



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

Minutes
Site Visits
April 7th, 2014

1:00 P.M. Met at the Cobb Library parking lot.

Members Present: Deborah McCutcheon, Larry Lown, Peter Romanelli, Linda Noons-Rose, Sarah Benjamin, Al Silva, Diane Messinger

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

64 Corn Hill Rd: Roger Michniewicz present on site. The Commission viewed the area where the proposed stairway will go. Chair McCutcheon asked how large the landing would be. The Commission was informed that the owner used to have access to beach stairs and no longer does.

11 Coast Guard Terrace: The Commission viewed the building where the proposed repairs will be done.

1 Merryfield Path: The Commission viewed the area where the proposed new set of stairs will go.

2 Sage Ridge Rd/Francis Road: Jason Ellis was present and described the project and showed where work will take place. Chair McCutcheon mentioned that this is turtle habitat.

608 Shore Rd: Jason Ellis was present and described the project to the Commission.

3:00 P.M. site visits concluded.

Regular Meeting
April 7th, 2014
6:30 P.M. in Selectman's Meeting Room

Members Present: Deborah McCutcheon (chair), Larry Lown, Peter Romanelli, Diane Messinger, Sarah Benjamin, Al Silva, Linda Noons-Rose

Others Present: Patricia Pajaron-Health/Conservation Agent, Nicole Smith-Secretary

Public Hearings:

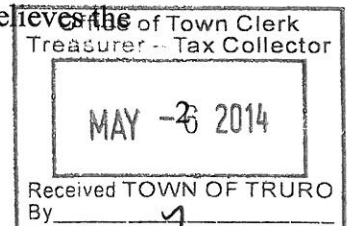
Others Present: Tim Brady, Louise Briggs, Eric Winslow, Chet Lay, Paul Krueger, Jason Ellis, Jay Norton, George Reilly, Paula Pariseau, Bill Worthington, Pamela Blair

11 Coast Guard Terrace, Request for Determination of Applicability, East Cape Engineering Inc. for Embassy Realty LLC: Tim Brady presenting. The proposed project is for the rehab of a neglected building. There will be new siding, roofing, windows and decking. No heavy equipment will be needed and no excavating will be done. No work will be done on the walkway to the beach. Motion to give a negative 3 determination: work is in the buffer zone but will not affect the interests of the Act by Romanelli and seconded by Messinger. Unanimously approved.

8 Castle Rd, Request for Amended Order of Conditions, Louise Briggs, SE#75-841: The proposal is to rebuild the cottage in a new location, fill 2 abandoned cesspools and remove dead trees and fallen limbs. Motion to amend the Order of Conditions to accept the site and sewage plan date 3/26/2014 and allow movement of the studio, filling of 2 cesspools, the removal of limbs and trees and to accept the planting plan by Lown and seconded by Romanelli. Unanimously approved.

1 Merryfield Path, Notice of Intent, Slade Associates for Steven Corkin, SE# 75-0936: Chet Lay and Paul Kruger present. They wish to remove and reconstruct beach stairs because the present ones are old and unsafe. Pressure treated posts will be used and they will be dug in 6 ft. All remnants of the old stairway would be removed and disturbed areas will be planted with beachgrass. Chair McCutcheon stated that helical anchors should be used.

The stairway has an increased area in order to meet building codes and the owners would like to maintain a "perch" for the view and a second platform for storage of kayaks and other beach equipment. Chair McCutcheon asked if sunlight will be able to reach vegetation under the stairs. There will be spacing between the boards and the stairway will be 2 ft. off the ground. It was stated that the applicants will use helical anchors. Chair McCutcheon would like a new plan submitted showing the use of helical anchors. Romanelli asked why the new stairs will not be in the same location as the old stairs. The new stairs will be further from the property line and the old stairs are not perpendicular to the building. The Commission stated that the current location is suitable and the applicants agreed to put the new stairs in the same place as the old. Lown asked in what way the current stairs are dangerous. They are dangerous because of the steepness and if someone were to fall they would fall to the bottom. Benjamin mentioned the stair width and tread can be reduced so the stairs take up less area. The Commission believes the



stairs are over built and need a lighter design and need to be in the area of the existing stairway in order to preserve vegetation. There should be spacing between the boards for light to get through and the size of the platforms should be limited. Motion to continue to the May 5th meeting by Romanelli and seconded by Silva. Unanimously approved. On May 5th the applicants should also be prepared to discuss the planting plan, irrigation and protocol to remove irrigation.

64 Corn Hill Rd, Notice of Intent, Coastal Engineering for Dawn Balcazar, SE# 75-0937: Jay Norton from CEC presented. Information has been sent to MESA but a response letter has not been received and there is not a DEP number yet. The proposal is to build a stairway down the coastal bank using helical anchors. The stairway will be 230 feet long and there will be ½ inch space to let light through. The clients are looking to sell the property and would like a building permit in hand that allows for stairs. The owners previously had stairway access at another property but are not longer allowed. The bank is stable and all work will be done by hand. ACQ pressure treated lumber will be used. Mr. Norton expressed that the largest landing can be downsized if necessary. Motion to continue until the May 5th meeting by Silva and seconded by Romanelli. Unanimously approved.

2 Sage Ridge Rd/6 Francis Rd, Request for Determination of Applicability, JC Ellis Design Co. Inc. for Charles Hutchings: Jason Ellis presenting. The proposal is to install a new well, install a leach field out of the 150' buffer zone and fill in two cesspools. Chair McCutcheon stated that the property is located in an area with turtles and the limit of work boundary should be removed within 48-72 hours so as not to impede the movement of the turtles. Motion to find a Negative 3 determination: the work will take place in the buffer zone, but will not implicate the act and an NOI does not need to be filed by Silva and seconded by Noons-Rose. Unanimously approved.

608 Shore Rd, Notice of Intent, JC Ellis Design Co. Inc. for James McCusker (continued from 3/3/2014), SE# 075-0934: Jason Ellis presenting. The proposal is to lift the existing house in order to pour a full foundation and then placing the house on the new foundation. Chair McCutcheon noted there are not gutters and downspouts. This is due to the fact that there is stone around the building. Benjamin mentioned the septic tank appears to be too close to the foundation. Mr. Ellis stated the tank may have to be moved. Motion to approve as set forth in the NOI with the usual Order of Conditions by Romanelli and seconded by Lown. Unanimously approved.

1 Circuit Way, Notice of Intent, George Reilly of Land Design Associates for Jennifer Weiner (continued from 3/3/2014), SE# 75-0935: The proposal is to repair the bottom of the stairway. Lown asked about any intentions to do work on the drift fence. The clients are not sure and they may file at another time. Motion to approve as set forth in the NOI and to incorporate the plan dated August 14th, 2013 by Romanelli and seconded by Noons-Rose. Unanimously approved.

Offshore of 654 Shore Rd, Notice of Intent, Dana Pazolt, SE# 75-0938: Continued to May 5th, 2014 per request by Mr. Pazolt.

Agenda Items:

RDA, 5 Yacht Club: Chair McCutcheon feels an NOI should be filed. Motion to determine a Positive 3 determination: work is subject to protection under the act and an NOI should be filed by Lown and seconded by Romanelli. Unanimously approved.

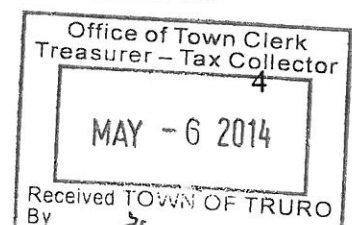
Discussion: Truro Conservation Trust, Grant Proposal for Edgewood Farms: They are seeking support for Article 18 on ATM to purchase conservation property and for the Town of Truro to apply for a state land grant. The net cost to the town will be \$0. The state land grant is a once per year grant that gives up to 50% of the cost at a maximum of \$400,000. Article 18 has received support from the Board of Selectmen and Finance Committee. The Truro Conservation Trust will assist the town in writing the grant. The grant has to be submitted by the Town Manager but will be signed by Conservation Commission. Silva said it is important to say that if all funding does not fall into place money will be returned. Motion to endorse Article 18 by Romanelli and seconded by Silva. Unanimously approved.

386 Shore Rd, Amendment of Special Condition #3 of the Order of Conditions and Approve Option A, Silva, SE# 075-0886: Jay Norton presenting. Mr. Silva has come to an agreement with neighbor Dorothy LaBossiere. They are asking permission to change special condition #3 to say approval of Option A instead of Option B which allows them to tie into the existing bulkhead on the LaBossiere property. Motion to approve by Romanelli and seconded by Silva. Unanimously approved.

378 Shore Rd, Request for Administrative Review/Change in Plans, Steven Goodwin, SE# 075-0929: Steven Goodwin presenting. The applicant is seeking approval for a change in project; the previous approved project was for a deck and they would like it to be a patio instead. The patio will be made of permeable pavers that are recommended by the EPA as a best management practice for runoff control and low impact development. The gravel will be 40% void between the blocks and there is an infiltration rate of 100 inches per hour. This eliminates surface runoff and filters water. Chair McCutcheon asked if there will be re-vegetation after the patio is complete and Mr. Goodwin said there would be. Motion to accept the proposed changes to the plan as set for in the protocol dated March 24th, 2013 with construction of a patio and re-vegetation of the terrain by Messinger and seconded by Silva. Romanelli abstained.
Approved 6-0-1.

4 Rolling Hills Rd, Enforcement Order, Alan Kerr, SE# 075-0918 (continued from 3/3/2014): The debris has been removed off of the bank. Motion to rescind the enforcement order by Romanelli and seconded by Silva. Unanimously approved.

29 Ryder Beach Rd, Enforcement Order, Patricia Tetrault QPR Trust, Henry Silverman, Trustee: A site visit was done on April 2nd and debris is off the bank but there is some under the stairs. Agent Pajaron recommends amending the order and giving them a time frame to remove the remainder of the debris. Motion to amend the



Enforcement Order to remove remaining debris and secure the boat and its parts to the stairway to the satisfaction of the site inspector within 2 weeks by Romanelli and seconded by Messinger. Approved 6-1-0 with Silva opposed.

577 Shore Rd, Compliance with Enforcement Order, Emily Lanigan and Ellen Carroll: The owners complied with the Enforcement Order; fill has been removed and grade has been restored. Motion to rescind the enforcement order by Silva and seconded by Romanelli. Unanimously approved.

5 Yacht Club Rd, Compliance with Enforcement Order, John E. Allen and Barbara Cordi-Allen: The fence has not been removed. The Allen's have asked if they can lay the fence down on their property. The fence needs to be removed to secure storage on their property or elsewhere. Motion to continue the Enforcement Order by Lown and seconded by Romanelli. Unanimously approved.

Discussion of proposed asphalt, brick and recycling plant in Truro:

Chair McCutcheon would like to have the Conservation Commission discuss how they might respond to industrial facilities in Truro. Cons Com is allowed to assert jurisdiction if there is harm to a protected resource under the Act and they can make a discretionary opinion to the Cape Cod Commission. Silva asked agent Pajaron if this falls more under Health or Conservation. Under the general permit 16.04 it is reviewed by the Board of Health and DEP; as a solid waste facility it would fall under the Board of Health. At this time there has not been an application submitted to the Board of Health and they have not decided to hold a hearing on the issue. Mr. Silva suggests that if they file a notice with the DEP and Board of Health, that the Cons Com raise their issues and questions then. Lown suggested finding out if other Cons Coms are involved in this type of work. Noons-Rose does not agree with pursuing this. Romanelli would like more information. Benjamin said that if the materials were processed properly they will not contain contaminants. Chair McCutcheon would like the opinion of Town counsel. Motion to get the opinion of Town counsel as to what the role of the Conservation Commission can be and if there are any legal issues to consider by Messinger and seconded by Romanelli. Approved 4-0-3 with Noons-Rose, Silva and Benjamin abstaining.

Administrative Permits:

Great Pond, Snow Pond and Ryder Pond, Lauren McKean, CCNS: The CCNS will be doing erosion mitigation at 3 ponds using jute netting and native plantings. They will be fixing existing fencing to prevent people from walking outside of the paths. Motion to approve Administrative Review permit by Romanelli and seconded by Lown. Unanimously approved.

6 Castle Rd, Pamela Blair: Currently an OOC is in place to build a porch and deck and remove invasive species. Pamela Blair handed out a drawing of the current and proposed fencing. In the process of removing invasive plants the chain link fencing had to be removed. She is worried about people trespassing and would like to move picket fence over and put in 27' of fencing. 80 feet of fencing is already installed and the new fencing

would connect to that. Motion to allow construction of fencing by Lown and seconded by Silva. Unanimously approved.

Requests for Certificates of Compliance:

19 & 21 Avocet Rd, Harris, SE# 075-017: Motion to approve Certificate of Compliance by Romanelli and seconded by Silva. Unanimously approved.

New Business

The next meeting is Monday, May 5th, 2014, 6:30 p.m.

Meeting adjourned at 9:00 p.m.

Respectfully,



Nicole Smith
Conservation Commission Secretary
Approved May 5th, 2014; 6-0.

