



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

March 3rd, 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

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

1 Circuit Way: The Commission viewed the area of the stairs that needs to be repaired. The application was unclear exactly what work will be done.

33 Cooper Rd: The Commission viewed the lot where the proposed new home is going. The area was not staked.

8 Castle Rd: Louise Briggs was on site. The Commission viewed the area where the proposed studio would go. The four corners of the building were staked.

41 Pond Rd: The Commission viewed the walkway that is present.

577 Shore Rd: The Commission looked at the fill that was placed on the property. The adjacent property to 571 Shore Rd also had fill on it (across from 582 or 284 Shore Rd).

596 Shore Rd: The Commission viewed the area of the house where the owner would like to have drip lines in place of gutters.

608 Shore Rd: The Commission viewed the cottage that the proposed foundation would go under. The plan and application were not clear on which cottage on the property should be viewed.

3:00 P.M. site visits concluded.

Regular Meeting
March 3rd, 2014
6:30 P.M. in Selectman's Meeting Room

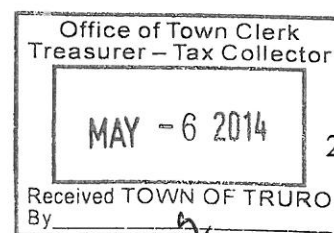
Members Present: Linda Noons-Rose, Larry Lown, Deborah McCutcheon, Peter Romanelli, Sarah Benjamin
Others Present: Patricia Pajaron-Health/Conservation Agent, Nicole Smith-Secretary

Public Hearings:

Others Present: Stephanie Sequin, Jason Ellis, James McCusker, Louise Briggs, Dana Pazolt, George Reilly, Ethan Poulin, Allen Sorbello

41 Pond Rd, Request for Determination of Applicability by Slade Associates for Richard Balzer & Patricia Bellinger: Request to approve walkway that was constructed before the Wetlands Protection Act. This property is in front of Land Court and they would like a paper trail for any structures. The stairs and walkway were built before the WPA and that is not a retro-active law. **Motion to find that the Wetlands Protection Act does not apply to the walkway and stairs, therefore, a permit is not needed by Romanelli and seconded by Noons-Rose. Approved unanimously.**

33 Cooper Rd, Request for Administrative Review/Change in Plans by Ryder & Wilcox for Robert Davoli and Eileen McDonagh, SE# 075-910: Stephanie Sequin presenting. A year ago there was an OOC for removal and replacement of a dwelling. The architect has come up with new plans that need to be approved by the Commission. An overlay was handed out that shows the outline of the approved building and terrace in red and the new building footprint with a deck instead of the terrace is shown in black. The footprint is going to be smaller and it is not getting closer to resource area. It is also being proposed that an existing boardwalk be replaced and that a stepping stone foot path is added to the north side. Mr. Lown asked for the details regarding the deck. It would be made of timber and at grade. The septic has not been put in yet, but it will be in the same location. The boardwalk will be at grade and similar to the current one. Chair McCutcheon requested that the boardwalk be elevated by a minimum of 18 inches and a detailed drawing should be submitted. The deck is at elevation 95 and the grade is 94 and lower at places. Parts of the deck would be 2-3 ft. above the existing grade. The existing boardwalk is a couple feet wide and it may have to be wider if it is elevated. Per the regulations the deck and walkway have to be 18 inches above grade. Mr. Lown stated that if a stone terrace on the ground was approved they should not require the deck to be a certain elevation. **Motion to accept the revised plan with the additional condition that the deck and walkway be elevated and constructed in compliance with the Conservation Commission Regulations.** Mr. Lown mentioned that the stairway is in a state of disrepair. Ms. Sequin said there was talk about replacing the steps and possibly finding a better location for them, but nothing has been finalized.
Motion by Romanelli and seconded by Lown. Approved unanimously.



Offshore of 654 Shore Rd, Request for Administrative Review/Change in Plans by Dana Pazolt, SE# 075-0883: Mr. Pazolt would like permission to expand his oyster farm. He gave the Commission a surveyors map. Chair McCutcheon asked if he would be expanding all at once and Mr. Pazolt indicated he would expand over time. Mr. Romanelli stated he is concerned there will be pushback from people and believes it should be put up for public comment. Mr. Pazolt stated that if he can go further offshore with the oyster farm he will be able to sink the equipment under water and avoid ice. Mr. Lown asked Mr. Pazolt to explain gangion. The gangion comes off the main line and attaches to the cage and this allows the cages to move and rotate. Chair McCutcheon asked when the expansion would take place. It will happen in the fall; it could possibly be done this summer but he has to go before the Army Corp of Engineers and the Division of Marine Fisheries first. Chair McCutcheon stated that Mr. Pazolt should file a Notice of Intent. Mr. Romanelli is in charge of publicity for the project in order to have public comment.

608 Shore Rd, Notice of Intent by J.C. Ellis Design Co., Inc. for James McCusker, SE# 75-0934: Jason Ellis and James McCusker presenting. The proposal is to lift the 3 bedroom cottage and put a new foundation under the structure. There were questions from the Commission as to which building the work was being done on and why the site plan shows proposed cottages. There is a Superseding Order for the 2 proposed cottages. The official address of the property is 608 Shore Rd. but the cottage that the work will be done on is number 610. Chair McCutcheon would like to have another site visit with Mr. Ellis present and an approximate time can be given closer to the date. Mr. Romanelli would like the foundation and construction details. Mr. Ellis says the property is not in the flood zone using the current maps. The Commission stated that the mechanicals may need to be placed outside of the basement and that breakaway panels should be used. **Motion to continue until the April 7th, 2014 meeting by Romanelli and seconded by Lown. Approved unanimously.**

1 Circuit Way, Notice of Intent by George Reilly, Land Design Associates, for Jennifer Weiner, SE# 75-0935: George Reilly presenting. The proposal is to repair the beach stairs and replace 4 posts at the 2nd to the bottom landing. Helical pilings will be used. The Commission asked why a 2006 narrative was provided with the application. Mr. Reilly said this was a mistake and the incorrect narrative was submitted. After trying to correct the narrative unsuccessfully Mr. Reilly suggested a continuance. **Motion to continue until the April 7th, 2014 meeting by Romanelli and seconded by Lown. Approved unanimously.**

8 Pilgrims Path, Notice of Intent for David Bergmark, SE# 75-0927: This was a continuance from the November, 2013 meeting. McCutcheon said the owners should be notified that they will be on the agenda for the June 2014 meeting and if they are not present the filing will be dismissed.

Agenda Items:

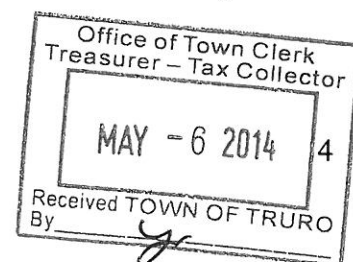
8 Castle Rd, Request for Administrative Review/Change in Plans for Louise Briggs, SE# 075-0841: The proposal is to move the studio further from the river and to do planting to provide more privacy. Chair McCutcheon stated that this will require an Amended Order of Conditions. The Commission likes the plans to move the studio further from the resource area but new conditions will be needed. The proposed plantings should be from the approved planting list. While the vegetation grows a temporary board fence could be used. Ms. Briggs stated that her landscaper suggested not using Eastern Red cedar. Chair McCutcheon said that the plantings need to be native. Agent Pajaron stated that Emily Beebe can meet the landscaper on site to discuss what plants can be used. Ms. Briggs asked if the Commission had any other objections to the plan. Mr. Romanelli said the plan doesn't clearly show the changed footprint. Ms. Briggs would like the cottage to be a little wider and squared off. Ms. Briggs will file an AOOC and return before the Commission at a later date.

577 Shore Rd, Enforcement Order, Emily Lanigan and Ellen Carroll: The property owners are out of the country for the next 6 months, but Agent Pajaron has spoken with them and the owner said the dumping of fill would cease. Chair McCutcheon said the Commission would like the fill to be removed. **Motion to ratify the enforcement order by Romanelli and seconded by Lown. Approved unanimously. Motion to impose a penalty of \$50.00 per day if the fill is not removed in 60 days by Romanelli and seconded by Lown. Approved unanimously.**

4 Rolling Hills Rd, Enforcement Order, Alan Kerr, SE# 075-0918: Mr. Kerr informed Agent Pajaron that the stair debris has been removed. A site visit will be done on Wednesday to confirm. This will be continued to the April 7th, 2014 meeting. **Motion to ratify the enforcement order by Romanelli and seconded by Noons-Rose. Accepted unanimously.**

29 Ryder Beach Rd, Enforcement Order, Patricia Tetrault QPR Trust, Henry Silverman Trustee: There has been no response by the property owner. This will be continued to the next meeting in hopes of a response. **Motion to ratify the enforcement order by Romanelli and seconded by Noons-Rose. Approved unanimously.**

5 Yacht Club Rd, Compliance with Enforcement Order, John E. Allen and Barbara Cordi-Allen: Correspondence has been received in the form of email on February 27th. The Allens are unable to travel due to health and safety issues. They stated that the fence is not imposing on wildlife and it is frozen in the ground and unable to be removed. Chair McCutcheon stated that the email makes no mention of removing the fence once the circumstances have passed. **Motion to notify the property owners that the fence needs to be removed and compliance with the enforcement order is required. There will be a per diem penalty of \$50.00 until the next meeting or until the fence is removed. Motion by McCutcheon and seconded by Romanelli. Approved unanimously.**



Administrative Permits:

41 Bay View Rd, Steve Rosenthal: Ethan Poulin presenting. The proposal is to replace eroded sand behind a beach fence. This should only take 1 or 2 days and the site will be picked up after each day. The fence itself is in good repair. Chair McCutcheon asked if there is any way to access the area from the top of the bank. Mr. Poulin said that is not possible but there will be no heavy machinery on the beach. They will be using 1 front end loader. There will be 150 yards of sand added which will be approximately 50 trips. **Motion to approve the administrative permit by McCutcheon and seconded by Lown. Approved unanimously.**

Selected areas along Route 6, NSTAR and Vanasse Hangen Brustlin, Inc.: John Veara presenting. The proposal is to do exploratory borings along Route 6 and Shore Road for an underground distribution line. The borings will start near the Wellfleet/Truro line and go into Provincetown; 30 borings would be done. Each borings is 15 feet deep, 3 inches in diameter and will take about 30 minutes to complete. They will be no further than 10 feet from the pavement. Mr. Romanelli asked if the underground line would allow for the removal of overhead lines. Mr. Veara said he does not believe so; the underground line is to bolster what is currently in place. The activity is minimal and short term. This is the first step in the process and they will come back to the Commission if anything else will be done. **Motion to approve by Romanelli and seconded by Lown. Approved unanimously.**

7 Yacht Club Rd, Mark Wisotzky for Pamet Harbor Yacht Club: **Motion to approve the administrative permit by Romanelli and seconded by Lown. Approved unanimously.**

8 Falcon Ln, Sorbello Landscaping for Donna Ward: Allen Sorbello presenting. The proposal is for a small retaining wall that is about 2 feet high. Currently there is a pressure treated wall that is starting to rot. He would like to remove the wall and replace it with a stone wall. This wall would allow hydraulics to flow naturally and has no chemicals. The wall is upland of the pond. This is the most environmentally friendly option. **Motion to approve by Lown and seconded by Romanelli. Approved unanimously.**

Requests for Certificates of Compliance:

416 Shore Rd, Kenneth Shapiro, SE# 075-0880: Agent Pajaron says the gutters to downspouts have been installed. **Motion to approve by Romanelli and seconded by Lown. Approved unanimously.**

596 Shore Rd Unit J, Henry Stoll and Don Dizon, Request for change to allow drip line of crushed stone only at short runs of the roof, SE# 075-0891: The owners would like to have drip lines instead of gutters to downspouts on the short runs of the roof. **Motion to approve by Romanelli and seconded by Lown. Approved unanimously.**

8 Kestrel Ln, William and Fay Shutzer, SE# 075-0829: They are requesting a Certificate for the coir envelopes. There are no objections. **Motion to approve by Romanelli and seconded by Lown. Approved unanimously.**

New Business

The next meeting is Monday April 7th.

Mr. Lown suggested have a site visit to Kestrel Lane to see how the coir envelopes are performing. This will tentatively be done on April 7th.

Mr. Lown noticed that on 45, 47 and 51 Fisherman's Road that there are stakes in the sand and he was unable to find any record of approval for that. Other members of the Commission remember this project and Agent Pajaron will look into it.

At MACC Mr. Romanelli spoke with someone from Colonial Seed and he will be sending a list of the Latin names of seed types in the mix. All mixes are custom made and it is possible that the Commission can specify different mixes that can be used. Romanelli went to MACC. Spoke with Colonial Seed person and he will be sending a list of the Latin names of the seeds in it. All mixes are custom made. Possibly the commission can specify different mixes that can be used.

Chair McCutcheon adjourned the meeting at 8:20 p.m.

Respectfully,



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

