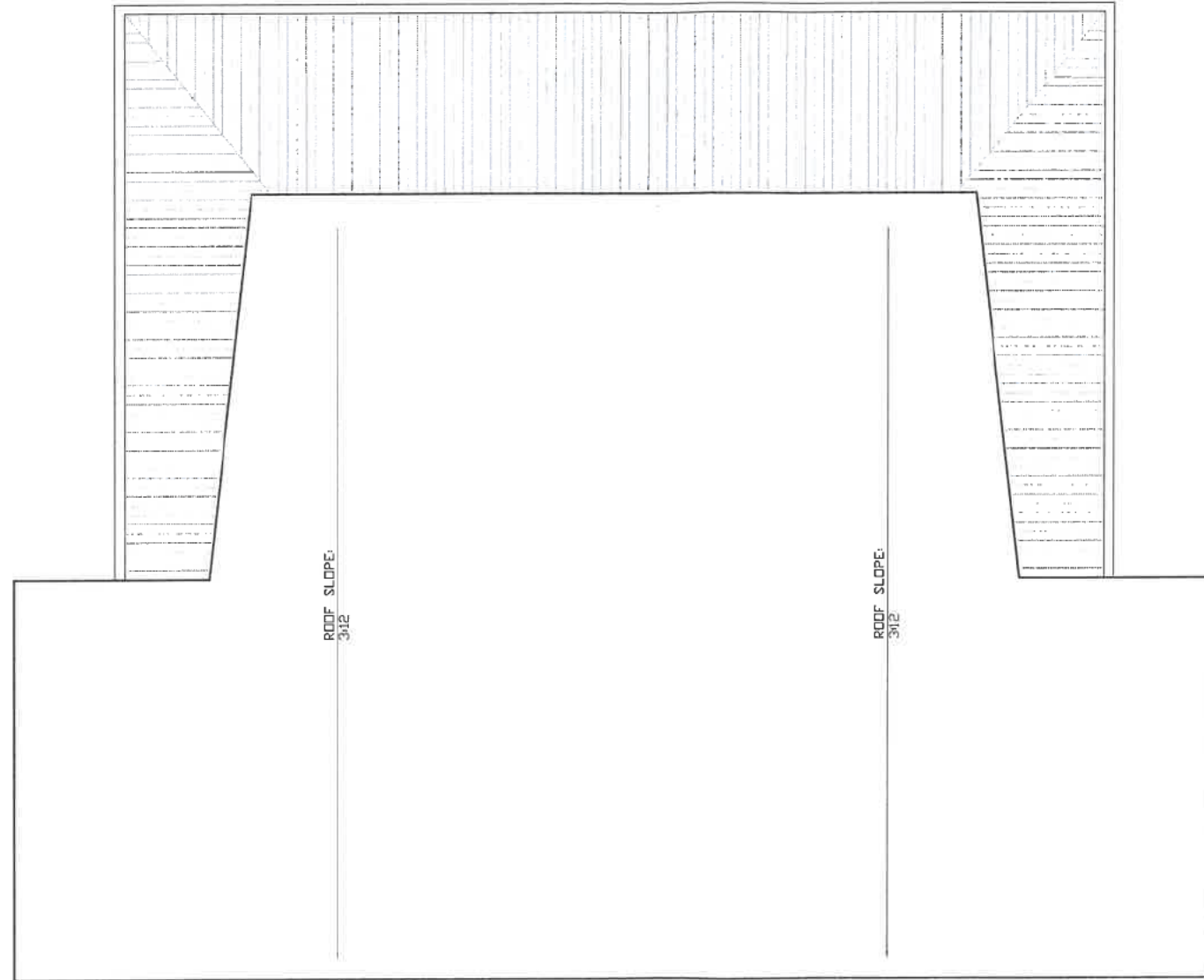


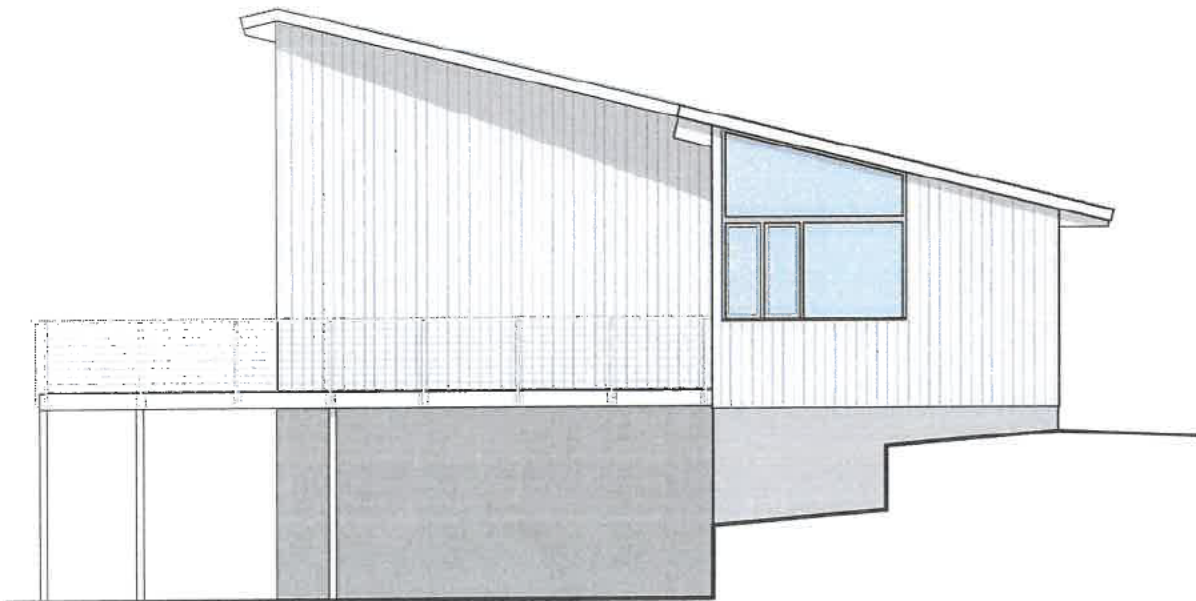
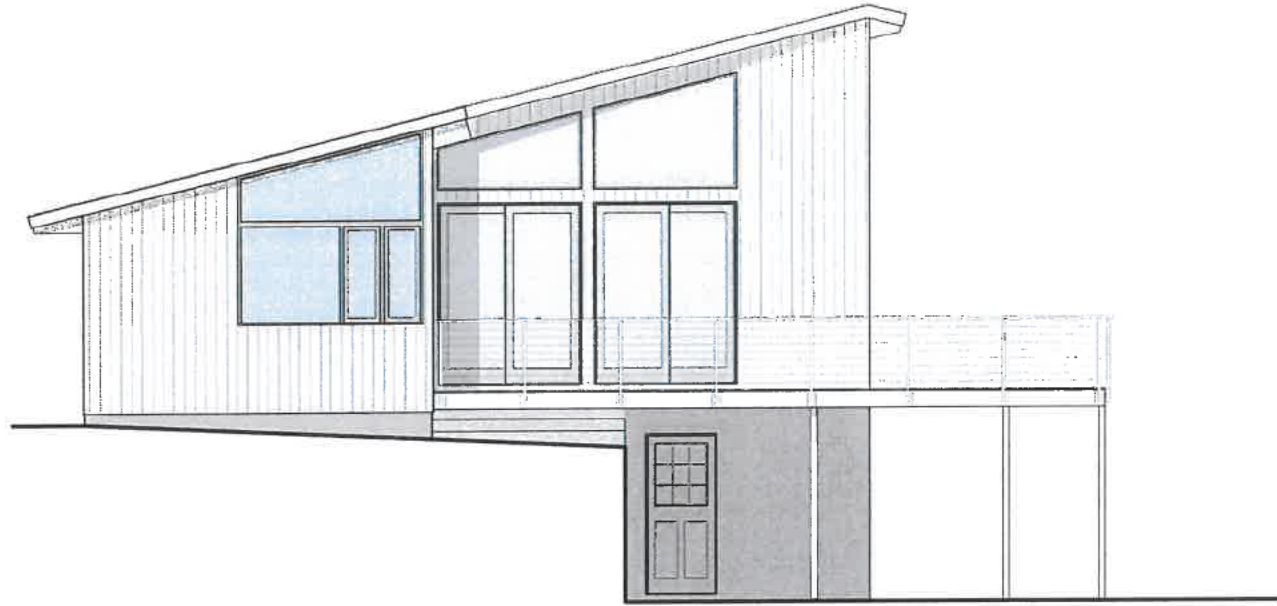
Conservation Commission  
TOWN OF TRURO  
OCT 12 2023

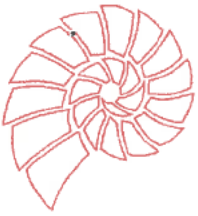


Conservation Commission  
TOWN OF TRURO  
OCT 12 2023









# J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

8

October 16, 2023

JMO # 9127

Truro Conservation Commission  
24 Town Hall Road  
Truro, MA 02666

Conservation Commission  
TOWN OF TRURO

OCT 16 2023

RE: **Notice of Intent**

432 Shore Road, Unit 8, Truro, MA

Map: 9 / Parcel: 8-8

Dear Board Members,

On behalf of our clients, Travis & Anne Zukowski, J.M. O'REILLY & ASSOCIATES, INC. is filing a Notice of Intent relative to the reconstruction of Unit #8 at the above referenced property. The project is located on a dune and barrier beach system, as mapped by the DEP, Mass Mapper. The property is also within the 100-year flood boundary as set forth by FEMA.

The proposal is to renovate the existing building onto a flood compliant foundation with two small additions to the landward side of the building. The existing deck is to be removed and rebuilt to accommodate the elevated building due to flood requirements. The deck area is being reduced to account for the two small additions.

The proposed additions are about 32 sf (16 sf per addition). The reconfigured deck provides about a 70 sf reduction in hardscape for the building. The existing concrete walkways and steps will be removed and replaced with timber steps and walkways to accommodate the elevated building.

Please refer to the enclosed building plans for the project. Also attached for your use are the existing and proposed site plans of the project. We look forward to reviewing the Notice of Intent with the Commission at the virtual hearing on November 6, 2023. Please contact me directly should you have any questions or need any additional information prior to the hearing.

Very truly yours,  
J.M. O'REILLY & ASSOCIATES, INC.

John M. O'Reilly, P.E., P.L.S.  
Principal

Cc: MA DEP  
Client

Encl: NOI Application Package





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Truro

City/Town

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

432 Shore Road, Unit 8

a. Street Address

Truro

b. City/Town

02666

c. Zip Code

Latitude and Longitude:

9

f. Assessors Map/Plat Number

42.053350

d. Latitude

-70.126730

e. Longitude

8-8

g. Parcel /Lot Number

2. Applicant:

Travis & Anne

a. First Name

Zukowski

b. Last Name

c. Organization

d. Street Address

e. City/Town

MA

f. State

01366

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant):

Check if more than one owner

same

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

John

a. First Name

O'Reilly

b. Last Name

J.M. O'Reilly & Associates Inc.

c. Company

P.O. Box 1773

d. Street Address

Brewster

e. City/Town

MA

f. State

02631

g. Zip Code

508-896-6601

h. Phone Number

508-896-6602

i. Fax Number

joreilly@jmoreillyassoc.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

110.00

a. Total Fee Paid

42.50

b. State Fee Paid

67.50

c. City/Town Fee Paid

Conservation Commission  
TOWN OF TRURO  
OCT 16 2023



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Truro

City/Town

## A. General Information (continued)

### 6. General Project Description:

The project proposes to renovate the existing building onto a flood compliant foundation and two small additions to the footprint. The existing deck and concrete walkways are to be replaced with new decking to accommodate the elevated building.

### 7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

### 7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1.  Yes  No      If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

### 2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

### 8. Property recorded at the Registry of Deeds for:

Barnstable

a. County

33733

c. Book

b. Certificate # (if registered land)

22

d. Page Number

## B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Truro

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced

- f.  Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland**
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
  - 100 ft. - New agricultural projects only
  - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Truro

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	no work is proposed 1. square feet	
c. <input checked="" type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input checked="" type="checkbox"/> Coastal Beaches	n/a - no work proposed 1. square feet	2. cubic yards beach nourishment
e. <input checked="" type="checkbox"/> Coastal Dunes	< 32 sf new (entire unit reno=1,000 sf+/-)	N/A 2. cubic yards dune nourishment

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	1. cubic yards dredged 1,000 sf - flood compliant foundation	

4.  Restoration/Enhancement  
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.  Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number \_\_\_\_\_

Document Transaction Number \_\_\_\_\_

Truro

City/Town

**C. Other Applicable Standards and Requirements**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program**  
**Division of Fisheries and Wildlife**  
**1 Rabbit Hill Road**  
**Westborough, MA 01581**

MA Mapper 9/28/23  
 b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

1.  Percentage/acreage of property to be altered:

(a) within wetland Resource Area \_\_\_\_\_ percentage/acreage

(b) outside Resource Area \_\_\_\_\_ percentage/acreage

2.  Assessor's Map or right-of-way plan of site

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

\* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mass-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.


**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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**C. Other Applicable Standards and Requirements (cont'd)**

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d)  Vegetation cover type map of site

- (e)  Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1.  Project is exempt from MESA review.  
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3.  Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -  
 Southeast Marine Fisheries Station  
 Attn: Environmental Reviewer  
 836 South Rodney French Blvd.  
 New Bedford, MA 02744  
 Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
 North Shore Office  
 Attn: Environmental Reviewer  
 30 Emerson Avenue  
 Gloucester, MA 01930  
 Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).





# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

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## C. Other Applicable Standards and Requirements (cont'd)

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
 a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- 
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
 a.  Yes  No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
 a.  Yes  No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
 a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:  
 1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)  
 2.  A portion of the site constitutes redevelopment  
 3.  Proprietary BMPs are included in the Stormwater Management System.  
 b.  No. Check why the project is exempt:  
 1.  Single-family house  
 2.  Emergency road repair  
 3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

## D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

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Truro

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## D. Additional Information (cont'd)

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Site Plan - Unit #8

a. Plan Title

J.M. O'REILLY & ASSOCIATES, INC

John M. O'Reilly, P.E., P.L.S.

b. Prepared By

c. Signed and Stamped by

10-13-2023

1" = 20'

d. Final Revision Date

e. Scale

Existing Condition Plan & Architectual plans of building

refer to submittal

f. Additional Plan or Document Title

g. Date

- 5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8.  Attach NOI Wetland Fee Transmittal Form
- 9.  Attach Stormwater Report, if needed.

## E. Fees

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

13063

10/16/2023

2. Municipal Check Number

3. Check date

13064

10/16/2023

4. State Check Number

5. Check date

J.M. O'Reilly & Associates, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

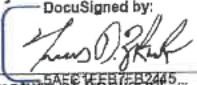
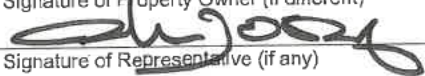
Truro

City/Town

## F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

DocuSigned by: 	10/11/2023
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
	10-16-23
5. Signature of Representative (if any)	6. Date

### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**A. Applicant Information**

1. Location of Project:

432 Shore Road, Unit 8  
 a. Street Address  
 13064  
 c. Check number  
 Truro  
 b. City/Town  
 \$42.50  
 d. Fee amount

2. Applicant Mailing Address:

Travis and Anne  
 a. First Name  
 Zukowski  
 b. Last Name  
 c. Organization  
 149 Nelson Road  
 d. Mailing Address  
 Petersham  
 e. City/Town  
 MA  
 f. State  
 01366  
 g. Zip Code  
 h. Phone Number  
 i. Fax Number  
 j. Email Address  
 petershampump@gmail.com

3. Property Owner (if different):

Same  
 a. First Name  
 b. Last Name  
 c. Organization  
 d. Mailing Address  
 e. City/Town  
 f. State  
 g. Zip Code  
 h. Phone Number  
 i. Fax Number  
 j. Email Address

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

Conservation Commission  
 TOWN OF TRURO  
 OCT 19 2023



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1A-Addition	1	110.	110.00

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	110.00
State share of filing Fee:	a. Total Fee from Step 5 42.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 67.50
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



**TOWN OF TRURO**  
**Conservation Commission**

24 Town Hall Road  
P.O. Box 2030, Truro MA 02666  
Tel: 508-349-7004, Ext. 31 Fax: 508-349-5508

WAIVER

I, John O'Reilly, P.E., P.L.S. (print name), hereby waive the twenty-one (21) day time period for a public hearing following receipt of a:  Notice of Intent  Abbreviated Notice of Intent  Request for Determination of Applicability  Amended Order of Conditions  Abbreviated Notice of Resource Area Delineation by the Truro Conservation Commission under Massachusetts General Laws, Ch. 131, sec. 40, and under Truro Conservation Bylaw, Section 8.5.2.

The  Notice of Intent  Abbreviated Notice of Intent  Request for Determination of Applicability  Amended Order of Conditions  Abbreviated Notice of Resource Area Delineation was submitted on 10/16/2023 (date) for work at 432 Shore Road, Unit 8 (address). I understand that the next meeting of the Conservation Commission is scheduled for 11/6/2023 and that the Commission will open the public hearing on that date.

I am the:  Applicant  
 Applicant's Representative

  
(signature)

10-16-23  
(date) **Conservation Commission**  
**TOWN OF TRURO**  
**OCT 15 2023**



## NOTIFICATION TO ABUTTERS

Dear Abutter:

You are being notified pursuant to Massachusetts General Law 131, Section 40 and 310 CMR 10.00, Wetlands Protection Act that a:

Notice of Intent  Amended Order of Conditions  Abbreviated Notice of Intent  
 Abbreviated Notice of Resource Area Delineation (ANRAD)

has been submitted to the Truro Conservation Commission with regard to a project at  
432 Shore Road Unit 8 Map 9 Parcel 8-8.

### Applicant (Owner) Information:

(1) Name: Travis & Anne Zukowski Address: 149 Nelson Rd., Petersham, MA 01366

(2) Name: \_\_\_\_\_ Address: \_\_\_\_\_

### Representative Information:

Name: John M. O'Reilly, P.E., P.L.S. Organization: J.M. O'Reilly & Associates Inc.

Address: 1573 Main St. PO Box 1773 Brewster, MA 02631

### Description of Proposed Project:

Project proposes to renovate existing building onto a flood compliant foundation and two small additions to the footprint. Existing deck and concrete walkways are to be replaced with new decking to accommodate the elevated building.

The VIRTUAL public hearing begins at 5:00 pm on 11/6/2023. Access information will be within the AGENDA posted on the Town of Truro's website prior to the meeting. [www.truro-ma.gov](http://www.truro-ma.gov)

□

The Notice of Intent, plans and other pertinent information may be examined prior to the public hearing by contacting the Conservation Department at 508-349-7004 x131, x 137 or [lbudnick@truro-ma.gov](mailto:lbudnick@truro-ma.gov), [nrichey@truro-ma.gov](mailto:nrichey@truro-ma.gov).

  
Signature of Applicant or Representative

10-16-23  
Date

\*\* The Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the Independent and will be posted in the Truro Town Hall no less than forty-eight (48) hours in advance.

Conservation Commission  
TOWN OF TRURO

OCT 16 2023

\*\*You may contact the Truro Conservation Commission or the Massachusetts Department of Environmental Protection, Wetlands Division about this application or the Wetlands Protection Act. Truro Conservation Commission: (508) 349-7004 x 131 or DEP Southeast region: (508) 946-2800

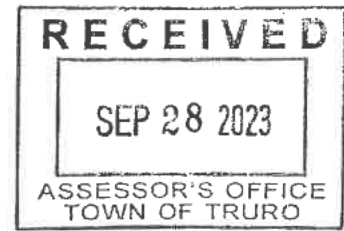


# TOWN OF TRURO

## Assessors Office

### Certified Abutters List

### Request Form



DATE: 9/28/23

NAME OF APPLICANT: Travis & Anne Zukowski

NAME OF AGENT (if any): John O'Reilly, P.E., P.L.S.

MAILING ADDRESS: P.O. Box 1773, Brewster, MA

CONTACT: HOME/CELL 508-896-6601 EMAIL awright@jmoreillyassoc.com

PROPERTY LOCATION: 432 Shore Road - Unit 8  
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 9 PARCEL 8-8 EXT. \_\_\_\_\_  
(if condominium)

**ABUTTERS LIST NEEDED FOR:**  
(please check all applicable)

**FEE: \$15.00 per checked item**

(Fee must accompany the application unless other arrangements are made)

- Board of Health<sup>5</sup>
- Cape Cod Commission
- Conservation Commission<sup>4</sup>
- Licensing
- Type: \_\_\_\_\_
- Other \_\_\_\_\_

- Planning Board (PB)
- Special Permit<sup>1</sup>
- Site Plan<sup>2</sup>
- Preliminary Subdivision<sup>3</sup>
- Definitive Subdivision<sup>3</sup>
- Accessory Dwelling Unit (ADU)<sup>2</sup>

- Zoning Board of Appeals (ZBA)
- Special Permit<sup>1</sup>
- Variance<sup>1</sup>

(Fee: Inquire with Assessors)

(Please Specify)

**Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.**

#### THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 9/28/2023

Date completed: 9/28/2023

List completed by: [Signature]

Date paid: \_\_\_\_\_ Cash/Check CC online

<sup>1</sup>Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

<sup>2</sup>Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

<sup>3</sup>Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. **Note:** For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.

<sup>4</sup>All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.

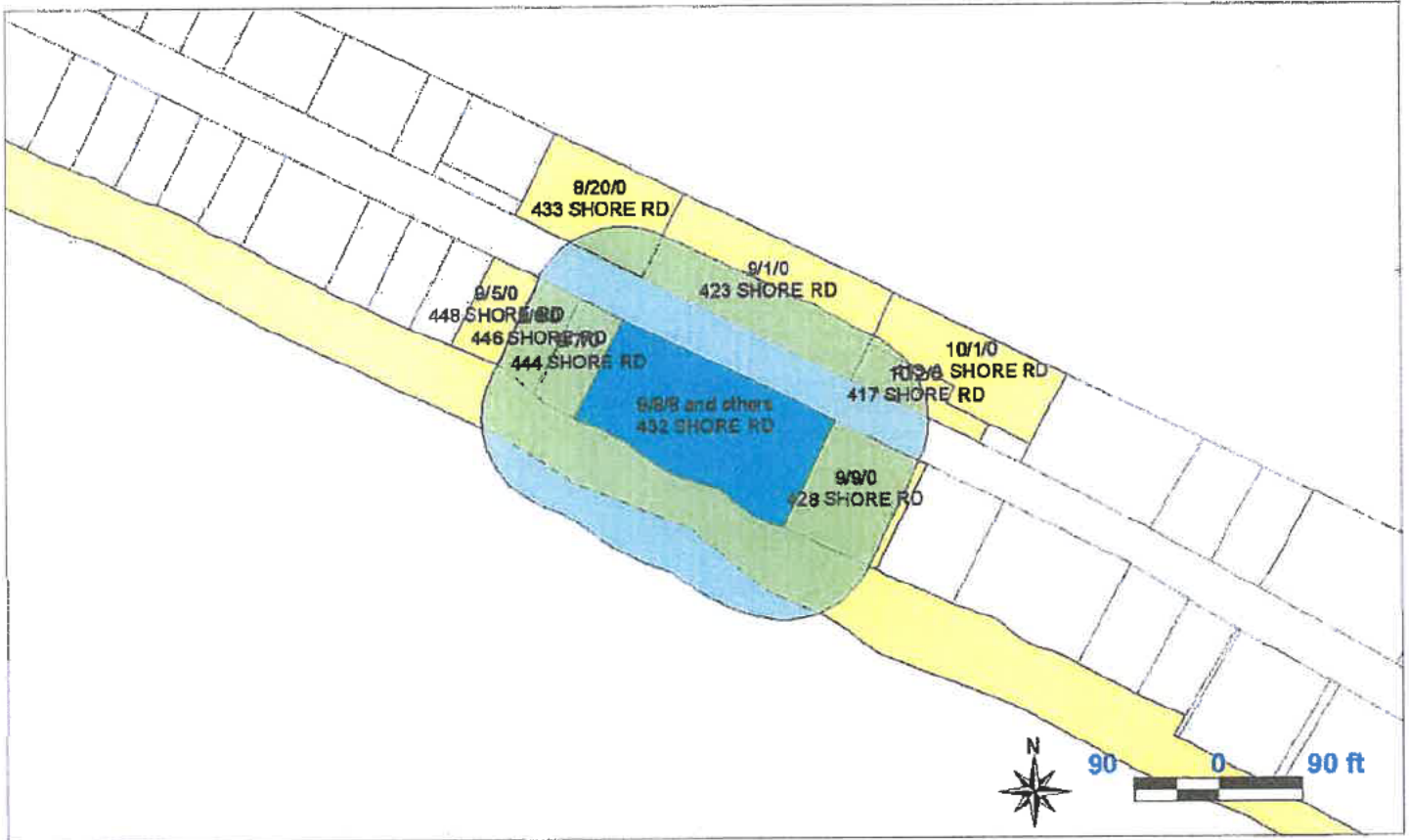
<sup>5</sup>Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.

Conservation Commission  
TOWN OF TRURO  
OCT 19 2023

432 Shore Road, Unit 8  
 Map 9, Parcel 8, Ext. 8  
 Conservation Commission

TOWN OF TRURO, MA  
 BOARD OF ASSESSORS  
 P.O. BOX 2012, TRURO MA 02666

Abutters List Within 100 feet of Parcel 9/8/8 and others



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
265	8-20-0-R	DOWNEY JAMES T & JOY F	433 SHORE RD	PO BOX 743	NO TRURO	MA	02652-0743
281	9-1-0-R	BEACH POINT TRUST TRS: SHAPIRO JR aka J CHISHOLM	423 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220
285	9-5-0-R	DOWNEY JAMES T	448 SHORE RD	PO BOX 743	NO TRURO	MA	02652-0743
286	9-6-0-R	YOUNG MARK R & SULLIVAN GARY J	446 SHORE RD	27 SALCOMBE ST, UNIT 2	DORCHESTER	MA	02125
287	9-7-0-R	SHAPIRO JOSEPH & CLARK LYNN	444 SHORE RD	59 DWIGHT ST	BOSTON	MA	02118
697B	9-8-0-E	WIND & WAVE CONDO TRUST	432 SHORE RD	432 SHORE RD	NO TRURO	MA	02652
288	9-8-1-R	SHAPIRO MARTIN J REV TRUST TRS: SHAPIRO MARTIN J & BETTE J	432 SHORE RD	77 FLORENCE ST UNIT 111	CHESTNUT HILL	MA	02467
289	9-8-2-R	BEACH POINT TR TRS: SHAPIRO JR	432 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220
290	9-8-3-R	MORENO VITO & MARIA	432 SHORE RD	95 WINDY HILL DR	SO WINDSOR	CT	06074
291	9-8-4-R	MORENO VITO & MARIA	432 SHORE RD	95 WINDY HILL DR	SO WINDSOR	CT	06074
292	9-8-5-R	LAURIE LLC MEMBER: DAVID M LAURIE ET AL	432 SHORE RD	C/O MICHAEL LAURIE 2892 LONG HILL RD	GUILFORD	CT	06437
293	9-8-6-R	UNIT 6 WIND & WAVE CONDO TRUST TRS: CATER GLORIA J & WILLIE J	432 SHORE RD	559 CHESTNUT HILL AVE	BROOKLINE	MA	02445-4113
294	9-8-7-R	STRITTER TIMOTHY J	432 SHORE RD	167 OCEAN BLVD WEST	HOLDEN BEACH	NC	28462
295	9-8-8-R	ZUKOWSKI TRAVIS D & ANNE	432 SHORE RD	149 NELSON ROAD	PETERSHAM	MA	01366
296	9-9-0-R	CHISHOLM JOHN R & JENNIFER R	428 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220

*J. W. Palumbo*  
 9/28/2023

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
297	10-1-0-R	NOONS DONALD W ESTATE OF	413-A SHORE RD	PO BOX 23	NO TRURO	MA	02652-0023
298	10-2-0-R	CHISHOLM JOHN R & JENNIFER R	417 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220

*WZ*  
*9/28/2023*



DOWNEY JAMES T & JOY F PO BOX 743 NO TRURO, MA 02652-0743	8-20-0-R	BEACH POINT TRUST TRS:SHAPIRO JR aka J CHISHOLM 51 LONGFELLOW RD WELLESLEY, MA 02481-5220	9-1-0-R	DOWNEY JAMES T PO BOX 743 NO TRURO, MA 02652-0743	9-5-0-R
YOUNG MARK R & SULLIVAN GARY J 27 SALCOMBE ST, UNIT 2 DORCHESTER, MA 02125	9-6-0-R	SHAPIRO JOSEPH & CLARK LYNN 59 DWIGHT ST BOSTON, MA 02118	9-7-0-R	WIND & WAVE CONDO TRUST 432 SHORE RD NO TRURO, MA 02652	9-8-0-E
SHAPIRO MARTIN J REV TRUST TRS: SHAPIRO MARTIN J& BETTE J 77 FLORENCE ST UNIT 111 CHESTNUT HILL, MA 02467	9-8-1-R	BEACH POINT TR TRS: SHAPIRO J R 51 LONGFELLOW RD WELLESLEY, MA 02481-5220	9-8-2-R	MORENO VITO & MARIA 95 WINDY HILL DR SO WINDSOR, CT 06074	9-8-3-R
MORENO VITO & MARIA 95 WINDY HILL DR SO WINDSOR, CT 06074	9-8-4-R	LAURIE LLC MEMBER: DAVID M LAURIE ET AL C/O MICHAEL LAURIE 2892 LONG HILL RD GUILFORD, CT 06437	9-8-5-R	UNIT 6 WIND & WAVE CONDO TRUST TRS: CATER GLORIA J & WILLIE J 559 CHESTNUT HILL AVE BROOKLINE, MA 02445-4113	9-8-6-R
STRITTER TIMOTHY J 167 OCEAN BLVD WEST HOLDEN BEACH, NC 28462	9-8-7-R	ZUKOWSKI TRAVIS D & ANNE 149 NELSON ROAD PETERSHAM, MA 01366	9-8-8-R	CHISHOLM JOHN R & JENNIFER R 51 LONGFELLOW RD WELLESLEY, MA 02481-5220	9-9-0-R
NOONS DONALD W ESTATE OF PO BOX 23 NO TRURO, MA 02652-0023	10-1-0-R	CHISHOLM JOHN R & JENNIFER R 51 LONGFELLOW RD WELLESLEY, MA 02481-5220	10-2-0-R		

# NHESP Zukowski

NHESP Priority Habitats of Rare Species



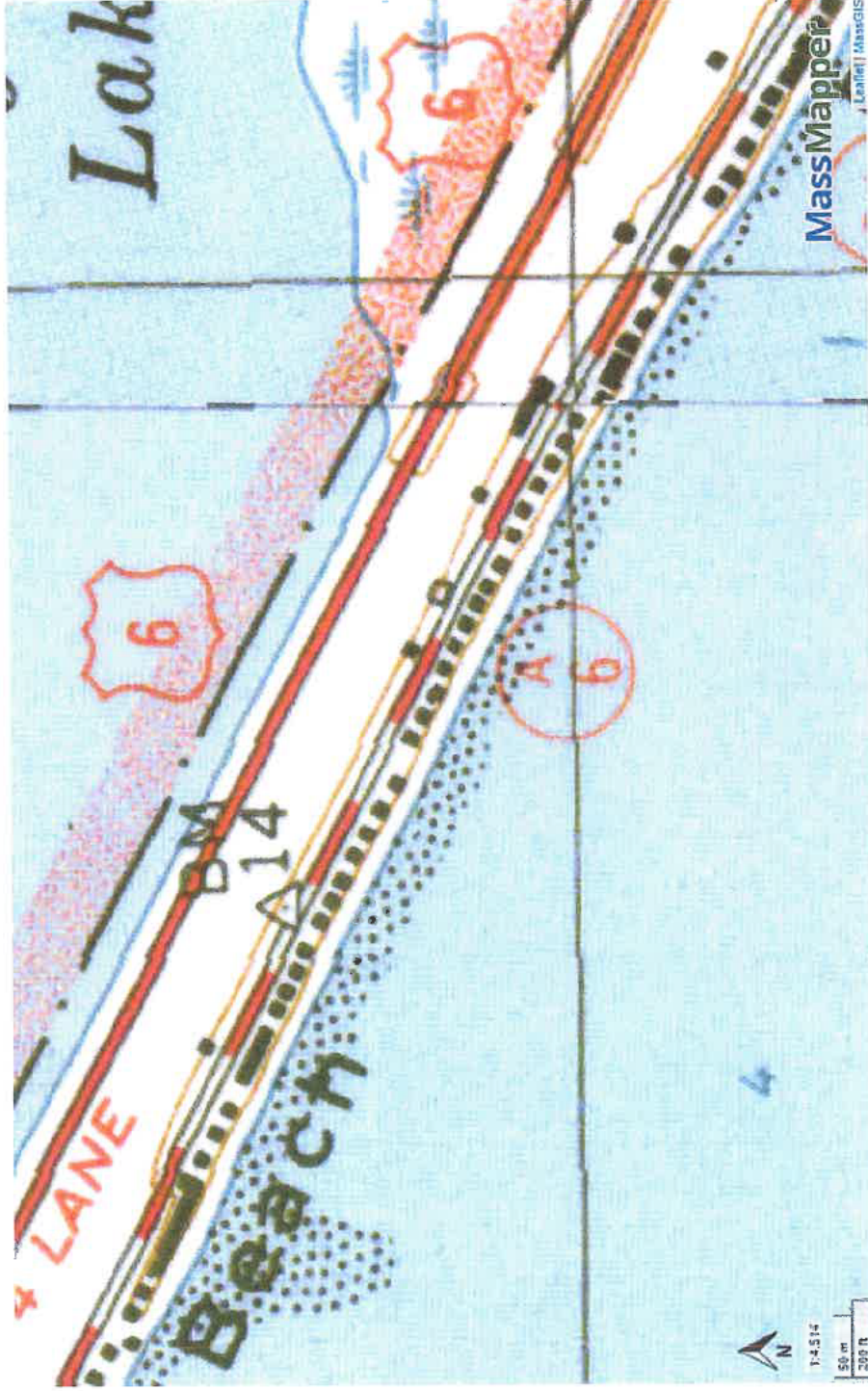
Property Tax Parcels



Conservation Commission  
TOWN OF TRURO  
OCT 16 2023

# USGS Zukowski

USGS Topographic Maps  
Property Tax Parcels









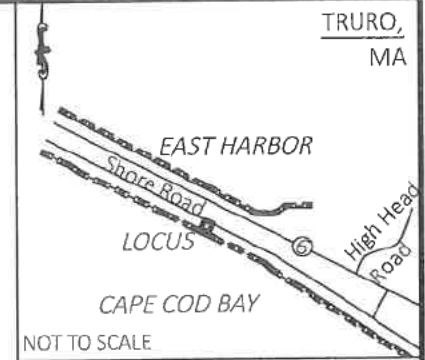
# ZONING TABLE

## BEACH POINT LIMITED BUSINESS (FLOOD PLAIN OVERLAY DIST.)

### LOT INTENSITY & SETBACK REQUIREMENTS:

MINIMUM LOT AREA	33,750 S.F.
MINIMUM LOT FRONTAGE	150 FEET
FRONT YARD SETBACK	25 FEET
SIDEYARD SETBACK	25 FEET*
MAXIMUM BUILDING HEIGHT	30 FEET (2 STORIES)
LOT SHAPE	N/A

\*NOTE: THIS LOT IS LOCATED WITHIN THE PORTION OF THE BEACH POINT LIMITED BUSINESS DISTRICT SERVED BY THE PROVINCETOWN WATER DEPARTMENT. PER SECTION 50.1.4 OF THE TRURO ZONING BYLAW "SIDE AND REAR SETBACKS SHALL BE EQUIVALENT TO 5 FEET PER STORY OF BUILDING OR STRUCTURE IN QUESTION." THIS LOT WAS CREATED PRIOR TO APRIL 30TH, 2004 AND IS NOT SUBJECT TO LOT SHAPE REGULATIONS.



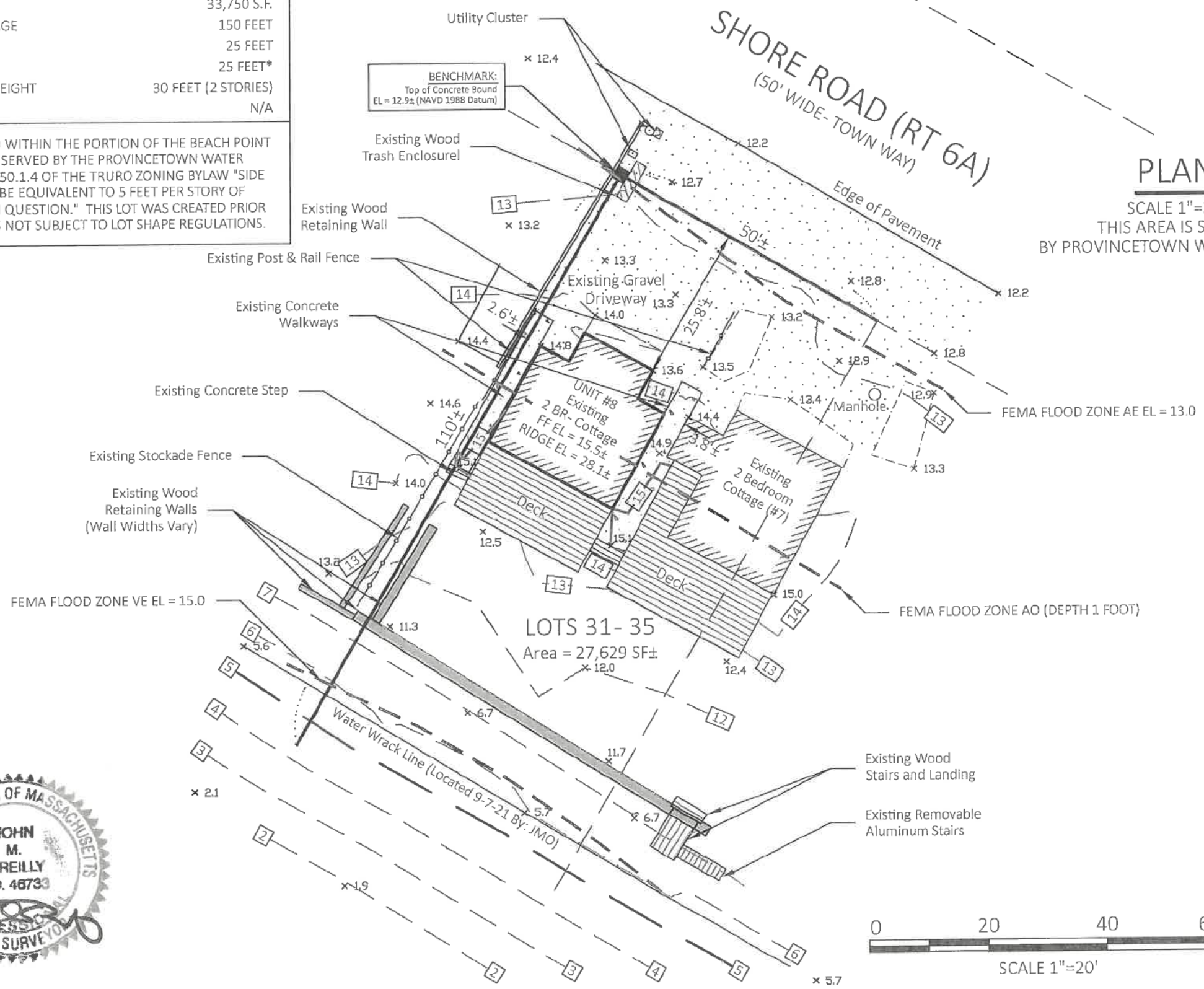
TRURO, MA  
 PLAN BOOK 405 PAGE 97  
 DEED BOOK 33733 PAGE 22  
 ASSESSOR'S MAP 9 PARCEL 8-8

### LEGEND

- 32 — EXISTING CONTOUR
- 32 — PROPOSED CONTOUR
- x12.34 EXISTING SPOT GRADE
- OH — OVERHEAD UTILITY LINE
- W — WATER SERVICE LINE
- G — WATER SERVICE LINE
- ST SEPTIC TANK
- DB DISTRIBUTION BOX
- SAS SOIL ABSORPTION SYSTEM
- ⊙ CESSPOOL
- ⊕ LEACH PIT
- CONCRETE BOUND, FOUND
- FENCE
- - - - - EDGE OF GARDEN

### PLAN

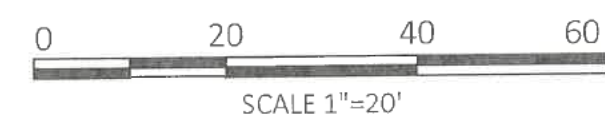
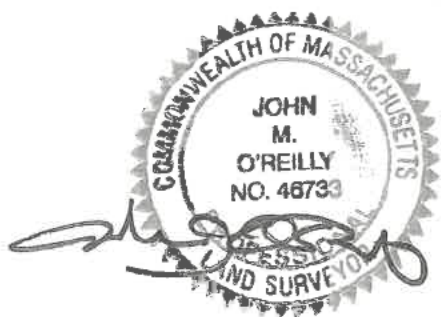
SCALE 1"=20'  
 THIS AREA IS SERVED BY PROVINCETOWN WATER SERVICE



NOTE: ENTIRE PROPERTY IS WITHIN FEMA 100 YEAR FLOOD ZONE JURISDICTION, AS SHOWN ON FEMA FLOOD MAP #25001C0117. THE PROPERTY IS SPLIT INTO 3 FLOOD ZONES WITH DIFFERENT BASE FLOOD ELEVATIONS. DIVIDING LINES SHOWN ON PLAN.

NOTE: ENTIRE PROPERTY IS WITHIN THE BEACH / DUNE WETLAND RESOURCE BOUNDARY AS DEFINED BY MASS GIS D.E.P. THEME MAPS WITHIN THE TOWN OF TRURO GIS BASE MAP.

Conservation Commission  
 TOWN OF TRURO  
 OCT 15 2023



REVISED 3-29-2022:  
 ADDED THE RIDGE HEIGHT OF THE EXISTING COTTAGE UNIT. UPDATED THE FEMA FLOOD ZONE LABELS.

TRAVIS D. & ANNE ZUKOWSKI  
 C/O ANDREW PHILBROOK, PHILBROOK CONSTRUCTION, 125 WIANNO ROAD, YARMOUTHPORT, MA 02679

EXISTING CONDITIONS SITE PLAN  
 432 SHORE ROAD - UNIT #8, TRURO, MA

**J.M. O'REILLY & ASSOCIATES, INC.**  
 Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A  
 P.O. Box 1773  
 (508)896-8601 Office Brewster, MA 02631 (508)896-8602 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
10/7/2021	As Noted	MJW	JMO	JMO-9127

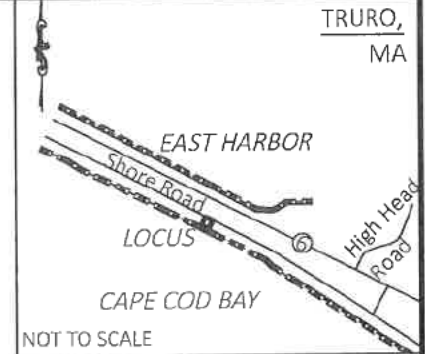
# ZONING TABLE

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MINIMUM LOT FRONTAGE	150 FEET
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SIDEYARD SETBACK	25 FEET*
MAXIMUM BUILDING HEIGHT	30 FEET (2 STORIES)
LOT SHAPE	N/A

\*NOTE: THIS LOT IS LOCATED WITHIN THE PORTION OF THE BEACH POINT LIMITED BUSINESS DISTRICT SERVED BY THE PROVINCETOWN WATER DEPARTMENT. PER SECTION 50.1.4 OF THE TRURO ZONING BYLAW "SIDE AND REAR SETBACKS SHALL BE EQUIVALENT TO 5 FEET PER STORY OF BUILDING OR STRUCTURE IN QUESTION." THIS LOT WAS CREATED PRIOR TO APRIL 30TH, 2004 AND IS NOT SUBJECT TO LOT SHAPE REGULATIONS.

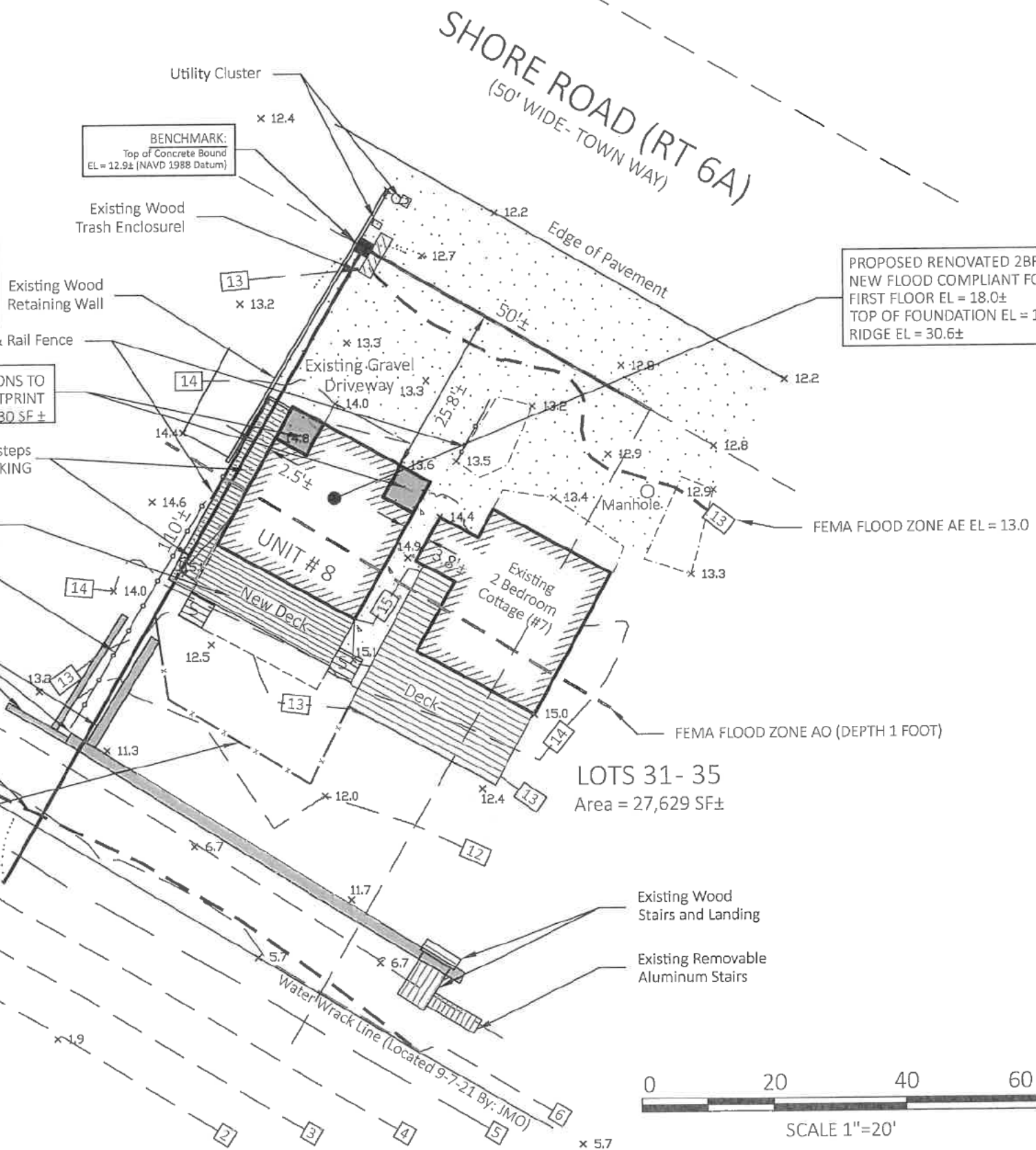


TRURO, MA  
EAST HARBOR  
Shore Road  
LOCUS  
High Road  
CAPE COD BAY  
NOT TO SCALE  
PLAN BOOK 405 PAGE 97  
DEED BOOK 33733 PAGE 22  
ASSESSOR'S MAP 9 PARCEL 8-8

### LEGEND

— 32 —	EXISTING CONTOUR
- - - 32 - - -	PROPOSED CONTOUR
x 12.34	EXISTING SPOT GRADE
— OH —	OVERHEAD UTILITY LINE
— W —	WATER SERVICE LINE
— G —	WATER SERVICE LINE
ST	SEPTIC TANK
DB	DISTRIBUTION BOX
SAS	SOIL ABSORPTION SYSTEM
⊕	CESSPOOL
⊖	LEACH PIT
■	CONCRETE BOUND, FOUND
— — — — —	FENCE
- - - - -	EDGE OF GARDEN
— x —	LIMIT OF WORK LINE

PLAN BOOK 405 PAGE 97



PROPOSED RENOVATED 2BR COTTAGE WITH NEW FLOOD COMPLIANT FOUNDATION  
FIRST FLOOR EL = 18.0±  
TOP OF FOUNDATION EL = 17.0±  
RIDGE EL = 30.6±

PROPOSED TWO (2) ADDITIONS TO EXISTING BUILDING FOOTPRINT  
EACH ADDITION = 30 SF ±

Existing concrete walkway and steps TO BE REMOVED AND REPLACED WITH TIMBER DECKING

Existing Deck & Steps (290 sf±) TO BE REPLACED WITH A NEW DECK AND STEPS (220 sf±)

Existing Stockade Fence

Existing Wood Retaining Walls (Wall Widths Vary)

FEMA FLOOD ZONE VE EL = 15.0

LIMIT OF WORK LINE  
9" DIA STRAW WATTLES, STAKED TO GROUND, PRIOR TO ANY WORK

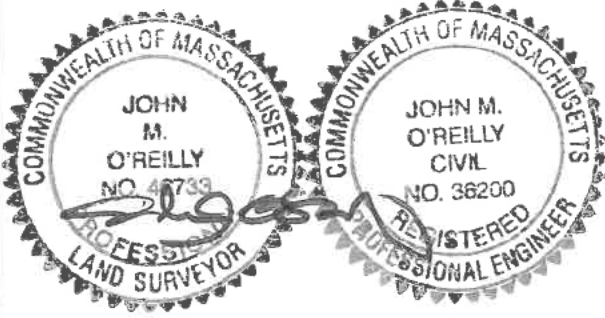
LOTS 31- 35  
Area = 27,629 SF±

NOTE: ENTIRE PROPERTY IS WITHIN FEMA 100 YEAR FLOOD ZONE JURISDICTION, AS SHOWN ON FEMA FLOOD MAP #25001C01171. THE PROPERTY IS SPLIT INTO 3 FLOOD ZONES WITH DIFFERENT BASE FLOOD ELEVATIONS. DIVIDING LINES SHOWN ON PLAN.

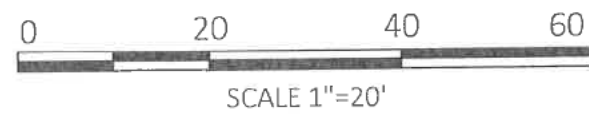
NOTE: ENTIRE PROPERTY IS WITHIN THE BEACH / DUNE WETLAND RESOURCE BOUNDARY AS DEFINED BY MASS GIS D.E.P. THEME MAPS WITHIN THE TOWN OF TRURO GIS BASE MAP.

NOTE:  
1.) THE DISTURBED AREAS SHALL BE RETURNED TO PRE-CONSTRUCTION CONDITIONS. ALL PLANTING SHALL BE NATIVE AND FROM APPROVED PLANT LIST OF THE TRURO CONSERVATION COMMISSION.

2.) ROOF RUNOFF SHALL BE DIRECTED IN TO GUTTERS, DOWNSPOUTS AND DRYWELLS OR STONE TRENCHES UNDER THE DRIP LINES.



FLOOD/FOUNDATION NOTE:  
FLOOD ZONE AT EXISTING UNIT: AO (DEPTH 1 FOOT)  
EXISTING GRADE AT EXISTING UNIT: 15.0±  
FLOOD WATER HEIGHT: 16.0 (15.0 + 1.0)  
PROPOSED TOF EL: 17.0  
PROPOSED FIRST FLOOR EL: 18.0



**TRAVIS D. & ANNE ZUKOWSKI**  
C/O ANDREW PHILBROOK, PHILBROOK CONSTRUCTION, 125 WIANNO ROAD, YARMOUTHPORT, MA 02675

**PROPOSED SITE PLAN-UNIT 8**  
432 SHORE ROAD- UNIT #8, TRURO, MA

**J.M. O'REILLY & ASSOCIATES, INC.**  
Professional Engineering & Land Surveying Services

1573 Main Street - Route 6A  
P.O. Box 1773  
(508)898-0601 Office Brewster, MA 02831 (508)898-8802 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
10-13-2023	As Noted	jmo	JMO	JMO-9127













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 ALL RIGHTS RESERVED. ALL VIEWS, SECTIONS, PLANS AND ELEVATIONS ARE THE PROPERTY OF FLOW DESIGN ARCHITECTS. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FLOW DESIGN ARCHITECTS. PROJECT NO. A-100. DATE: 08.09.2023.

**432 SHORE RD-UNIT 8. RENO**  
 432 SHORE ROAD, TRURO, MA 02652

**MR. TRAVIS ZUKOWSKI**

ARCHITECT:  
  
**Flow Design Architects**  
 ARCHITECTURE + INTERIORS

50 GROVE ST. SUITE 226  
 SALEM, MA 01970  
 TEL: 978.498.4370

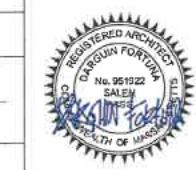
CIVIL ENGINEER:  
 J.M O'REILLY & ASSOCIATES, INC.  
 1573 MAIN STREET ROUTE 6A, P.O. BOX 1773  
 BREWSTER, MA 02631 MA  
 TEL: 508 896 661

GENERAL CONTRACTOR:  
 PHILBROOK CONSTRUCTION SERVICES GROUP, INC.  
 125 WIANNA ROAD, YARMOUTH, MA 02675  
 TEL: 774-331-3221

REVISION:



NO:	DATE:	DESCRIPTION:
1	08.09.2023	PERMIT SET

DRAWING TITLE:  
**PROPOSED FLOOR PLANS**

DRAWN BY: JP	SEAL:
CHECKED BY: MS	
SCALE: As indicated	
DATE: 08.09.2023	
PROJECT NO: 21377	

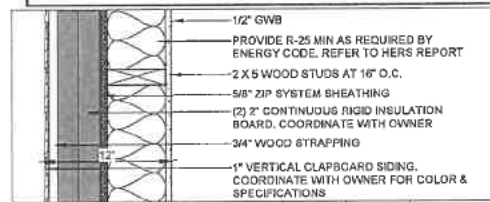
DRAWING NO.:  
**A-100**

EXISTING & NEW WALLS

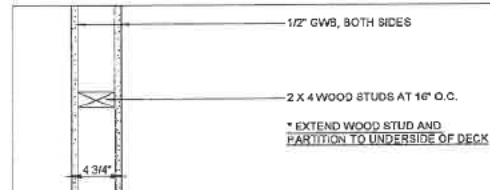
	NEW WALL
	EXISTING TO REMAIN

GENERAL CONTRACTOR NOTES:  
 1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD.  
 2. CONTRACTOR SHALL ADHERE TO ALL APPLICABLE CODES AND REGULATIONS.  
 3. CONTRACTOR SHALL INFORM ARCHITECT OF ANY ERRORS OR DEVIATIONS PRIOR TO CONTINUING WORK.  
 4. CONTRACTOR SHALL COORDINATE WITH EACH SUB-CONTRACTOR AND ENSURE TO MEET ALL CODE AND SAFETY REQUIREMENTS.

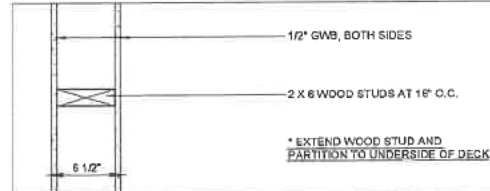
GENERAL NOTES:  
 1. ALL INTERIOR DIMENSIONS ARE TO INTERIOR FACE OF GWS, U.N.O.  
 2. PROVIDE BLOCKING AT ALL WALLS W/ WALL MOUNTED FIXTURES AND ACCESSORIES. TYP.  
 3. CONFIRM CEILING HEIGHTS IN FIELD.



P1	NEW PARTITION WALL TO UNDERSIDE OF DECK	FIRE RATING NA	UL NUMBER NA	TESTING CODES STC: NA USG: NA
----	--	-------------------	-----------------	-------------------------------------

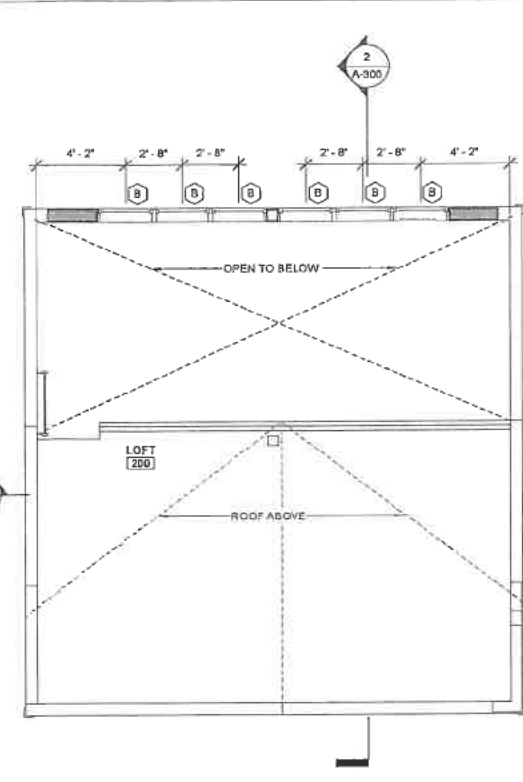
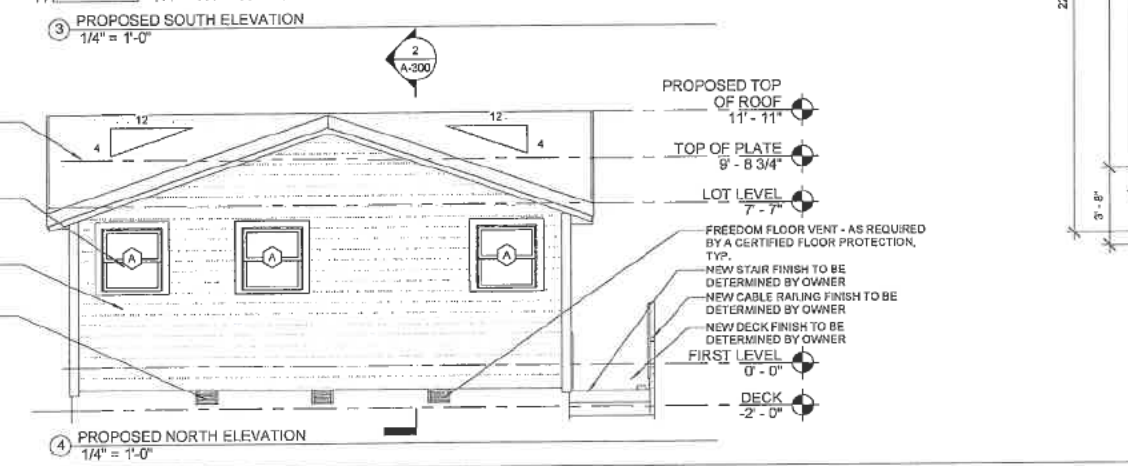
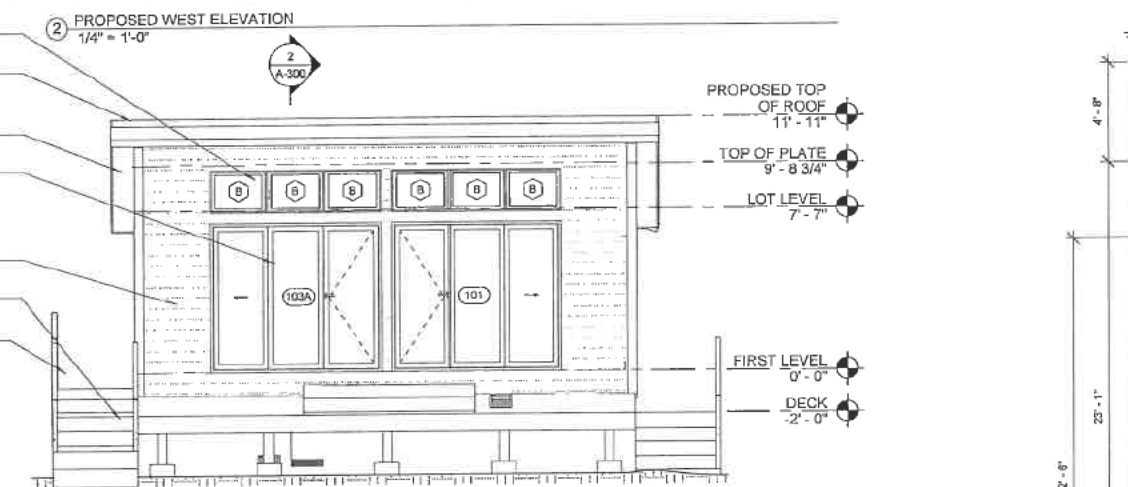
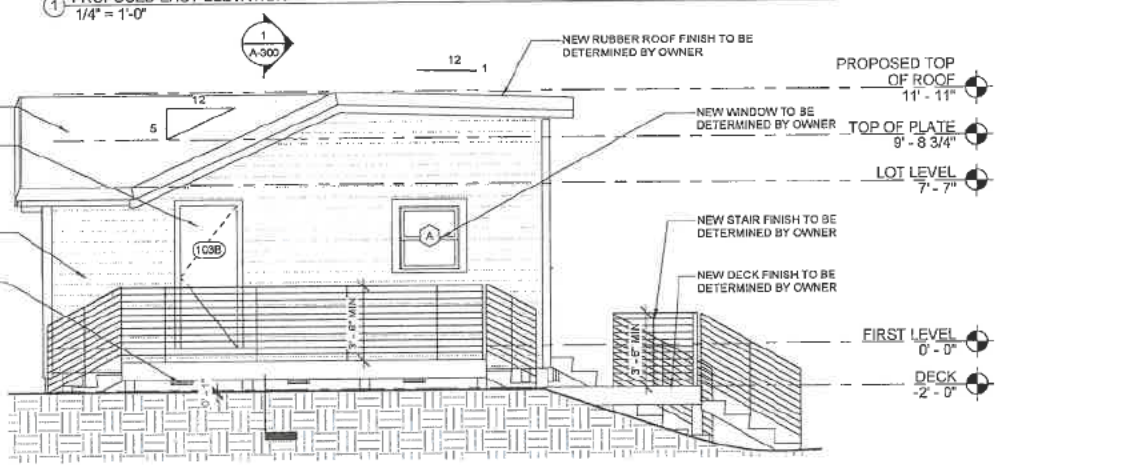
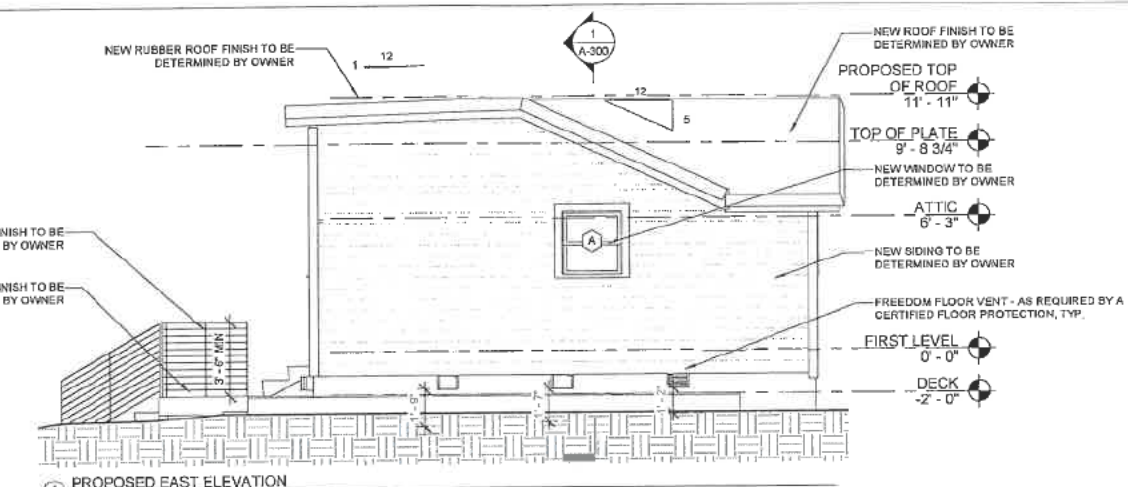


P2	NEW PARTITION WALL TO UNDERSIDE OF DECK	FIRE RATING NA	UL NUMBER NA	TESTING CODES STC: NA USG: NA
----	--	-------------------	-----------------	-------------------------------------

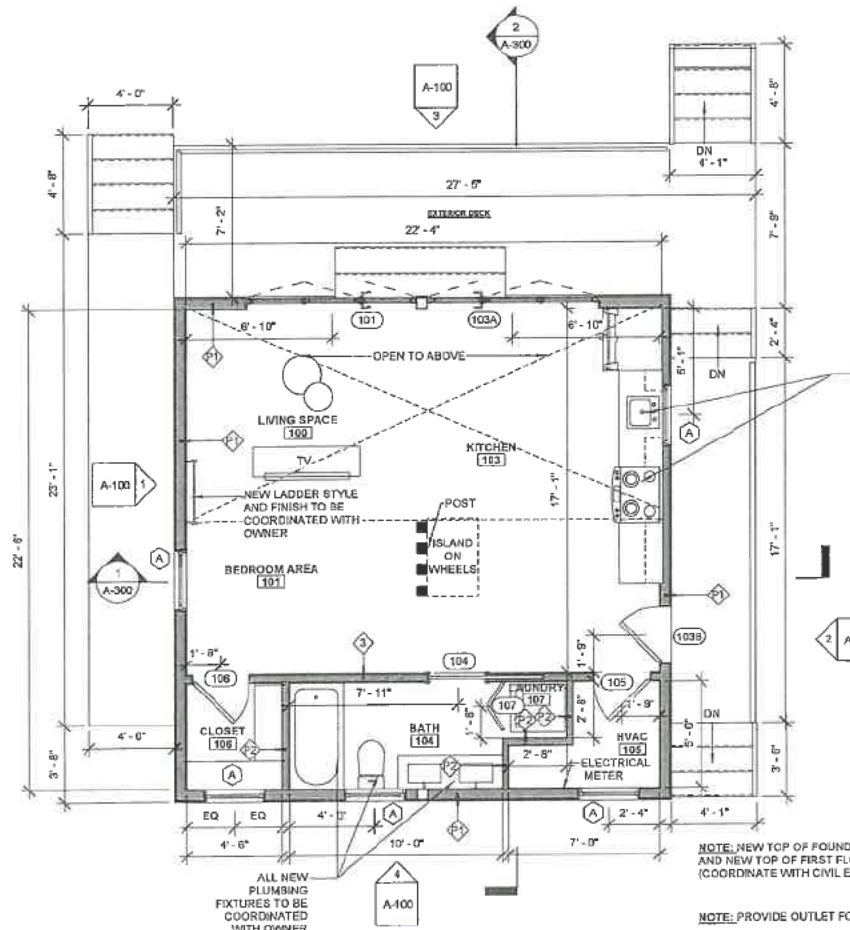


P3	NEW PARTITION PLUMBING WALL	FIRE RATING NA	UL NUMBER NA	TESTING CODES STC: NA USG: NA
----	--------------------------------	-------------------	-----------------	-------------------------------------

ALL NEW KITCHEN EQUIPMENT TO BE COORDINATED WITH OWNER



6 PROPOSED LOFT FLOOR PLAN  
 1/4" = 1'-0"



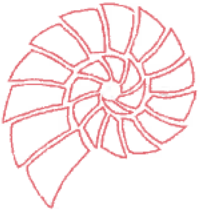
5 PROPOSED FIRST FLOOR PLAN  
 1/4" = 1'-0"

NOTE: NEW TOP OF FOUNDATION TO BE +18.0'  
 AND NEW TOP OF FIRST FLOOR TO BE +17.0'  
 (COORDINATE WITH CIVIL ENGINEER DRAWINGS)

NOTE: PROVIDE OUTLET FOR







# J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

Conservation Commission  
TOWN OF TRURO


OCT 23 2023

JMO #9127

## MEMORANDUM

Date: October 23, 2023

To: Truro Conservation Commission

From: John M. O'Reilly, P.E., P.L.S. 

Applicant: Zukowski – 432 Shore Road – Unit #8

RE: Alternatives Analysis – Proposed Additions to the Remodeled Dwelling

As required by the Truro Wetland Regulations, Section 2.01(d)3, please find below an Alternatives Analysis for the proposed construction of two small additions to the existing dwelling along with the remodeling/reconstruction of the existing dwelling. The project involves the construction of a flood compliant foundation and the remodeling/expansion of a dwelling unit. The project is proposing two small additions on the landward side of the unit. The additions total about 60 sf (58.2 sf) of additional floor space to the unit. The additional floor space allows for a utility closet and a storage closet. The remodeled unit will also have a small loft, approximately 3 feet tall, over a portion of the first floor area, please refer to architectural plans. The loft is to be accessed through a ship's ladder.

To mitigate the addition 60 sf of building footprint, the applicant is proposing to reduce the deck area on the seaward side of the unit. The deck is proposed to be reduced by about 81 sf. The project also proposes to remove the existing concrete walkways and steps and replace them with typical timber decking and stairs. The new deck and stair system will reduce the stormwater runoff on the parcel and allow for the pervious soils to better absorb the stormwater.

The Applicant is seeking a Variance from the Truro Wetland Regulations to allow for the expansion of structure within a wetland resource. The proposal provides a net reduction of structure within the Resource (Barrier Beach / Dune). The proposal also improves the stormwater runoff by proposing the removal of the concrete walkways and steps. The removal of the impervious material will provide less stormwater runoff into the resource areas and Cape Cod Bay.

### Alternative Analysis:

#### Alternative 1: Eliminate the Proposed Additions:

The Applicant reviewed the proposal without the additions to the footprint. Although the project could be completed without the additional 60 sf of enclosure, the Applicant is proposing the removal of deck area on the seaward side of the dwelling to offset the additional enclosure area. The northern proposed

enclosure will provide space for the electrical and HVAC utilities, which by code need to be elevated above the flood boundary. The southern enclosure will provide the Applicants a closet off the bedroom area.

The project does provide a net reduction of hardscape within the resource. Additional benefits are the removal of concrete walkways and stairs and replacing them with typical timber decking and stairs. The removal of the concrete will provide a decrease in stormwater runoff within the resource. The decking will allow for the stormwater to seep into the very pervious soils on the site.

Alternative 2: No Change in Footprint – Second Floor Addition:

The Applicant did investigate the possibility of adding a full second floor onto the building to eliminate any change in footprint. The Applicant, working with the condominium association board, developed the proposed plans to not impact the visual appearance of the unit with a large second floor addition. The full second floor addition was eliminated and a small (3 foot tall) loft area was incorporated.

**Conclusions:**

It is the opinion of the Applicant and J.M. O'REILLY & ASSOCIATES, INC., that there is no practical alternative to the two small additions (<60 sf) to the dwelling which result in the location of utilities and a storage area. The project further contends that there will be no adverse impact to the Barrier Beach / Dune Resource. As per Section 2.01(d)4 and (d)5 we offer the following:

- The project results in a minor reduction of 'hardscape' within the resource.
- The unit will now include a flood compliant foundation. The foundation will allow stormwater to flow into and out of the foundation.
- The new foundation will minimize the storm damage potential, over the current conditions.
- The removal of the concrete walkways and stairs will improve stormwater control and reduce storm runoff. The new replacement decking will allow stormwater to seep into the very permeable soils below.
- All work proposed is within previously altered areas from when the dwelling was originally constructed.
- The Applicant will restore any disturbed area with native plants, as specified in the approved plant list of Truro. We recommend the planting of American Beach Grass in the area of the removed deck area, 12x12 matrix.

We look forward to the Conservation Public Hearing set for November 6, 2023 to present the project. Please contact our office if you need any additional information or if you have any questions.





9

TO: Conservation Commission  
Town of Truro, MA  
From: Peter Rhoades

October 4, 2023

SUBJECT: 4 Kill Devil, Truro Beach Stairs—Order of Conditions

About 3 years ago you approved (Order of Conditions) a rebuilding of my beach stairs at 4 Kill Devil. At the time it appeared we were losing more of the beach each year and I wanted to get the approval in place so I was ready if they went over in a storm.

The approval was in the early stages of COVID and did have one company quote on rebuilding them but they would only move forward on a cost plus basis with no solid quote which I thought would be dangerous for me....especially with all the cost jumps occurring at that point in labor and supplies.

Since then, we have actually gained sand on our beach, and although that could change in any winter storm, the stairs are still very safe and solid.

I did just recently have someone requote this and as you may guess the cost was off the charts and so with stairs still in good shape makes sense to hold off a bit longer and be ready with approval if a storm does take them out or if the economy softens and I get a more reasonable quote.

With that in mind I was writing to ask if you would extend my Order of Conditions approval for 3 years with the understanding that if I find a reasonable price to rebuild them or if damage necessitates a rebuilt that will allow 3 more years that I can move forward quickly if needed.

If sand keeps coming in and the stairs are solid 3 years from now, I will let the approval expire and do a new NOI design/rebuild based on the condition of the beach and dunes at that point.

Thank you for your consideration of this extension.

Peter Rhoades, 5 Sarah Paul Hill, Madbury, NH 03823

PROPOSED PLANTING SCHEDULE

CODE	LATIN NAME	COMMON NAME	SIZE	SPACING
<b>TREES</b>				
MV	<i>Magnolia virginiana</i>	Sweetbay Magnolia	10-12 ft. H.	
NS	<i>Nyssa sylvatica</i>	Black Gum	2-3.5" cal	
JV	<i>Juniperus virginiana</i>	Eastern Red Cedar	10-12 ft. H.	
<b>SHRUBS</b>				
Ca	<i>Clethra alnifolia</i>	Sweet Pepperbush	5 gal.	3' o.c.
Hq	<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	5 gal.	4' o.c.
Ig	<i>Ilex glabra</i>	Inkberry Holly	5 gal.	4' o.c.
Mp	<i>Myrica pensylvanica</i>	Bayberry	5 gal.	4' o.c.
Vx	<i>Viburnum dentatum</i>	Viburnum	7 gal.	4' o.c.
<b>GRASSES</b>				
comptonia peregrina	Sweet Fern	1 gal.	18" o.c.	
Panicum clandestinum	Deertongue	plug	18" o.c.	
Panicum virgatum	Switchgrass	plug	18" o.c.	
Schizanthium scoparium	Little Bluestem	plug	18" o.c.	
Sporobolus cryptandrus	Sand Dropseed	plug	18" o.c.	
Vaccinium angustifolium	Lowbush Blueberry	1 gal.	18" o.c.	

TOTAL SQUARE FOOTAGE OF MOWN AREA REPLACED WITH NATIVE ORNAMENTAL GRASS PLANTINGS OR NATIVE SEED MIX = 12,226 SF

EXISTING MOWN AREA TO REMAIN = 2,150 SF

GENERAL NOTES:

- EXISTING CONDITIONS WERE OBTAINED FROM DRAWINGS PREPARED BY DEMAREST LAND SURVEYING, DATED 11/05/2021 AND 04/06/2023.
- THE CONTRACTOR SHALL MAKE ALL NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN ALL NECESSARY CONSTRUCTION PERMITS. THE CONTRACTOR SHALL ALSO PAY ALL FEES AND POST ALL BONDS ASSOCIATED WITH THE SAME AND COORDINATE WITH THE ARCHITECT AS REQUIRED.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SITE SAFETY AND ALL CONSTRUCTION MEANS AND METHODS.
- CONSULT ALL OF THE DRAWINGS FOR COORDINATION REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL CONDITIONS IN THE FIELD AND REPORT DISCREPANCIES BETWEEN PLANS AND ACTUAL CONDITIONS TO THE LANDSCAPE ARCHITECT IMMEDIATELY.

PLANTING NOTES:

- ALL NEW PLANT MATERIAL SHALL CONFORM TO THE MINIMUM GUIDELINES ESTABLISHED FOR NURSERY STOCK PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
- THE CONTRACTOR SHALL SUPPLY ALL NEW PLANT MATERIAL IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON THE DRAWINGS.
- THE CONTRACTOR SHALL STAKE OR LAYOUT THE LOCATIONS OF ALL PROPOSED PLANTING FOR APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO THE COMMENCEMENT OF PLANTING.
- ANY PROPOSED SUBSTITUTIONS OF PLANT SPECIES SHALL BE MADE WITH PLANTS OF EQUIVALENT OVERALL FORM, HEIGHT, BRANCHING HABIT, FLOWER, LEAF COLOR, FRUIT AND CULTURE ONLY AS APPROVED BY THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL MINIMIZE IMPACT ON EXISTING TREES WHEN PLANTING WITHIN EXISTING ROOT ZONES.
- IN THE EVENT THAT QUANTITY DISCREPANCIES BETWEEN THE PLANT MATERIALS LIST AND THE DRAWINGS, THE HIGHER NUMBER OF PLANTS SHALL GOVERN. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.

SURVEY BY:  
 DEMAREST LAND SURVEYING  
 338 MAYFAIR ROAD  
 SOUTH DENNIS, MA 02660  
 508-364-9049

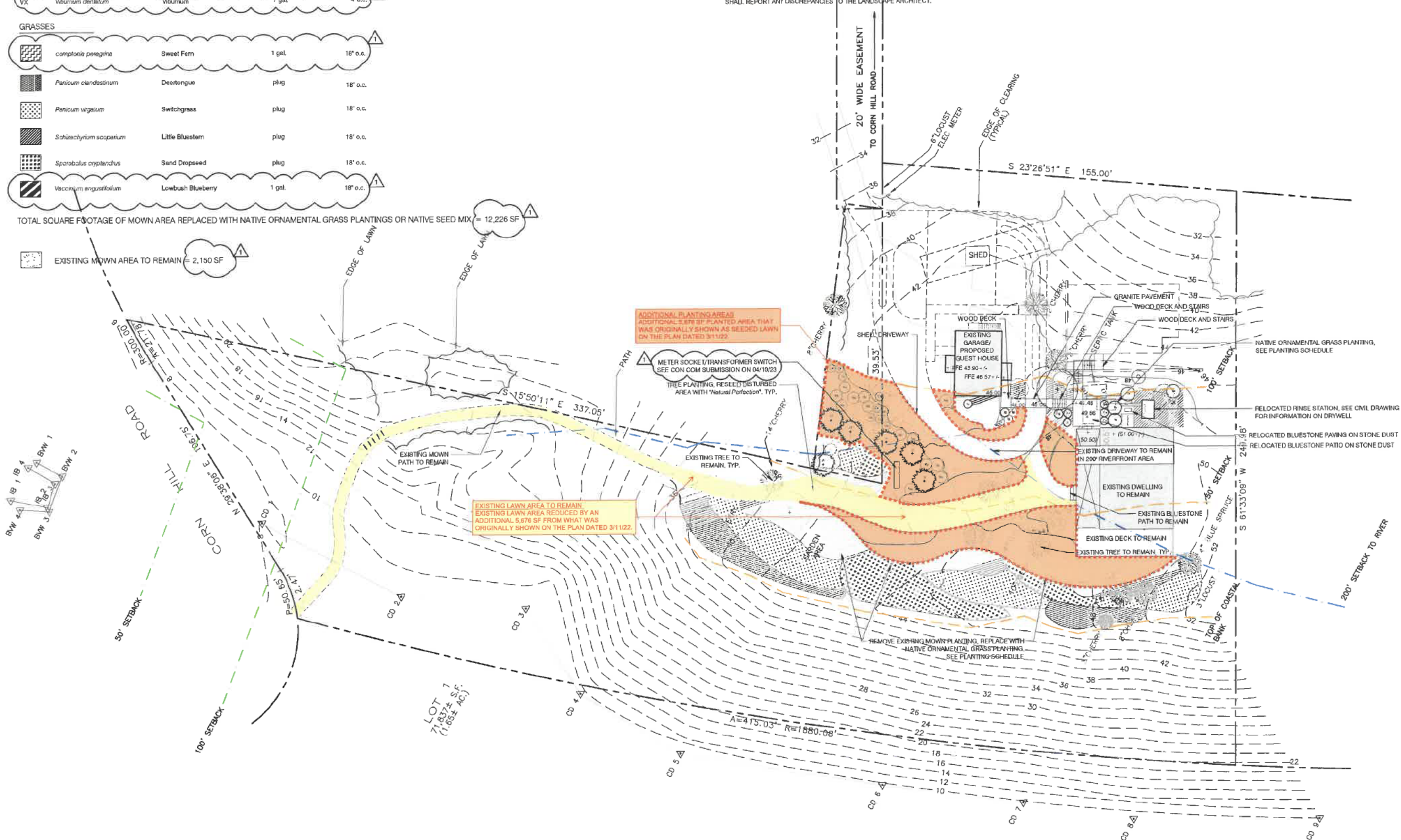
WETLAND DELINEATION BY:  
 ENVIRONMENTAL CONSULTING & RESTORATION, LLC  
 P.O. BOX 4012  
 PLYMOUTH, MA  
 617-529-3792

535 Albany Street No 5A  
 Boston, MA 02118  
 617.426.6475  
 leblancjones.com

Revisions	No	Date	Description
	1	09-26-23	PLANTING ADDITIONS
	10-12-23		PLANTING ADDITIONS DIAGRAM

40 CORN HILL RD  
 TRURO, MA  
 Scale: 1"=20'  
 Project No: 2135  
 Date:  
**MATERIALS & PLANTING**

L1.0





11



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

**Conservation Commission Meeting Minutes: August 7, 2023**

**Commissioners Present:** Chair Carol Girard-Irwin; Vice Chair Linda Noons-Rose; Commissioners Larry Lown, Clint Kershaw, Bob White & Diane Messinger

**Others Present:** Emily Beebe, Conservation Agent, Courtney Warren, Assistant Conservation Agent.

This was a remote meeting. Chair Carol Girard-Irwin called the meeting and public hearings to order at 5:02 P.M. and provided the virtual meeting instructions.

**Discussion on proposed storm water general bylaw:**

The Conservation Agent gave an overview of the proposed by-law that will be on the warrant for the Fall Special Town Meeting. The Agent described the by-law as a starting point that will establish minimum requirements for existing homes, new and re-development. Commissioner Clint Kershaw asked about controlling runoff during the construction process. Chair Carol Girard-Irwin asked if there was an issue during construction whether the homeowner or the contractor would be fined. The Agent responded that ultimately the homeowner would be fined. Commissioner Bob White asked if any current regulations address stormwater. The Agent stated that the only thing in place now is the curb cut policy. There were no public comments or questions about the proposed by-law.

**Notice of Intent: 0 Pamet Harbor, Town of Truro (SE#75-1178): Barrier Beach, Coastal Dune, Coastal Beach, Land Subject to Coastal Storm Flowage (Map 49, Parcel 16)** The applicant requested a continuance to the September 11, 2023 meeting.

**Motion:** Commissioner Clint Kershaw moved to continue the matter until the September 11, 2023, meeting; **Second:** Commissioner Linda Noons-Rose; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 544 Shore Road, Beach Townhomes Condominium Trust (SE#75-1171): install bulkhead; Barrier Beach, Coastal Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 7, Parcel 5)**

The applicant requested a continuance to the September 11, 2023, meeting. **Motion:** Commissioner Clint Kershaw moved to continue the matter until the September 11, 2023, meeting; **Second:** Commissioner Linda Noons-Rose; **Vote:** 6-0-0; the motion passed.

**Notice of Intent: 49 Fisher Rd, Douglas Ambrose (SE#75-1183): Coastal Dune, Land Subject to Coastal Storm Flowage (Map 53, Parcel 24)** The proposal included removing and replacing stairs to conform with zoning. Ryder and Wilcox engineer Stephanie Sequin was on the call but was experiencing technical issues. The Agent provided an overview of



the previous order of conditions (SE#75-1093) for the property that will need to be closed. The Commissioners decided to condition approval with closeout of the old order and to add the conditions from that order to the new order. Stephanie Sequin agreed with the conditions. **Motion: Commissioner Diane Messinger moved to approve the request with the following conditions: (1) The Applicant shall file a request for a Certificate of Compliance to close out DEP SE# 75-1093. (2) All existing boardwalks shall be removed and replaced with roll-out walkways at such time as they need maintenance. Roll-up walkways shall be stored in the driveway during the off season. (3) Storage under the house shall not be on the ground. The area under the house shall be covered with jute matting and planted with beach grass. This condition shall be an ongoing condition. (4) The existing beach grass around the old foundation and areas within the work limit shall be preserved throughout the project and healed-in, post-construction; Second: Commissioner Larry Lown; Vote: 6-0-0; the motion passed.**

**Notice of Intent: 379 Shore Rd (Cottage B), Charles Silva (SE#75-): Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 10, Parcel 10)**

Chuck Silva described his project to demolish an existing 3-bedroom cottage and reconstruct a two-story two-bedroom dwelling that is similar to what is already permitted for the other cottage on the property. The area underneath the structure will be for storage only and will include storm vents to meet FEMA requirements. A small gravel/sand patio is proposed. There will be no lawn and only native plantings. Commissioner Clint Kershaw asked about the leach pit replacement. The Agent answered that this is a temporary measure to use the existing title 5 system while working toward an ACO. **Motion: Commissioner Linda Noons-Rose moved to approve the Notice of Intent with conditions; Second: Commissioner Bob White; Vote: 6-0-0; the motion passed.**

**Notice of Intent: 522 Shore Rd Unit 9, Eric & Julie Ann Shapiro (SE#75-1184): Barrier Beach, Coastal Dunes, Land Subject to Coastal Storm Flowage (Map 7, Parcel 8.9)**

Stan Humphries from ECR was representing the Notice of Intent to elevate the existing structure and restoration of the area. They are proposing dune nourishment to increase the grade under the newly elevated structure. Commissioner Clint Kershaw asked how the sand will be contained under the building. The proposal described “pervious skirting,” but the Commission felt that the restored dune should be exposed to wind and water. The Agent suggested jute instead of any skirting. The Commissioners also discussed revegetation and agreed that beach grass and native shrubs should be used. Commissioner Bob White added that temporary irrigation could be allowed to ensure that the plantings are successful. The Commissioners discussed conditions for approval including: no skirting and no storage underneath the building. **Motion: Commissioner Diane Messinger moved to approve the Notice of Intent with conditions; Second: Commissioner Bob White; Vote: 6-0-0; the motion passed**

**Notice of Intent: 8 Great Hills Rd, Bruce & Joanne Sullivan (SE# 75-1182): Coastal Dune (Map 53, Parcel 11)**

Gordon Peabody was representing the Notice of Intent. They are proposing to remove all the concrete on the site, and build three small deck additions. All pavers will be pervious. Additionally, they propose installing a rinse station. Commissioner Diane Messinger and

Bob White had questions regarding the location of the rinse station. Commissioner Diane Messinger asked if there was a planting plan in place. Gordon Peabody added that he had submitted a planting plan and is open to a condition requiring American beach grass be planted in any bare areas. **Motion: Chair Carol Girard-Irwin moved to approve the Notice of Intent with the condition that all barren areas be planted with American Beach grass; Second: Commissioner Clint Kershaw; Vote: 6-0-0; the motion passed.**

**Request for Determination of Applicability: 19 Knowles Heights Rd, The E. Hope Macewen Trust c/o William & Beverly Larkin: Coastal Bank (Map 24, Parcel 14)**

Jason Ellis described the request as a cesspool upgrade. They will be upgrading to an I/A system because of the number of bedrooms in the dwelling. The cesspool will be removed from the coastal bank. The only work that is taking place within jurisdiction is the installation of the line from the house to the septic tank. Commissioner Diane Messinger asked if there is a planting plan. Jason Ellis stated that all disturbed areas will be replanted with American Beach grass. **Motion: Chair Carol Girard-Irwin moved to issue a negative 3 determination; Second: Commissioner Diane Messinger; Vote: 6-0-0; the motion passed.**

**Request for Determination of Applicability: 13 & 15 Toms Hill Path, Joann Hollander: Coastal Bank (Map 49, Parcel 2 &5)**

Jason Ellis was representing the cesspool upgrade. The Commissioners noted that the plan did not reflect the correct address and would need to be updated. There are four cesspools on the property serving two adjacent lots. Two of the cesspools are in the buffer zone and will be removed. A map was shared by the Agent to show the location of the property since the Commissioners were unable to find it for their site visit.

**Motion: Chair Larry Lown moved to issue a negative 3 determination; Second: Commissioner Clint Kershaw; Vote: 6-0-0; the motion passed.**

**Request For Determination of Applicability: 12 Pilgrims Path, Laura Anello:**

(Map 35, Parcel 111) The applicant requested that this filing be withdrawn.

The following four items have all requested continuances until the September 11, 2023, meeting. Chair Carol Girard-Irwin read them all and the commissioners voted on them together in one vote.

- **Request For Determination of Applicability: 38 Toms Hill Rd, Tina Ryman: Coastal Bank (Map 49, Parcel 14)**
- **Request For Determination of Applicability: 5 Valentina's Way, Estate of Marguerite Yannetty: Buffer Zone to Ryder Pond (Map 60, Parcel 23)**
- **Request For Determination of Applicability: 7 Amity Lane, Irene Selver: Riverfront Area, Bordering Vegetated Wetland, Coastal Bank & Land Subject to Coastal Storm Flowage (Map 46, Parcel 18)**
- **Notice of Intent: 525 Shore Rd Unit 7, Paul & Cheryl Silvernail (SE#75-1180): After-the-fact filling; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 6, Parcel 5.7)**

**Motion: Commissioner Linda Noons-Rose moved to continue the listed items until the September 11, 2023, meeting; Second: Commissioner Diane Messinger; Vote: 6-0-0; the motion passed.**



**Request For Determination of Applicability: 11 Truro Center Rd #1, Sarah Hamlett: Riverfront Area (Map 51, Parcel 10)** James Jordan was representing the project for a one-to-one replacement of a driveway. The gravel in the driveway will be replaced with shells. **Motion:** Chair Carol Girard-Irwin moved to issue a negative 3 determination; **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**Field Change: 8 Castle Road, Louise Briggs; (SE#75-1105): Riverfront Area (Map 50, Parcel 145)** **Motion:** Chair Carol Girard-Irwin moved approve the field change; **Second:** Commissioner Clint Kershaw; **Vote:** 6-0-0; the motion passed.

**Certificate of Compliance:** (1) 33 Cooper Rd, SE# 75-1137; (2) 14 & 20 Truro Center Rd, SE# 75-0889; **Motion:** Chair Carol Girard-Irwin moved to approve both requests for Certificates of Compliance; **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

**Administrative Reviews:** (1) 4 Riverview Rd: cutting underbrush along pathway; (2) 655 Shore Rd, Unit 657: replace split rail fence; **Motion:** Chair Carol Girard-Irwin moved to approve the Administrative Reviews; **Second:** Commissioner Diane Messinger; **Vote:** 6-0-0; the motion passed.

Commissioner Larry Lown moved to adjourn the meeting; **Second:** Commissioner Bob White; **Vote:** 6-0-0; the motion passed.

The meeting was adjourned at 6:18 PM.

*Respectfully Submitted by Nina Richey*



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

**Conservation Commission Meeting Minutes: September 11, 2023**

**Commissioners Present:** Chair Carol Girard-Irwin; Vice Chair Linda Noons-Rose; Commissioners Larry Lown, Clint Kershaw, Bob White & Diane Messinger.

**Others Present:** Emily Beebe, Conservation Agent, Courtney Warren, Assistant Conservation Agent; DPW Director Jarrod Cabral

This was a remote meeting. Chair Carol Girard-Irwin called the meeting and public hearings to order at 5:02 P.M. and provided the virtual meeting instructions.

**Notice of Intent: 0 Pamet Harbor, Town of Truro (SE#75-1178): erosion control; Barrier Beach, Coastal Dunes, Coastal Beaches, Land Subject to Coastal Storm Flowage (Map 49, Parcel 16)** Wetlands scientist Hannah Raddatz from BSC was representing the project to install coir envelopes and provide sand nourishment to re-establish the dune. W Director Jarrod Cabral described the project as an attempt to preserve the sand and reduce erosion in the area. The project will be monitored and maintained annually. The Commission had questions about the eventual outcome of the proposed erosion maintenance. The NHESP conditions allowed for five years, and the Agent suggested mirroring that time allowance in the Truro Conservation approval.

**Motion: Commissioner Messinger moved to approve the Notice of Intent with the condition that the NHESP conditions be included and that the Order of Conditions be valid for 5 years; Second: Commissioner White; Vote: 6-0-0; the motion passed.**

**Notice of Intent: 525 Shore Road Unit 7, Paul & Cheryl Silvernail (SE#75-1180): After-the-fact filling; construction of retaining wall & creation of lawn: Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 6, Parcel 5.7)** Homeowner Cheryl Silvernail and their representative Paul Shea were on the call to represent the after-the-fact filing. Paul Shea discussed the ATF filing and the work that had been done. A planting plan sketch was submitted for the meeting and he described it as site restoration in an active back yard. He stated the property owners wish to keep the retaining wall and add a fence with the plantings, and would use the "Harmony" seed mix instead of turf grass.

The Chair asked about the fence as there was no detail submitted. The owner described it as an alternating slat fence set up inside the retaining wall.

Commissioner Lown suggested that all property owners have been advised about the wetlands protection act, and why didn't they know? The homeowner said she had never been notified, and they had first purchased a condo at 660 Shore Road. Commissioner Messinger asked how the retaining wall would be removed.

Commissioner Kershaw asked for photos of what it looked like when they bought the unit.

The Agent stated that the Silvernail's had purchased on beach point in September 2019, and the town had inserted a flyer about wetlands jurisdiction in the tax bills in November 2019.

Commissioner Kershaw suggested that the retaining wall, sand and loam should be removed, and the area restored- and that planting on top of the violation would not satisfy him.

Paul Shea said the property had been eroded and that there was a lot of digging on the property by dogs; he said that 30 cu yds of sand and 10 cu yds of loam had been delivered to the property.

Commissioner White felt that they were skirting the issue, which was a violation, and that the retaining wall had to go, and most of the fill, maybe they keep some loam to do the planting. Commissioner Lown asked if the proposed fence was flagged. The Chair responded – no- and asked if any Commissioners wanted to see the retaining wall remain. The Chair pointed out that all of the proposed plantings were inside the proposed fence, and stated that the Commissioners needed more information to approve the work. Paul Shea stated that knowing that the retaining wall needed to come out changed everything. There was discussion on the seed mix

The Chair reiterated- that it was the Commissioner's opinion that the wall needed to be removed, but possibly some of the fill set aside. No information on the dimensions of the wall was submitted. Commissioner Lown asked if it should be Continued?

The Chair suggested that they needed a motion to possibly deny the application. The Agent suggested it could be denied, but the Commissioners could just approve some of the work. Paul Shea then asked for a continuance to get a revised plan into the office that showed what work should be done. The Chair wanted it clear about what needed to happen with the retaining wall, and Paul Shea agreed that he understood.

**Motion: Commissioner Kershaw moved to continue the matter until the October 3, 2023 meeting and that new plans should show removal of the retaining wall and the soil, and that the fence location will be staked for another site visit; Second: Commissioner Larry Lown; Vote: 5-0-1; Commissioner Noons-Rose recused; the motion passed.**

**Notice of Intent: 544 Shore Road, Beach Townhomes Condominium Trust (SE#75-1171): install bulkhead; Barrier Beach, Coastal Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 7, Parcel 5)**

The applicant requested a continuance until the October 3<sup>rd</sup>, 2023, meeting.

**Motion: Commissioner White moved to continue the matter until the October 3, 2023 meeting; Second: Commissioner Lown; Vote: 6-0-0; the motion passed.**

**Notice of Intent: 40 Fisher Road, Janet L. Capasso (SE#75-1185): cesspool upgrade to I/A; Buffer Zone to a Coastal Bank, Buffer Zone to a Salt Marsh, Land Subject to Coastal Storm Flowage (Map 53, Parcel 34)**

Paul Shea was representing the project which is a cesspool upgrade to an I/A system.

**Motion: Commissioner Noons-Rose moved to approve the Notice of Intent; Second: Commissioner White; Vote: 6-0-0; the motion passed.**

**Notice of Intent: 12 Pilgrims Path, Laura Anello (SE#75-1188): reconfiguration & expansion of single-family residence & walkway replacement; Coastal Bank (Map 35,**



**Parcel 111)** Gordon Peabody was representing the project, and described the small additions which will be located within the footprint of existing decks. A new wooden walkway is proposed as replacement. He described the planting plan which is proposed as mitigation. Abutter Ron Fichtner was on the call and expressed concern about the expansion project, describing it as a fig leaf. Conditions shall include walkway to be at grade and not exceed 4'; no fertilizer use or lawn expansion; and the Safe Harbor Environmental Management plan specifically included in the order. **Motion:** Commissioner Noons Rose moved to approve the Notice of Intent with conditions; **Second:** Commissioner Lown; **Vote:** 6-0-0; the motion passed.

**Request For Determination of Applicability: 38 Toms Hill Road, Tina Ryman:** septic system upgrade; Coastal Bank (Map 49, Parcel 14) Bob Freeman from Schofield Brothers described a cesspool upgrade to a standard Title 5 system. The design includes room to add enhanced I/A at such time that regulations require it. The proposed erosion control is detailed in the packet. **Motion:** Commissioner Lown moved to issue a negative 3 determination; **Second:** Commissioner Messinger; **Vote:** 6-0-0; the motion passed.

**Request For Determination of Applicability: 5 Valentina's Way, Estate of Marguerite Yannetty:** Septic system upgrade: Buffer Zone to Ryder Pond (Map 60, Parcel 23) Bob Freeman from Schofield Brothers was on the call. The Agent described the discussion that occurred at the Board of Health meeting about this project and the concern for erosion control. Mr. Freeman described the proposed erosion control using tiered wattles. The Commission discussed the use of gutters/downspouts to dry wells and agreed to condition their approval with their use. **Motion:** Commissioner Lown moved to issue a negative 3 determination with the condition of gutters/downspouts; **Second:** Commissioner Kershaw; **Vote:** 6-0-0; the motion passed.

**Request For Determination of Applicability: 7 Amity Lane, Irene Selver:** Septic system upgrade with I/A: Riverfront Area, Bordering Vegetated Wetland, Coastal Bank & Land Subject to Coastal Storm Flowage (Map 46, Parcel 18). Bob Freeman from Schofield Brothers described their project to upgrade a cesspool to an I/A system. **Motion:** Commissioner Lown moved to issue a negative 3 determination; **Second:** Chair Carol Girard Irwin; **Vote:** 6-0-0; the motion passed.

Continuances were requested by the next two agenda items. The Commission agreed to address both in one motion.

**Notice of Intent: 522 Shore Road, Sutton Place Condominium (SE#75-1187):** coastal stabilization; Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. (Map 7, Parcel 8)

**Notice of Intent: 566 Shore Road Ocean Breeze Condominium (SE#75-1186):** shoreline stabilization; Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. (Map 5, Parcel 29)

**Motion:** Chair Carol Girard-Irwin moved to continue the Notices of Intent for 522 Shore Road and 566 Shore Road until the October 3, 2023 meeting; **Second:** Commissioner Messinger; **Vote:** 6-0-0; the motion passed.

**Request for an Extension to an Order of Conditions: 0 Old County Road (SE# 75-1101)**

This is the Eagle Neck Creek project and a three-year extension is requested in order to establish new plantings. **Motion: Commissioner Lown moved to approve the 3-year extension request; Second: Commissioner Messinger; Vote: 6-0-0; the motion passed.**

**Certificates of Compliance:**

**(1) 49 Fisher Road (SE#75-1093);** The Conservation Agent stated that 49 Fisher is not ready for its Certificate of Compliance.

**(2) Head of the Meadow Bike Trail (SE#75-1039);**

**(3) 627 Shore Rd (SE#75-1155)**

**Motion: Chair Carol Girard-Irwin moved to approve the Certificate of Compliance for Head of the Meadow Bike Trail and 627 Shore Road; Second: Commissioner White; Vote: 6-0-0; the motion passed.**

**Administrative Reviews: (1) 263 Shore Road: fence replacement extension request; (2) 556 Shore Rd: beach grass/shrub plantings**

**Motion: Chair Carol Girard-Irwin moved to approve the Administrative Review requests; Second: Commissioner Noons-Rose; Vote: 6-0-0; the motion passed.**

Commissioner Larry Lown asked if the Commission needed to conduct a site visit for a septic upgrade, and also asked if the Commission could have a review of regulations about fences. Commissioner Kershaw suggested that the Commission consider issuance of a monetary fine for projects not staked; he also suggested that matters that are continued should not be on the next agenda, but the agenda following the next meeting. The Commission agreed to meet to review regulations they may wish to revise.

**Minutes: May 1, 2023; June 5, 2023; July 3, 2023:**

**Motion: Commissioner Kershaw moved to approve the minutes as presented; Second: Chair Carol Girard-Irwin; Vote: 6-0-0; the motion passed.**

**Commissioner Messinger moved to adjourn the meeting; Second: Commissioner White; Vote: 6-0-0; the motion passed.**

**The meeting was adjourned at 6:39 PM.**

*Respectfully Submitted by Nina Richey*



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

**Conservation Commission Meeting Minutes: October 2, 2023**

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

This was a remote meeting. Chair Carol Girard-Irwin called the meeting and public hearings to order at 5:03 P.M. and provided the virtual meeting instructions.

**Notice of Intent: 544 Shore Road, Beach Townhomes Condominium Trust (SE#75-1171):** install bulkhead; Barrier Beach, Coastal Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 7, Parcel 5) The applicant requested a continuance until November 6, 2023. **Motion:** Commissioner White moved to continue the hearing until November 6, 2023; **Second:** Commissioner Kershaw; **Vote:** 5-0-0; the motion passed.

**Notice of Intent: 522 Shore Road, Sutton Place Condominium (SE#75-1187):** coastal stabilization; Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. (Map 7, Parcel 8) The applicant requested a continuance until November 6, 2023. **Motion:** Chair Carol Girard-Irwin moved to continue the hearing until November 6, 2023; **Second:** Commissioner Messinger; **Vote:** 5-0-0; the motion passed.

**Notice of Intent: 525 Shore Road Unit 7, Paul & Cheryl Silvernail (SE#75-1180):** After-the-fact filing; construction of retaining wall & creation of lawn: Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage (Map 6, Parcel 5.7) The Chair gave a brief recap of this after-the-fact Notice of Intent filing. The previous representative, Paul Shea, is no longer under contract with the homeowners. The Agent stated that conditions to approve this filing would include a stop work order until the permit is issued by the town for the installation of the fence and removal of the retaining wall. The fence location should be staked for conservation staff to review during a pre-construction site visit that would occur after the issued order of conditions is recorded with the Barnstable Registry of Deeds. Chair Carol Girard-Irwin confirmed with homeowner Paul Silvernail that he understood the conditions for approval of the Notice of Intent. Mr. Silvernail affirmed his understanding of the conditions. **Motion:** Commissioner White moved to approve the Notice of Intent for 525 Shore Road Unit 7 with the conditions that a pre-construction visit occur prior to the fence installation, the fence location be staked for said site visit and the retaining wall and loam be removed from the property; **Second:** Commissioner Messinger; **Vote:** 5-0-0; the motion passed.

**Notice of Intent: 566 Shore Road Ocean Breeze Condominium (SE#75-1186):** shoreline stabilization; Barrier Beach, Coastal Dune, and Land Subject to Coastal Storm Flowage. (Map 5, Parcel 29)



Chair Carol Girard-Irwin noted that this site has now been properly staked. Stan Humphries with Environmental Consultants described the need for the project. They are proposing to reestablish the primary frontal dune by installing a sand drift fence and a coir log array, nourishment, and beach grass plantings. Abutters on both sides have given their written approval for the project to extend to the property lines. Commissioner Messinger asked about openings to allow wildlife to pass through the fence. Commissioner Linda Noons-Rose asked where the contractors would get access to the beach from the property. Stan Humphries believes that all access will be through the property itself. The Agent added that a management plan for pedestrian access to the beach should be developed. She also asked about the construction sequence and access for future maintenance. Laurie Ferrari from Peters Property Management was on the call and stated that the condominium association will be agreeable to the plan. Commissioner Kershaw asked whether they could build a natural barrier in addition to this proposal. There were concerns about distance from the structures, but additional sand could be added. Linda Noons-Rose agreed and stated that a type of sand berm might be helpful and would allow for windblown sand to help the beach grass. Stan Humphries requested a continuance until the November 6, 2023 meeting. **Motion: Chair Carol Girard-Irwin moved to continue the hearing until November 6, 2023; Second: Commissioner Messinger; Vote: 5-0-0; the motion passed.**

#### **Administrative Issues**

**Field Change:** 6 Castle Rd; SE# 75-1175

**Field Change:** 8 Great Hills Rd; SE# 75-1182

**Motion: Chair Carol Girard-Irwin moved to approve the field change at both 6 Castle Road and 8 Great Hill Road; Second: Commissioner Messinger; Vote: 5-0-0; the motion passed.**

**Recommendation of Article for the Fall Special Town meeting October 21, 2023-Stormwater Management Bylaw** The Conservation Agent noted that a public information session would take place at the Truro Library at 5:00 PM on October 11, 2023.

**Motion: Commissioner Kershaw moved to support the proposed stormwater management general by-law draft as presented; Second: Commissioner Linda Noons-Rose; Vote: 5-0-0; the motion passed.**

**Commissioner Kershaw moved to adjourn the meeting; Second: Chair Carol Girard-Irwin; Vote: 5-0-0; the motion passed.**

**The meeting was adjourned at 5:51 PM.**

*Respectfully Submitted by Nina Richey*



## Japanese Knotweed *Kaplan* Management Plan

Gordon Peabody, September 20, 2023 [gordonpeabody@gmail.com](mailto:gordonpeabody@gmail.com)

*Polygonum cuspidatum* Introduced to U.S. late 1800s

**Identification-** Stems are stout, cane-like, hollow between the nodes, somewhat reddish-brown, 5 to 8 feet tall and profusely branched. Leaves are thick and tough in texture, with short petioles, 2 to 7 inches long and about two-thirds as wide, spade-shaped with a truncate base and an abruptly narrowed leaf tip. An identifying character is the lack of hairs on the leaf undersides. Instead of hairs, there are low, bump-like structures (scabers) visible on the veins with a hand lens. Flowers small, creamy white to greenish white, and grow in showy plume-like, branched clusters from leaf axils near the ends of the stems. The fruit is 3-sided, black and shiny.

**Ecology-** Tolerates a variety of adverse conditions including full shade, high temperatures, high salinity, and drought. Found near water sources, such as streams and rivers, in low-lying areas, waste places, utility rights-of-way, and around old home sites. \*\*Also known as fleece flower, Himalayan fleece vine, monkeyweed, Hancock's curse, elephant ears, pea shooters, donkey rhubarb, sally rhubarb, Japanese bamboo, American bamboo, and Mexican bamboo.  
[www.bumblebeeblog.com](http://www.bumblebeeblog.com)

Native plants co-evolved as food sources for native insects and animals. This transformation of carbohydrates to protein is a core habitat value. Introduced, non-native plants are unable to perform this core function, because they characteristically grow without being consumed. Lacking the balance of ecological controls, Invasive vegetation characteristically dominates available space, light, moisture and nutrients without contributing to native food webs.

## *1. Why Do We Care?*

*Healthy communities need healthy natural resources.* The Cape Cod habitats we cherish are stabilized and protected by native vegetation communities. Healthy habitats provide Social, Economic and Ecological value. Changes in this habitat, for any reason, may have Social, Economic and Ecological consequences.

*When plants are removed* from native habitat, by natural or human activity, faster growing, invasive plants may attempt to replace our slower growing, native species and monopolize available sunlight, moisture, and nutrients. Invasive monocultures characteristically prevent light from reaching ground level. The lack of light excludes stabilizing, native groundcover vegetation. The lack of groundcover contributes to erosion, resulting in the loss valuable nutrients, seeds and microorganisms from surface soils.

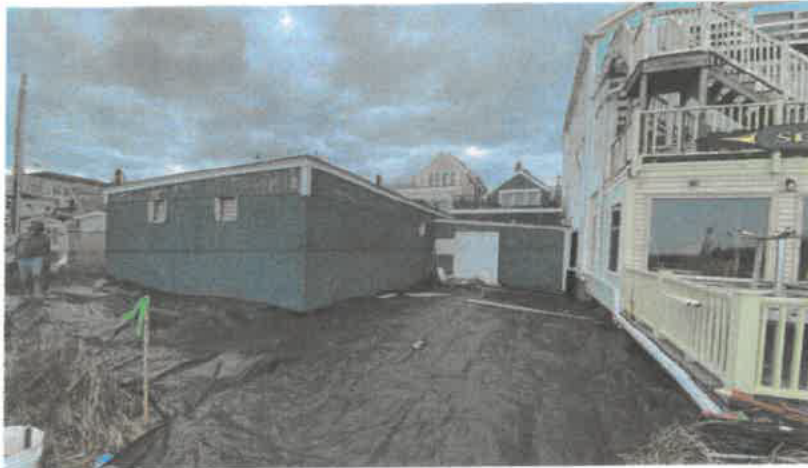
*Native vegetation supports* significantly higher native animal populations and diversity than invasive vegetation. When native plant species become displaced, they may not have the ability to reestablish on their own. Reduced plant biodiversity results in reduced animal and insect biodiversity. The continued loss of diversity may stress the sustainability of food webs. Habitat systems stressed beyond recovery (tipping point) experience a negative cascade of biological energy with far reaching ecological consequences.

*2. What Can We Do?* With *Invasive Vegetation Management*, the lowest hanging fruit is prevention, to deter establishment of invasive vegetation. When native vegetation has been removed or disturbed, for any reason, we recommend replanting with native seeds and plants.

***Herbicide-free techniques we use to manage Japanese Knotweed***



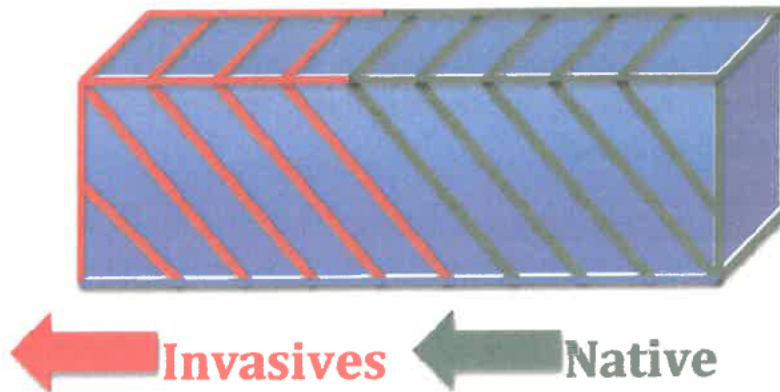
- **For small-scale areas:** Physical removal (100%) of invasive vegetation, before seeding. Replanting of native vegetation. We dispose of plants and roots in black plastic trash bags. We leave the black bags in the sunlight for several days to “cook” the plants and seeds and dispose of with trash. **Never compost invasives** and control loose seeds. Cape Cod trash gets incinerated to produce electricity.



- **For large-scale areas-Tarpping:** We use black, woven, geotextile “Earth Mats”, which smother and solar cook the starch in emerging plants during their growing season. Cover the area completely with mat and secure with large landscaping staples. ***this blocks sunlight but absorbs heat, to elevate temperatures, partially cook below grade rhizomes.***
- **For small or large-scale areas- Cutting:** This is a multi phase strategy. In the spring, when Knotweed is shooting upwards, we will cut growth off at the lower stem. This stimulates growth hormones, creating accelerated regrowth. After a brief period, we recut again, robbing the root energy of reserves and re-repeat.
- **For small or large-scale areas – Dripping:** Sometimes we will drip our “fruit cocktail” of white vinegar, lemon juice and Kosher salt/detergent into the open, cut stem. We also repeat this in the fall, before seed release, when their carbohydrate cycle is weak, and regrowth is slow.
- **For small or large-scale areas –Steam:** Our most successful results. Use to cook roots (rhizomes), with steam heat to transition the starches. A steam cleaner nozzle is pushed down into the root area of Knotweed. Can also use boiling water to transition root starches.
- <mailto:http://soil-steaming-steam-boiler-blog.com/2010/05/the-control-of-invasive-plants-with-hot-steam-enters-the-final-stage/>



Above images show commercial grade steamers. We use household scale steamers.



- **Develop a careful, long term strategy:** “Conservation of Biomass” Where invasive vegetation is already established, a transition from invasive to native vegetation should be implemented over several years. The core value of this strategy reduces habitat stress by balancing Invasive plant removal with Native plant replacement.
- **Planting options** should include transplants; plugs; seeds; and potted plants, available at local nurseries. Using the “Conservation of Biomass” strategy contributes to site stability, controls erosion and protects emerging habitat values. This protects the net ecological energy flow through the system. Plan on 3 years of monitoring, and management.