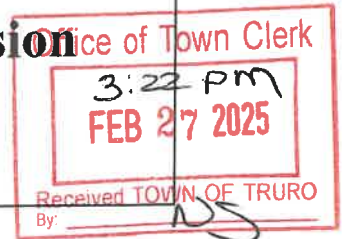




Truro Conservation Commission

Monday March 3, 2025

Hybrid Meeting start at 5:00 PM
Truro Town Hall, 24 Town Hall Road



PUBLIC MEETING AGENDA

This will be a hybrid 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, you may call in or email.**

To call-in toll-free dial 1-646-558-8656 and enter the following Meeting ID when prompted: 833 9225 6598

You can join this Zoom meeting from your computer, tablet or smartphone at

<https://us02web.zoom.us/j/83392256598>

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 ebeebe@truro-ma.gov with your comments. *Items on this agenda can be heard out of order at the discretion of the Chair*

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. **Discussion on proposed Zoning Bylaw- re: lot clearing**
2. **Request for Determination of Applicability: 103 Longnook Road – Town of Truro & Cape Cod Nat'l Seashore – Nat'l Park Service:** beach access improvements; Coastal Bank. (Map 44, Parcel 1, and 999)
3. **Notice of Intent: 10 Thornley Meadow Road, Roland & Lucia Letendre (SE#075-1198):** after-the-fact filing for beach stair replacement and beach grass trimming; Coastal Bank & Coastal Dune. (Map 53, Parcel 87) *(continued from 12/2/2024)(Applicant requested continuance to 4/7/2024)*
4. **Notice of Intent: 46 Castle Road, Anthony Doniger & Elizabeth Lunt (SE#075-1214):** repair cracks in seawall; Riverfront Area, Coastal Bank, Salt Marsh, Land Subject to Coastal Storm Flowage. (Map 50, Parcel 257)
5. **Request for Determination of Applicability: 6 Castle Road, Pamela Blair:** after-the-fact filing for fencing; Riverfront Area & Coastal Bank. (Map 50, Parcel 146) *(continued from 1/6/2025)*
6. **Request for Determination of Applicability: 31 Mill Pond Road, Margaret Clarke & Timothy Richards:** transplant plantings, tree pruning. (Map 50, Parcel 287)
7. **Request for Determination of Applicability: 522 Shore Road, Sutton Place Condominiums:** relocation of beach access, construction of stairs. (Map 7, Parcels 8-19)
8. **Administrative Review Applications:** (1) 276 Shore Road, U:11: outdoor rinse station; (2) 6 Bearberry Lane: sand nourishment; (3) 6 Bearberry Lane: beach grass plantings; (4) 596 Shore Road: new sign, 90-day request; (5) 0 Fisherman's Road: sand nourishment/beach grass plantings
9. **Certificate of Compliance:** 49 Fisher Rd SE# 75-1183
10. **Mitigation Discussion**
11. **Minutes**
12. **Site visits:** Commissioners will meet at Town Hall on Monday, March 3, 2025 at 9:00 AM and proceed to:
 - 1.) 31 Mill Pond Road; 2.) 46 Castle Road; 3.) 103 Longnook Road; 4.) 522 Shore Road

Draft Article – General Bylaw on Site Alteration – 2-25-25 version – V6

Reformatted as a General Bylaw to replace General Bylaw Chapter I, Section 8 Soil Removal.

Delete Section 8 in its entirety and replace with the following:

Section 8 SITE ALTERATION

1-8-1 Purpose: The purposes of this bylaw are to:

- 1-8-1-1 Protect the health, safety and property of the residents of the Town of Truro by regulating clearing and grading activities;
- 1-8-1-2 Limit land clearing and alteration of natural topography prior to development;
- 1-8-1-3 Protect water quality of wetlands and adjacent wetlands, surface water bodies and our aquifers;
- 1-8-1-4 Insure that lot development activities comply with the Wetlands Protection Act and the Clean Water Protection Act;
- 1-8-1-5 Promote land development and site planning practices that are responsive to the town's scenic character.

1-8-2 Definitions:

- 1-8-2-1 Best Management Practices. (BMPs) - A technique recognized to be the most effective and practical means to prevent and reduce pollutants. BMPs should be compatible with the productive use of the resource to which they are applied.
- 1-8-2-2 Clean Fill. – Compactable granular soils (sand, stone, rock) or inert ground concrete free of oils, organics, PCBs, PFAs or other contaminants hazardous to humans or the environment.
- 1-8-2-3 Clearing. – To physically remove vegetation or unwanted structures or objects from a lot.
- 1-8-2-4 Filling. - The act of placing (by any manner or mechanism) material over any preexisting soil surface or natural vegetation.
- 1-8-2-5 Grading. - Any excavating, filling, clearing, or the creation of impervious surface, or any combination thereof, which alters the existing surface of the land.
- 1-8-2-6 Site Alteration Special Permit. - A special permit issued by the Planning Board authorizing land clearing and grading activities in the town of Truro.
- 1-8-2-7 Understory vegetation. - Small trees, shrubs, and groundcover plants, growing beneath and shaded by the canopy of trees.

1-8-3 Applicability: Meeting or exceeding the following threshold limits shall not be permitted without first obtaining a Site Alteration Special Permit from the Planning Board, unless specifically exempted under Section 1-8-5 of this bylaw.

1-8-3-1 Clearing or grading activities of an area greater than 6,000 square feet.

1-8-3-2 Importing more than 50 cubic yards of fill materials to the site.

1-8-3-3 Exporting more than 50 cubic yards of material from the site.

1-8-3-4 Excavation and/or relocation of more than 100 cubic yards of soil within the site, exclusive of excavation and backfill necessary for basement or septic system construction.

1-8-4 Review and Decision: Upon receipt of a completed application and required plans as described in Section 1-8-6, the Planning Board shall transmit one copy each to the Health Agent, Building Inspector, and Department of Public Works, one (1) copy to the Conservation Commission and one (1) copy to the Board of Health. Each department head and chair shall respond to the Planning Board with comments within 45 days. The Planning Board shall act on applications according to the procedure specified in G.L. c. 40A, §9.

1-8-5 Exemptions: The provisions of this bylaw shall not apply to the following activities:

1-8-5-1 Agricultural activities in existence at the time this bylaw is adopted, work conducted in accordance with an approved Natural Resource Conservation Service Agricultural Plan or pre-existing agricultural uses on parcels of land of more than five acres as specified in MGL c. 40A Section 3.

1-8-5-2 Non-commercial cutting for fuel, provided that the limitations enumerated in 1-8-7 are not exceeded and provided that the following minimum tree density on the harvested area shall be preserved: 10 trees per 10,000 square feet, each preserved tree with a minimum trunk diameter of 4 inches. No understory vegetation shall be cut within the harvested area.

1-8-5-3 Site Development within the Commercial or Beach Point zoning districts.

1-8-6 Application Requirements: Unless determined otherwise by the Planning Board the following submittals are required at the time of application:

1-8-6-1 Submission of a locus map at a scale of 1" = 500' showing the proposed site in relation to the surrounding area.

1-8-6-2 Submission of a plan at a scale of 1" = 40' of the project site showing existing and proposed contour lines at intervals of not more than 2 feet prepared by a registered civil engineer or land surveyor.

1-8-6-3 Soil survey or soil logs indicating predominant soil types on the project site, including information on erosion potential from the Natural Resources

Conservation Service.

- 1-8-6-4 Submission of a plan at a scale of 1" = 40' indicating the limits of work. The limit of work shall include all building, parking, and vehicular use areas, and any grading associated with the proposed development. The plan or accompanying narrative shall document the extents of vegetation to be removed or relocated within the project area.
- 1-8-6-5 Construction schedule which describes the timing of vegetation removal, transplanting or replacement in relation to other construction activities.
- 1-8-6-6 Plans and/or description of Best Management Practices to be employed in clearing of the project site.
- 1-8-6-7 Submission of an erosion and sedimentation control plan at a scale of 1" = 40'. This plan shall include BMPs for erosion and sediment control (vegetative and/or structural) to prevent surface water from eroding cut and fill side slopes, road shoulders and other areas and measures to avoid sedimentation of nearby wetlands and ponds and to protect all adjacent lots from any adverse effects. The following information shall be submitted on erosion control and sedimentation plans submitted with the project application:
 - 1-8-6-8 Plans and details of any sediment and erosion control structure(s) drawn at a scale of 1" = 40', with details at larger scales as appropriate, to include but not be limited to:
 - 1-8-6-8-1 scale
 - 1-8-6-8-2 Spillway designs showing calculations and profiles
 - 1-8-6-8-3 Notes and construction specifications
 - 1-8-6-8-4 Type of sediment trap
 - 1-8-6-8-5 Drainage area to any sediment trap
 - 1-8-6-8-6 Volume of storage required
 - 1-8-6-8-7 Outlet length or pipe sizes
 - 1-8-6-9 A description of the sequence of construction activities which specifies the time frame for soil stabilization and completion and any necessary winter stabilization measures.
 - 1-8-6-10 Identification of the source and estimated quantity of all fill materials proposed to be placed on the site, including certification that any such materials meet the definition of "Clean Fill" per 1-8-2 above.
 - 1-8-6-11 Identification and classification of any existing on-site soils or fill materials to be excavated or removed from the site, including estimated quantities and final disposition.

1-8-6-12 A Statement of Need outlining in narrative form the reason or justification for requesting the Site Alteration Special Permit.

1-8-7 Review Standards:

1-8-7-1 The applicant shall demonstrate that the following measures are employed in development of the site:

1-8-7-2 Minimize site alteration/land clearing:

1-8-7-2-1 Site/building design shall preserve natural topography of the development to reduce unnecessary land disturbance and to preserve natural drainage channels on the site.

1-8-7-2-2 Clearing of vegetation and alteration of topography shall be limited to the following maximum percentages of a conforming lot, per the table below. Disturbed areas replanted with native vegetation may be considered to be uncleared.

Land Use	% Clearing Allowed
Residential District	40%
Seashore District	25%

1-8-7-3 Clearing for utility trenching shall be limited to the minimum area necessary to maneuver a backhoe or other construction equipment.

1-8-7-4 Sites shall be designed in such a way as to maintain contiguous forested areas.

1-8-7-5 In the design of a development, priority shall be given to retention of existing stands of trees, trees at the site perimeter, contiguous vegetation with adjacent sites (particularly existing sites protected through conservation restrictions.)

1-8-7-6 Understory vegetation beneath the dripline of preserved trees shall also be retained in an undisturbed state. During clearing and/or construction activities, all vegetation to be retained shall be surrounded by temporary protective fencing or other measures before any clearing or grading occurs, and maintained until all construction work is completed, the site is cleaned up and until all vegetation and ground is stabilized and there is no further threat of erosion. Barriers shall be large enough to encompass the essential root zone of all vegetation to be protected. All vegetation within the

protective fencing shall be retained in an undisturbed state.

1-8-7-7 Forested areas shall be preserved if they are associated with:

1-8-7-7-1 Significant, endangered or rare forest communities.

1-8-7-7-2 All areas under the jurisdiction of the Truro Conservation Commission;

1-8-7-7-3 critical wildlife habitat areas;

1-8-7-7-4 slopes over 25 percent.

1-8-7-8 Minimize cut and fill in site development:

1-8-7-8-1 Development envelopes for structures, driveways, wastewater disposal, lawn areas and utility work shall be designed to limit clearing and grading.

1-8-7-8-2 All efforts to minimize the clearing and grading on a site associated with construction activities shall be employed, such as parking of construction vehicles, offices/trailers, stockpiling of equipment/materials, etc. in areas already planned for permanent structures. Topsoil shall not be stockpiled in areas of protected trees, wetlands, and/or their vegetated buffers.

1-8-7-8-3 Finished grades should be limited to no greater than a 2:1 slope, while preserving, matching, or blending with the natural contours and undulations of the land to the greatest extent possible.

1-8-7-8-4 Employ proper site management techniques during construction:

1-8-7-8-4-1 BMPs shall be employed to avoid detrimental impacts to existing vegetation, soil compaction, and damage to root systems.

1-8-7-8-4-2 The extent of a site exposed at any one time shall be limited through phasing of construction operations. Effective sequencing shall occur within the boundaries of natural drainage areas.

1-8-7-8-5 Protect the site during construction through adequate erosion and sedimentation controls:

1-8-7-8-5-1 Temporary or permanent diversions, berms, grassed waterways, special culverts, shoulder dikes or such other mechanical measures as are necessary may be required by the Board to intercept and divert surface water runoff. Runoff flow shall not be routed through areas of protected vegetation or revegetated slopes and must stay on the lot being developed. Temporary runoff from erosion and sedimentation controls shall be directed to BMPs such as

vegetated swales. Retaining walls may be required where side slopes are steeper than a ratio of 2:1.

1-8-7-8-5-2 Erosion and sedimentation controls shall be constructed in accordance with the DEP Stormwater Guidance manual.

1-8-7-8-5-3 Erosion control measures shall include the use of erosion control matting, mulches and/or temporary or permanent cover crops. Mulch areas damaged from heavy rainfalls, severe storms and construction activity shall be repaired immediately.

1-8-7-8-5-4 Erosion control matting or mulch shall be anchored where plantings are on areas subject to mulch removal by wind or water flows or where side slopes are steeper than 2:1 or exceed 10 feet in height. During the months of October through March when seeding and sodding may be impractical, anchored mulch may be applied at the Board's discretion.

1-8-7-8-5-5 Runoff from impervious surfaces shall be recharged on the site by stormwater infiltration basins, vegetated swales, constructed wetlands or similar systems covered with natural vegetation. Runoff shall not be discharged directly to rivers, streams, or other surface water bodies. Dry wells shall be used only where other methods are not feasible. All such basins and wells shall be preceded by oil, grease, and sediment traps. The mouths of all catch basins shall be fitted with filter fabric during the entire construction process to minimize siltation or such basins shall be designed as temporary siltation basins with provisions made for final cleaning.

1-8-7-8-5-6 The applicant shall be required to conduct weekly inspections of all erosion and sedimentation control measures on the site to ensure that they are properly functioning as well as to conduct inspections after severe storm events. Any and all problems, alterations or adjustments shall be reported to the Health Agent immediately.

1-8-7-8-6 Revegetate the site immediately after grading:

1-8-7-8-6-1 Proper revegetation techniques shall be employed using native plant species, proper seed bed preparation and mulching to protect germinating plants. Revegetation shall occur on cleared sites within 7 (seven) calendar days of final grading and shall occur during the planting season appropriate to the selected plant species.

1-8-7-8-6-2 A minimum of 4" of topsoil shall be placed on all

disturbed surfaces which are proposed to be planted.

- 1-8-7-8-6-3 Finished grade shall be no higher than the trunk flare(s) of trees to be retained. If a grade change of 6" or more at the base of the tree is proposed, a retaining wall or tree well may be required.

1-8-8 Required Security: The Planning Board may require a performance guarantee in a form acceptable to the town to cover the costs associated with compliance with this bylaw under a Site Alteration Special Permit.

- 1-8-8-1 If required by the Planning Board, a performance guarantee in the amount of up to 150% of the cost of site restoration shall be posted prior to the issuance of a Site Alteration Special Permit for the proposed project.
- 1-8-8-2 The performance guarantee shall be held for the duration of any prescribed maintenance period required by the Planning Board to ensure establishment and rooting of all new plantings and may be reduced from time to time to reflect completed work. Plantings which die within the prescribed maintenance period shall be replaced. Securities shall not be fully released without a final inspection and approval of vegetation replacement by the town.

1-8-9 Monitoring and Inspections:

- 1-8-9-1 Prior to commencement of construction, the applicant, land owner, contractor, Building Inspector and site engineer shall conduct a meeting to review the proposed construction phasing and number and timing of site inspections.
- 1-8-9-2 Initial site inspection of erosion and sedimentation controls and placement of tree protection measures shall occur after installation of barriers around preserved areas and construction of all structural erosion and sedimentation controls, but before any clearing or grading has begun.
- 1-8-9-3 Routine inspections of preserved areas and erosion and sedimentation controls shall be made by the contractor and the site engineer at varying intervals depending on the extent of site alteration and the frequency and intensity of rainfall.
- 1-8-9-4 Effective stabilization of revegetated areas must be approved by the town before erosion and sedimentation controls are removed. The town shall complete an inspection prior to removal of temporary erosion and sedimentation controls.

1-8-10 Enforcement: The town of Truro may take any or all of the enforcement actions prescribed in this bylaw to ensure compliance with, and/or remedy a violation of this bylaw; and/or when immediate danger exists to the public or adjacent property, as determined by the Truro Building Inspector and the Health Agent. Securities described in 1-8-8 above may be used by the town in carrying out any necessary enforcement actions.

- 1-8-10-1 The Truro Building Inspector may post the site with a Stop Work order directing that all vegetation clearing not authorized under a Site Alteration Permit cease immediately. The issuance of a Stop Work order may include remediation or other requirements which must be met before clearing activities may resume.

- 1-8-10-2 The Town may, after written notice is provided to the applicant, or after the site has been posted with a Stop Work order, suspend or revoke any Site Alteration Special Permit issued by the Town.
- 1-8-10-3 No person shall continue clearing in an area covered by a Stop Work order, or during the suspension or revocation of a Site Alteration Special Permit except work required to correct an imminent safety hazard as prescribed by the Town.
- 1-8-10-4 The penalty for any violation of this section shall be in accordance with G.L. ch. 40, §21, cl. 17, as provided in Appendix A of this document.

1-8-11 Severability:

- 1-8-11-1 If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the [town]'s zoning bylaw.

FEB 11 2025

Request for Determination

Project address: 103 Longnook Rd (44-1) - Cape Cod National Map 040 Parcel 999

- Is the project located in a resource area or buffer zone Yes Seashore
- Resource Area Type(s): Coastal dune/bluff
- If Buffer Zone what is the distance from Resource Area: 200'

Description of project: (list all activities and describe methodology for construction or installation including equipment type if applicable) Please see the attached scope of work - Equipment to be used excavator, and skid steer.

Attached site plan titles/dates, and any other plan or narratives title/dates: Please see the attached scope of work with the site plan dated November 18th 2025 2/10/25

Describe the best management practices/mitigation that will be used on the site: Limited removal of asphalt surface and old roadway embankment. Stormwater BMPs will be maintained and part of the final project.

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: Jarrod Cabral
Owners printed name and signature: _____

February 11, 2025

Job No. 24-0173-00

Truro Conservation Commission
Attn: Emily Beebe, Conservation Agent
24 Town Hall Road
Truro, MA 02666

By Hand Delivery and email: ebeebe@truro-ma.gov

Re: Request for Determination of Applicability (RDA)

Longnook Beach Access Improvements
Town of Truro, Applicant
c/o Kelly Clark, Assistant Town Manager
24 Town Hall Road
Truro, MA 02666

For properties:
0 Cape Cod National Seashore, Truro, MA
Map 40, Parcel 999
103 Longnook Road, Truro, MA
Map 44, Parcel 1

Conservation Commission
TOWN OF TRURO
FEB 11 2025

Dear Emily,

On behalf of our client, the Town of Truro, we are submitting an original Request for Determination of Applicability (RDA) plus 8 copies of the application for the above referenced project.

Please schedule this for your **March 3, 2025**, public hearing. If you have any questions or require additional information, please give me a call at 508-495-6270 or send an email to jwrigley@woodsholegroup.com.

Sincerely,



Joshua K. Wrigley
Coastal Permitting Specialist

MAB/jkw

Enclosures: as stated



cc: MassDEP/SERO – Wetlands & Waterway: sero_noi@mass.gov
Jarrod Cabral, Truro DPW Director
U.S. National Park Service
Mitchell A. Buck, Woods Hole Group, Inc.



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Checklist for Filing a Notice of Intent

- ☐ Notice of Intent Application ☐ Signature of applicant/property owner
- ☐ USGS Map/locus map ☐ Certified abutters list from the Town Assessor (300') and letter to abutters*
- ☐ Project Narrative ☐ Project Plans /up-to-date Site plan ☐ signed copy of 21 day waiver (requested)
- ☐ **NHESP (if applicable- check map or ask staff for assistance to determine if property is within mapped jurisdiction)**
 - ☐ MESA application and fee ☐ Copy of the entire Notice of Intent (including USGS Map, Plans)
 - ☐ Send by certified mail return receipt requested to NHESP

***NOTE:** The abutter's notification letter must be sent to each abutter by certified mail, return receipt requested, at the expense of the applicant. The green cards must be submitted at the hearing.

Copies to DEP

- 1) **Fee:** mail the state-share of the fee to Boston by certified mail, return receipt requested; enclose the "fee transmittal form" and mail to DEP, PO Box 4062, Boston, MA 02211
- 2) Mail 1-copy of the Notice of Intent Application packet **and a copy of the fee transmittal form** by certified mail, return receipt requested to: DEP SERO, 20 Riverside Drive, Lakeville, MA 02347

Copies to Truro Conservation Commission

- ☐ attach check to "Town of Truro" for the town share of filing fee, PLUS the local filing fee
- ☐ provide:
 - ☐ (2) copies of the NOI Application
 - ☐ (1) copy of the abutters list, notification, wetlands fee transmittal, & 21 day waiver (if applicable)
 - ☐ (9) copies of any narratives AND plans
 - ☐ (1) emailed pdf of plans
- ☐ bring the green cards as proof of notification of abutters to the meeting

Checklist for Filing an RDA

(Request for Determination of Applicability)

- ☒ Request for Determination of Applicability form plus current site plan/project sketch
- ☒ ample project details
- ☒ signed copy of 21 day waiver (requested)
- ☒ Signature of applicant/property owner ☐
- ☒ attach check to the "Town of Truro" for \$30 (this fee can be applied toward fee for higher level of filing if required)
FEE WAIVED FOR TOWN PROJECT
- 1-copy of the Request for Determination of Applicability packet mailed by certified mail, return receipt requested to: DEP SERO, 20 Riverside Drive, Lakeville, MA 02347

9-copies of the Request for Determination of Applicability packet
(packet = application + plans) for the Commission

Request for Determination of Applicability

Longnook Beach Access Improvements for the Town of Truro, MA



February 2025

PREPARED FOR:
Town of Truro
24 Town Hall Road
Truro, MA 02666

PREPARED BY:
Woods Hole Group, Inc.
A CLS Company
107 Waterhouse Rd
Bourne, MA 02532 USA

107 Waterhouse Road
Bourne, MA 02532
Phone: 508-540-8080
Fax: 508-540-1001
e-mail: WHGroup@whgrp.com
www.woodsholegroup.com

Request for Determination of Applicability Table of Contents

- A. Request for Determination of Applicability, WPA Form 1
 - Addendum A (Property Owner List)
- B. Project Narrative
- C. Accompanying Documents
 - Town of Truro Conservation Commission 21-Day Waiver
 - Affidavit of Service
- D. Certified Abutters List, Abutter Notification & Copies of Certified Mail Receipts
- E. Project Maps & Plan
 - Truro USGS Map, identifying locus
 - Assessors Map, identifying locus properties
 - Plan entitled, "Proposed Beach Access Path for Longnook Beach in Truro, MA" dated 2/10/25

Section A

**Request for Determination of Applicability,
WPA Form 1 & Addendum A (Property Owner
List)**



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Truro

Municipality

Conservation Commission
TOWN OF TRURO

FEB 14 2025

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



A. General Information

1. Applicant:		
Kelly	Clark	
First Name	Last Name	
24 Town Hall Road		
Address		
Truro	MA	02666
City/Town	State	Zip Code
508-214-7004	kclark@truro-ma.gov	
Phone Number	Email Address	
2. Property Owner (if different from Applicant):		
Multiple Property Owners - See Addendum A		
First Name		Last Name
Address		
City/Town		State Zip Code
Phone Number		Email Address (if known)
3. Representative (if any)		
Mitchell A.	Buck	
First Name	Last Name	
Woods Hole Group, Inc.		
Company Name		
107 Waterhouse Road		
Address		
Bourne	MA	02532
City/Town	State	Zip Code
508-495-6210	mbuck@woodsholegroup.com	
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):	
103 Longnook Road & 0 Cape Cod National Seashore	Truro
Street Address	City/Town
42.01999	-70.03789
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)
44-1 & 40-999	
Assessors' Map Number	Assessors' Lot/Parcel Number
b. Area Description (use additional paper, if necessary):	
See Project Narrative	
c. Plan and/or Map Reference(s): (use additional paper if necessary)	
Proposed Beach Access Path for Longnook Beach in Truro, MA	2/12/25
Title	Date
Title	Date

[How to find Latitude
and Longitude](#)

[and how to convert
to decimal degrees](#)



B. Project Description (cont.)

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

Restoration of public access to Longnook Beach from the parking lot. Removal of a seaward portion of the parking lot, creation of sand path, relocation of shed and call box, installation of split-rail fence.

- 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).

NA

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.)



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

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.

Kelly J. Cleon

Signature of Applicant

2/11/25

Date

Mitchell A. Buech

Signature of Representative (if any)

2/10/2025

Date

Addendum A
List of Properties

Address	Parcel ID	Owner Information
103 Longnook Road	44-1	Town of Truro P.O. Box 2030 Truro, MA 02666-2030
0 Cape Cod National Seashore	40-999	USA – Dept. of Interior Cape Cod National Seashore 99 Marconi Site Road Wellfleet, MA 02667

Section B

Project Narrative



FEB 14 2024

A. PROJECT NARRATIVE

1.0 INTRODUCTION

On behalf of the Town of Truro, the Woods Hole Group, Inc. respectfully submits this Request for Determination of Applicability (RDA) to restore public access to Longnook Beach via the creation of a sand path, removal of 2,103 sq ft of impervious surface and debris, temporary movement of a shed, relocation of a light post, and installation of a split rail fence. The project will take place on properties located at 103 Longnook Road (44-1) and 0 Cape Cod National Seashore (40-999) that extend onto the beach. Longnook Beach is a popular beach destination in the Town of Truro that provides direct public access to the Cape Cod National Seashore over the face of a Coastal Bank. Visitors have traditionally accessed Longnook Beach via these properties using a path at the end of the Longnook Road parking lot. However, the previous sand path was destroyed by storm effects during the spring of 2024 and the Town was forced to close the beach access in June 25, 2024 since it posed a public safety hazard.

The Town proposes to construct a new sand path that will allow pedestrian traffic to enter the beach. The creation of a new path will help to prevent unwanted impacts to the Coastal Bank by directing traffic through a designated route. In addition, removal of the parking lot's seaward edge will increase the Bank's resilience as the parking area retreats landward by 55 ft. The project proposes no permanent structures or coastal engineering structures in this location.

As part of this process, the Town will need to also obtain a Special Use permit from the Cape Cod National Seashore (NPS) since a portion of the path extends onto federal property located at 0 Cape Cod National Seashore (040-999-00). The National Park Service has worked closely with the town to identify the need for the project and supports the town's efforts.



Figure 1. Project site and surrounding areas showing the existing parking lot.



Site Description & Usage

The Project site, Longnook Beach and its associated parking lot, is part of the Town of Truro and the Cape Cod National Seashore. Longnook Beach is a public beach that receives heavy visitor use during the summer months. The parking lot is constructed of paved asphalt and currently holds sixty vehicles. It offers pedestrian access to the beach via a path that was destroyed in winter/spring of 2024.

The parking lot is bounded on its north and south sides by a Coastal Bank that rises to El 90 ft NAVD88 to the north and El 72 ft NAVD88 to the south. The landform on both sides is well vegetated by thick populations of native vegetation. The eroding face of the bank serves as a sediment source for the Coastal Beach at El 13 ft (NAVD88) and is largely unvegetated. Based on estimates by the Massachusetts Office of Coastal Zone Management, the short-term rate of erosion from 1970 to 2014 has averaged over 5.2 feet per year or 228 feet during that time. This does not account for more recent accelerated rates of shoreline change due to the effects of climate change including sea level rise and storm intensification.

2.0 PROJECT DESCRIPTION

The Town of Truro proposes to restore public access to Longnook Beach via the creation of a sand path, removal of 2,103 sq ft of impervious surface, temporary movement of a shed, relocation of a light post, and relocation of split rail fencing to direct traffic. The location of the path is generally in the same location as the original path with the same starting point, but the proposed path diverges from the existing path to accommodate a gentler slope to facilitate public access and reduce safety hazards. Beginning at the eastern end of the parking lot, the sand path will be oriented toward the southeast to use existing slopes along the face of the bank. Here the top of bank exists at El 56 ft (NAVD88). This entry point and direction were selected because the desirable slope of 15:1 could be achieved without threatening the stability of the bank face. Additionally, this direction orients the path away from the direction of incoming Nor'easters to help reduce storm damage. It is expected that this path will continue to naturally erode with the bank over time and will require annual maintenance.

Prior to the creation of the sand path, 2,103 sq ft of the paved parking lot will be removed which includes 213 sq ft of impervious surface on National Park Service land. The entire area will be restored. Additionally, a portion of the historic road and associated debris, buried within the limits of work will be removed and restored. All hardscape debris will be disposed of offsite at an appropriate location. By removing this asphalt, the seaward edge of the parking lot will retreat landward by 55 ft which will aid the bank's resilience as storm events continue to erode the landform. The restored bank area between the seaward edge of the pavement and the angled turn of the path will be graded at a 10:1 slope.

An existing 8 ft x 13 ft storage shed that sits on concrete blocks will be relocated landward to the back edge of the parking lot as shown on the plans. As with all other disturbed areas, its previous footprint will be restored with compatible sand sourced from the site and replanted with American Beachgrass. In addition, a light post and call box will be relocated to the new edge of pavement as indicated on the accompanying site plan.

Upon completion of the sand path, a split rail fence with a single opening will be installed at the edge of pavement to discourage vehicular and foot traffic in sensitive areas of the bank. Additionally, a split rail fence will be installed along the main access point extending across the coastal bank landform to the north



with an opening to the south to direct foot traffic to the beach access path. This will help to protect the resource area during the busy summer season and control the flow of pedestrians using the access.

The Town opines that the submitted RDA deserves a Negative -2 determination because the work that is proposed lies within resource areas subject to jurisdiction under the Act, but will not remove, fill, dredge, or alter those resource areas. Therefore, said work does not require the filing of a Notice of Intent.

3.0 DESIGN ALTERNATIVES

The original intent of the project was to establish a natural beach access path on the Town-owned parcel that could be constructed and maintained by Town labor and equipment and preserve the majority of the parking spaces. This would be accomplished by executing a straight cut landward of the top of bank to the edge of the Coastal Beach. No permanent structures or features were to be included to reduce complexity and resource impacts. The existing bank slope, 1.5H:1V, is too steep to establish and maintain safe public access, therefore, several different path configurations were evaluated including:

- Alternative 1 – Establish a 2.6H:1V slope from the existing edge of pavement to the beach that would keep the existing impervious surfaces (asphalt) intact.
- Alternative 2 – Establish a 4.2H:1V slope from the limit of the existing parking spaces to the beach. This option would remove approximately 75 feet of impervious surface (asphalt) where parking is currently not allowed which would minimize impacts to parking.
- Alternative 3 – Establish a 6.7H:1V (15%) slope from the parking lot to the beach to comply with local building codes/zoning laws for driveways, which would remove 177 foot (approximately half) of the existing parking lot.
- Alternative 4 – Establish a 10H:1V (10%) slope from the parking lot to the beach to create a gentler slope for beach users. This alternative would remove the majority of the parking lot.

A summary of the alternatives specifications is shown in Table 1. Figure 2 depicts the extent of the cut both landward and laterally for each beach access path alternative as outlined by the colored lines. After reviewing the results, multiple design concerns were raised with the Alternatives including:

- Alternatives 1 and 2 establish a path without impacting the existing parking spaces, however, the slopes are steep which would create a potentially unstable slope that could be a public safety risk. The slope for Alternative 1 is less than the angle of repose of sand, 3H:1V, which would be very unstable.
- Alternatives 3 and 4 establish gentler, stable paths, however, half or all of the parking lot would be excavated to accommodate the paths. This does not achieve the project goal of preserving most of the parking spaces (Figure 2).
- Each Alternative would require significant excavation that would require stable side slopes in the absence of structural support (retaining walls, sheeting, etc.) The maximum side slope would be 3H:1V, similar to the path slope itself. However, simply grading the side slopes from the path to the top of the slope on either side would create extensive cuts on either side of the path as shown approximately in Figure 2. This would create significant disturbance to abutter properties and resource areas that are not acceptable.
- A beach access path installed in this manner with the long, straight cut and 3H:1V sideslopes may modify and funnel stormwater flows creating a drainage issue that could cause additional erosion on the path and bank.



- From a constructability standpoint, the volume of material excavated would be significant and more than what can be reused onsite for restoration. Therefore, the Town would be required to haul a significant volume of material to an approved offsite location or facility which could require many trips with Town trucks and drivers. If the material was too much for the Town to handle, they may be forced to subcontract the work at a high cost.
- A beach access path with multiple switchbacks to create a gentler slope contained within the narrow Town parcel was evaluated, however, the run was too short and the slope too steep to safely construct such a path without structural support or extending onto adjacent parcels.
- Note that an ADA compliant path of 12H:1V (8.33%) could not be constructed since it would completely remove the parking lot and portion of the road above it; therefore, it was not considered.

Table 1. Summary of Alternatives for Beach Access Path (Preferred Alternative Highlighted)

Scenario	Path Slope	Sideslope	Length of Cut (feet)	Loss of Parking Lot (feet)
Existing	1.5:1	3:1	0	0
Alt. 1	2.6:1	3:1	65	0
Alt. 2	4.2:1	3:1	207	75
Alt. 3	6.7:1 (15%)	3:1	431	177
Alt. 4	10:1 (10%)	3:1	285	323
Alt. 5	10:1 (10%)/ 15:1 (6.7%)	3:1	100	55

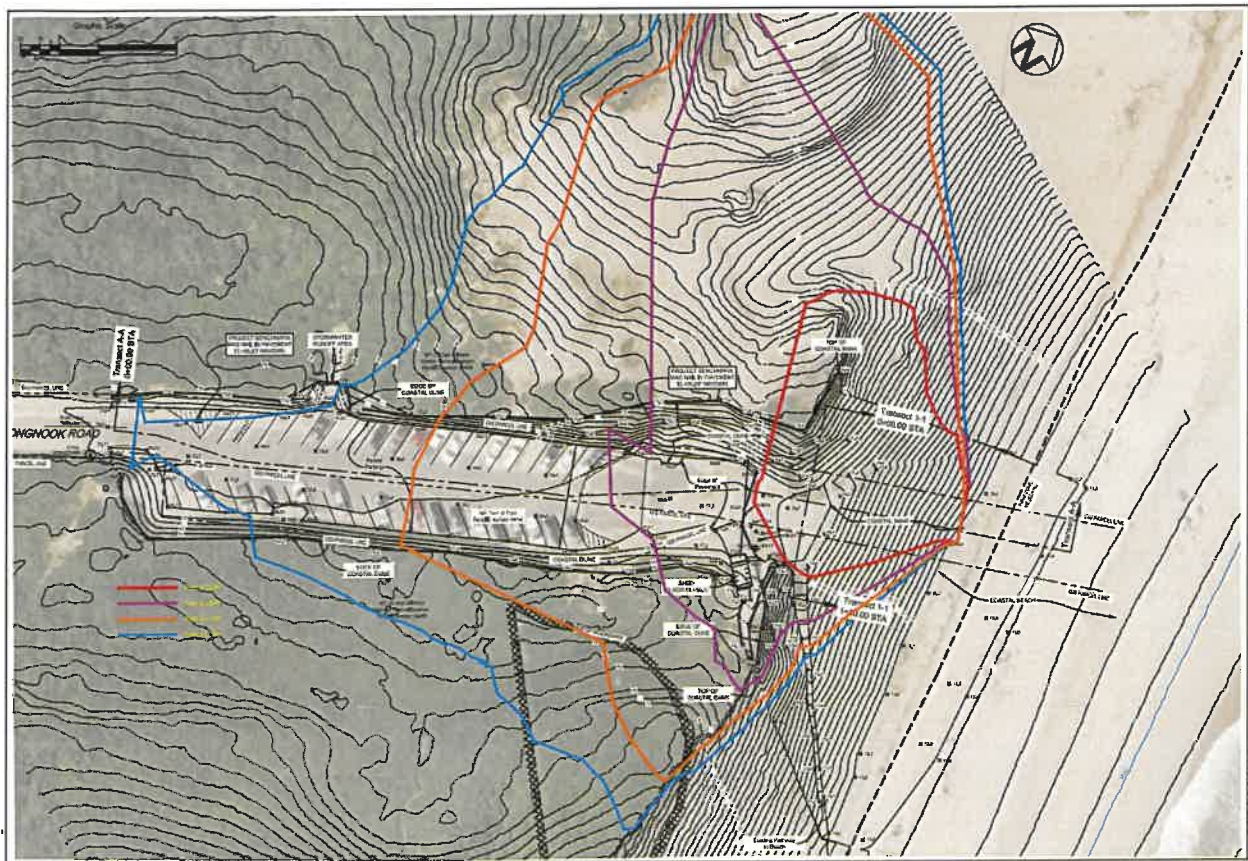


Figure 2. Comparison of the area of disturbance for each of the four original alternatives.

Therefore, a fifth alternative was developed, taking a different approach to minimize impacts to the resource area, abutters, and existing parking infrastructure by extending the path onto Cape Cod National Seashore Property. Originally, the Town intended to keep the path on Town owned land to not impact the abutters land, however, the alternatives analysis revealed that this was not possible without significant loss of the parking lot or construction of a hard structural solution. The Town developed a solution that would benefit both parties by removing 230 sq ft of impervious surfaces (asphalt) and a shed that was located on Cape Cod National Seashore Property and restoring this area. The Town would also remove the 55-foot seaward portion of impervious surface (asphalt) where there currently is no parking and grade a 10H:1V natural slope from the new edge of pavement to the top of bank. From here, the path would be angled south on a 15H:1V slope from the top of the landform to the toe where there is an existing path that is steeper. While this grade would technically be ADA compliant, no other ADA enhancements are being added since this would require hard structural features constructed on the coastal bank.

Alternative 5 was selected as the preferred alternative and is depicted on the attached proposed plan set. Alternative 5 creates the least disturbance and impacts to the resource area, abutters, and the existing use of the site. This alternative can be implemented and maintained using Town labor and equipment and any excavated material is expected to be sand that can be beneficially reused onsite to restore disturbed areas. The preferred alternative will allow the Coastal Bank form to continue to serve as a sediment source for the Coastal Beach and will not affect the stability of the landform. The path can be relocated and



regraded as needed after storms. The Town recognizes that Alternative 5 will require an NPS Special Use Permit and is in the process of obtaining it. NPS will benefit from this solution because nearly 230 sq ft of impervious surface and structures will be removed from their property, the Coastal Bank will be restored, and public access will be reestablished.

4.0 CONSTRUCTION METHODOLOGY

To create the new sand path, the Town of Truro will use DPW labor and equipment including an excavator and a skid steer. The excavator will be used to remove asphalt and debris while the skid steer will be used to grade the path. Construction is anticipated to take a week during spring 2025 in coordination with the Truro Conservation Commission. Construction Access will be from Long Nook Rd and all work will be conducted upslope of the Coastal Beach and the Velocity Zone (EI 16).

The portion of the bank on the southeast corner will be graded at a 10:1 slope from the parking lot to the end. During this time, hardscape such as asphalt and concrete that are removed from the project area will be taken offsite to an acceptable location for disposal. Any material (sand) excavated during construction will be stockpiled onsite and then beneficially reused onsite to restore the bank. All temporarily disturbed areas of the bank will be stabilized and replanted with American Beach Grass (*Ammophila breviligulata*) at 3-culms per hole, 12" on center.

Annual maintenance will be needed to maintain the path using Town labor and equipment. This will be conducted on an as needed basis or following storms in coordination with the Truro Conservation Commission.

5.0 REGULATED COASTAL RESOURCE AREAS & PERFORMANCE STANDARDS

On August 26, 2025, a Woods Hole Group Wetland Professional in Training (WPIT), under the direction of a Professional Wetland Scientist (PWS), conducted a coastal resource area delineation along a section of shoreline at the Longnook Beach access and parking lot in Truro, Massachusetts. The study area extended approximately 350 linear feet alongshore seaward of the parking lot. Resource areas observed included Coastal Beach and Coastal Bank. Land Subject to Coastal Storm Flowage (LSCSF) was also included in this study (VE 16). Descriptions of each resource area observed within or adjacent to the study area are included in the following sections.

310 CMR 10.27 – Coastal Beach

(2) Definition. Coastal beach is unconsolidated sediment subject to wave, tidal and coastal storm action that forms the gently sloping shore of a body of salt water and includes tidal flats. Coastal beaches extend from the mean low water line landward to the Bank line, coastal bank line or the seaward edge of existing man-made structures, when these structures replace one of the above lines, whichever is closest to the ocean.

WHEN A COASTAL BEACH IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION, FLOOD CONTROL OR PROTECTION OF WILDLIFE HABITAT, 310 CMR 10.27 (3) through (7) SHALL APPLY:



(3) Any project on a coastal beach, except any project permitted under 310 CMR 10.30(3)(a), shall not have an adverse effect by increasing erosion, decreasing the volume or changing the form of any such coastal beach or an adjacent or downdrift coastal beach.

(4) Any groin, jetty, solid pier, or other such solid fill structure which will interfere with littoral drift, in addition to complying with 310 CMR 10.27(3), shall be constructed as follows:

(a) It shall be the minimum length and height demonstrated to be necessary to maintain beach form and volume. In evaluating necessity, coastal engineering, physical oceanographic and/or coastal geologic information shall be considered.

(b) Immediately after construction any groin shall be filled to entrapment capacity in height and length with sediment of grain size compatible with that of the adjacent beach.

(c) Jetties trapping littoral drift material shall contain a sand by-pass system to transfer sediments to the downdrift side of the inlet or shall be periodically dredged to provide beach nourishment to ensure that downdrift or adjacent beaches are not starved of sediments.

(5) Notwithstanding 310 CMR 10.27(3), beach nourishment with clean sediment of a grain size compatible with that on the existing beach may be permitted.

WHEN A TIDAL FLAT IS DETERMINED TO BE SIGNIFICANT TO MARINE FISHERIES OR THE PROTECTION OF WILDLIFE HABITAT, THE FOLLOWING REGULATION SHALL APPLY:

(6) In addition to complying with the requirements of 310 CMR 10.27(3) and 10.27(4), a project on a tidal flat shall if water-dependent be designed and constructed, using best available measures, so as to minimize adverse effects, and if non-water-dependent, have no adverse effects, on marine fisheries and wildlife habitat caused by:

(a) alterations in water circulation,

(b) alterations in the distribution of sediment grain size and

(c) changes in water quality, including, but not limited to, other than natural fluctuations in the levels of dissolved oxygen, temperature or turbidity, or the addition of pollutants.

(7) Notwithstanding the provisions of Sections 10.27(3) through (6), no project may be permitted which will have any adverse effect on specified habitat sites or rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.

At this site, Coastal Beach is present seaward of the Longnook beach parking lot. The landward edge of the Coastal Beach transitions to a steep Coastal Bank, while the seaward edge transitions to Land Under the Ocean at Mean Low Water (MLW). At the time of the survey, the beach was relatively flat in the backshore and sloping in the foreshore. Beach sediments are primarily medium to fine-grained sand.

No work will be performed on the Coastal Beach since the beach access path will terminate before reaching the toe of the Coastal Bank.



310 CMR 10.30 – Coastal Bank

(2) *Definition.* Coastal Bank means the seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of a coastal beach, land subject to tidal action, or other wetland.

WHEN A COASTAL BANK IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION OR FLOOD CONTROL BECAUSE IT SUPPLIES SEDIMENT TO COASTAL BEACHES, COASTAL DUNES OR BARRIER BEACHES, 310 CMR 10.30(3) THROUGH (5) SHALL APPLY:

(3) No new bulkhead, revetment, seawall, groin or other coastal engineering structure shall be permitted on such a coastal bank except that such a coastal engineering structure shall be permitted when required to prevent storm damage to buildings constructed prior to the effective date of 310 CMR 10.21 through 10.37 or constructed pursuant to a Notice of Intent filed prior to the effective date of 310 CMR 10.21 through 10.37 (August 10, 1978), including reconstructions of such buildings subsequent to the effective date of 310 CMR 10.21 through 10.37, provided that the following requirements are met: (a) a coastal engineering structure or a modification thereto shall be designed and constructed so as to minimize, using best available measures, adverse effects on adjacent or nearby coastal beaches due to changes in wave action, and (b) the applicant demonstrates that no method of protecting the building other than the proposed coastal engineering structure is feasible. (c) protective planting designed to reduce erosion may be permitted.

(4) Any project on a coastal bank or within 100 feet landward of the top of a coastal bank, other than a structure permitted by 310 CMR 10.30(3), shall not have an adverse effect due to wave action on the movement of sediment from the coastal bank to coastal beaches or land subject to tidal action.

(5) The Order of Conditions and the Certificate of Compliance for any new building within 100 feet landward of the top of a coastal bank permitted by the issuing authority under M.G.L. c. 131, § 40 shall contain the specific condition: 310 CMR 10.30(3), promulgated under M.G.L. c. 131, § 40, requires that no coastal engineering structure, such as a bulkhead, revetment, or seawall shall be permitted on an eroding bank at any time in the future to protect the project allowed by this Order of Conditions.

WHEN A COASTAL BANK IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION OR FLOOD CONTROL BECAUSE IT IS A VERTICAL BUFFER TO STORM WATERS, 310 CMR 10.30(6) THROUGH (8) SHALL APPLY:

(6) Any project on such a coastal bank or within 100 feet landward of the top of such coastal bank shall have no adverse effects on the stability of the coastal bank.

(7) Bulkheads, revetments, seawalls, groins or other coastal engineering structures may be permitted on such a coastal bank except when such bank is significant to storm damage prevention or flood control because it supplies sediment to coastal beaches, coastal dunes, and barrier beaches.

(8) Notwithstanding the provisions of 310 CMR 10.30(3) through (7), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.



Coastal Bank resource area was identified in the project area. Landward of the top of the coastal bank, wind-driven sediments have formed unique topographic features atop the coastal landform. Active sediment transport has formed hills, mounds, ridges, and scalloped bowls that are heavily vegetated with species characteristic of New England coastal dunes, including but not limited to American beachgrass (*A. breviligulata*), seaside goldenrod (*S. sempervirens*), beach pea (*L. japonicus var maritimus*), poverty grass (*H. tomentosa*), and reindeer lichen (*C. rangiferina*) (Figures 3 & 4). These topographic and vegetative features are consistent with those found landward of the coastal bank along much of the Cape Cod National Seashore.

Although the site conditions exhibit some attributes common to coastal dune environments, the landform's identity as a Coastal Bank is based on the presence of glacially deposited sediments that compose over 50% of the landform above Mean High Water (MHW). As noted in the MA Office of Coastal Zone Management's manual, *Applying the Massachusetts Coastal Wetlands Regulations*, the state "...defines a coastal bank as any elevated landform composed of sediment deposited as a result of glacial processes." The identity of a Coastal Bank or Dune resource area depends upon the measurement of whether or not "...subsurface sediments consist of 50 percent or greater windblown or storm overwash deposits (measured from above the mean high water elevation to the top of the landform)" (3-46). In this instance, the sediments observed on site were primarily unconsolidated, coarse-grained glacial material with some gravel and cobble.

The seaward face of the bank slopes steeply and shows signs of active erosion and sloughing. A pedestrian access path is present from the parking lot area down the face of the bank to the beach. Vegetation observed on the face of the bank includes sparse assemblages of herbaceous plants such as Evening Primrose (*O. biennis*), Seaside Goldenrod, Curly Dock (*R. crispus*), and Mugwort (*A. vulgaris*). The top of the bank is higher in elevation to the north and south of the Longnook Beach parking lot and access. Vegetation observed along the top of bank area and around the beach parking area includes herbaceous plants such as American beachgrass, Seaside Goldenrod, Dusty Miller (*J. maritima*), Evening Primrose, and woody plants such as Northern Bayberry (*M. pennsylvanica*), and Beach Plum (*P. maritima*). In addition to these characteristics, the Coastal Bank in this location presents a slope greater than 4:1 which identifies it as a Figure 2 type bank according to DEP Policy 92-1.



Figures 3 & 4. Features consistent with typical coastal dunes observed landward of the coastal bank.



Figure 5. Coastal Bank (left) transitioning to Coastal Beach (right).

This project seeks to remove impervious surfaces to enhance littoral transport for the Coastal Bank while establishing a natural pedestrian beach access path designed to minimize disturbance to the resource area and habitat. Temporary impacts to the resource area will result from the use of machinery to grade a new sand path at a 15:1 slope and from the removal of 2,103 sq ft of impervious asphalt parking lot. Because the path will traverse the face of the bank which is sparsely vegetated, there will be minimal impacts to the existing plant communities in the project area. Upon completion of the work, any disturbed areas on site will be restored to their previous condition and replanted with native, salt-tolerant species including American beachgrass. New infrastructure including a split rail fence and a relocated call box will help to prevent degradation of the resource area by pedestrian traffic.

Overall, the project will enhance the bank's ability to erode by removing 2,103 sq ft of impervious surface and allowing the landform to remain a natural sediment source for neighboring resource areas. The project will not adversely impact any of the bank's attributes including the ability to erode, its stability as a landform, or the protection it provides against storm damage and flooding. This project is designed for future adaptability so that temporary structures may be relocated as needed and allow the path to erode naturally.

310 CMR 4.10 - Land Subject to Coastal Storm Flowage

(3) Performance Standards: When the Commission determines that Land subject to coastal storm flowage overlays other Resource areas, the applicable performance standards for each Resource area shall be independently and collectively applied and the project shall be appropriately conditioned to protect all stated Resource area values.

(a) General Performance Standards

Any activity within land subject to coastal storm flowage which will result in the building



upon, removing, filling or altering of land shall not have an adverse effect on the interests protected by the bylaw by:

- I. reducing the ability of the land to absorb and contain flood waters;*
- II. reducing the ability of the land to buffer more inland areas from flooding and wave damage;*
- III. increasing the elevation or velocity of flood waters, or by redirecting or increasing flows or causing channelization, in each case at the project site, adjacent or nearby properties, or any public or private way.*
- IV. displacing or diverting flood waters to other properties or resource areas. Fences and privacy walls, including walls separating one property from another, may obstruct or divert flood flow and waves toward buildings and protected areas. Solid fences (stockade and similar) must be constructed with 6 inches of clearance below to allow the passage of floodwaters and wildlife;*
- V. causing, or creating the likelihood of, damage to other structures on land within the flood plain as debris (collateral damage);*
- VI. causing ground, surface or saltate pollution triggered by coastal storm flowage;*
- VII. reducing the ability of the resource to serve as a wildlife habitat and migration corridor through activities such as, but not limited to the removal of substantial vegetative cover and/or installation of fencing and other structures which prevent wildlife migration across property.*
- VIII. prevention of the migration of resource areas such as salt marshes due to sea level rise.*
- IX. If flood control and storm damage protection functions have already been impaired, redevelopment must improve existing conditions by reducing impervious surfaces, restoring flood control and storm damage protection functions, installing native plantings, or by restoring or creating other wetland resource areas.*

And shall meet the following requirements;

- X. Existing septic system and cesspool repairs will be allowed provided they meet all Title 5 and local Board of Health thresholds.*
- XI. All groundwater elevations shall incorporate seasonable adjustments if test holes and or leaching components are 100 feet or closer from major estuaries.*
- XII. Any proposed deck, shed, or other similar structure must be securely anchored to a footing or foundation.*
- XIII. Any activity shall preserve existing soils, vegetation, and other natural conditions that serve as buffers to coastal flooding and storm surges.*

(b) Additional Performance Standards within the V Zone

Within the V Zone, in addition to the general performance standards set forth in Section 4.10, (3)(a), the following additional performance standards shall apply:

- I. No new construction or footprint expansion of any building or other structure, road, impervious surface, or septic system shall be permitted*
- II. No new construction or expansion of any structure that redirects or channelizes floods including retaining walls, fences, and sea walls shall be permitted*



- III. *With respect to any building or other structure, in the event of any substantial repair of the foundation, any substantial improvement (as defined in the state building code), the entire building or structure shall be elevated at least two (2) feet above the BFE.*

(c) Additional Performance Standards within the MoWA

Within the MoWA, in addition to the general performance standards set forth in Section 4.10 (3)(a), the following additional performance standards shall apply:

- I. *The new construction and footprint expansion of any building or other structure, road, impervious surface, or septic system shall be permitted, subject to the other provisions of the Bylaw and Regulations, provided that any building or occupied structure shall be elevated at least two (2) feet above the BFE.*
- II. *No new construction or expansion of any structure that redirects or channelizes floods including retaining walls, fences, and sea walls shall be permitted.*
- III. *With respect to any building or other structure, in the event any substantial repair of the foundation, any substantial improvement, the entire building or structure shall be elevated at least two (2) feet above BFE.*

Land Subject to Coastal Storm Flowage (LSCSF) is land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record whichever is greater. LSCSF is inclusive of the AE and VE (EI 16) zones designated by FEMA and encompasses the entirety of the Coastal Beach, and portions of the seaward face of the Coastal Bank.

The proposed project does not propose to build upon, remove, fill, or alter Land Subject to Coastal Storm Flowage since the beach access path terminates before it enters this resource area. Therefore, the project will not interfere with the resource area's flood storage capacity or ability to buffer more inland areas from wave damage. Nor will it displace flood waters and increase their velocity.

Section C

Accompanying Documents



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, Mitchell A. Buck (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 2/11/25 (date) for work at 103 Longnook Road & 0 Cape Cod Nat Seashore (address). I understand that the next meeting of the Conservation Commission is scheduled for 3/3/25 and that the Commission will open the public hearing on that date.

I am the: ☐ Applicant
☒ Applicant's Representative


(signature)

2/11/25
(date)

Job No. 2024-0173-00

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act, M.G.L. CH131, Sec. 40

(to be submitted to the Massachusetts Department of Environmental Protection
and the Conservation Commission when filing a Notice of Intent/RDA)

I, **Joshua K. Wrigley**, of The Woods Hole Group, Inc., hereby certify under the pains and penalties of perjury that on February 11, 2025, I sent notification to abutters, in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, Section 40, the Department of Environmental Protection's Guide to Abutter Notification, dated, April 8, 1994, and Truro Wetlands Bylaw Ch. 8 in connection with the following matter:

An Request for Determination of Applicability was filed under the Massachusetts Wetlands Protection Act and the Truro Wetlands Protection By-law Ch. 8, by the Town of Truro with the Truro Conservation Commission on February 11, 2025, for properties located at 103 Longnook Road, Map 44, Parcel 1 and 0 Cape Cod National Seashore, Map 40, Parcel 999 in Truro, MA.

The form of the notification and a list of the abutters to whom the notice was given and their addresses are attached to this Affidavit of Service.



Name

February 11, 2025

Date

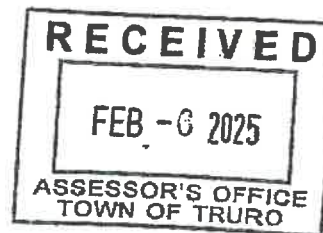
Section D

**Certified Abutters List, Abutter Notification, &
Certified Mail Receipts**



TOWN OF TRURO

Assessors Office Certified Abutters List Request Form



DATE: 2/6/25

NAME OF APPLICANT: Town of Truro

NAME OF AGENT (if any): Woods Hole Group, Inc.

MAILING ADDRESS: 24 Town Hall Road, Truro, MA 02666

CONTACT: HOME/CELL 508-776-4422 EMAIL jwrigley@woodsholegroup.com

PROPERTY LOCATION: 99 Marconi Site Road, Truro, MA 02666
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 40 PARCEL 999 EXT. _____
and Map 44, Parcel 1 if condominium

ABUTTERS LIST NEEDED FOR:

FEE: \$15.00 per checked item

(please check all applicable)

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

☐ Board of Health⁵

☐ Planning Board (PB)

☐ Zoning Board of Appeals (ZBA)

☐ Cape Cod Commission

☐ Special Permit¹

☐ Special Permit¹

☒ Conservation Commission⁴

☐ Site Plan²

☐ Variance¹

☐ Licensing

☐ Preliminary Subdivision³

Type: _____

☐ Definitive Subdivision³

☐ Other _____

(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: 2/6/2025

Date completed: 2/6/2025

List completed by: [Signature]

Date paid: _____

Cash/Check _____

¹Abutters, 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.

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

³Landowners 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.

⁴All 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.

⁵Abutters 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.



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

Date: February 6, 2025

To: Woods Hole Group, Inc.

From: Assessors Department

Certified Abutters List: 103 Longnook Road and 99 Marconi Site Road
(Map 44, Parcel 1 and Map 40, Parcel 999)

Conservation Commission

Attached is a combined list of abutters for 103 Longnook Road and 99 Marconi Site Road.

The current owners are Town of Truro and USA Department of the Interior.

The names and addresses of the abutters are as of January 31, 2025 according to the most recent documents received from the Barnstable County Registry of Deeds.

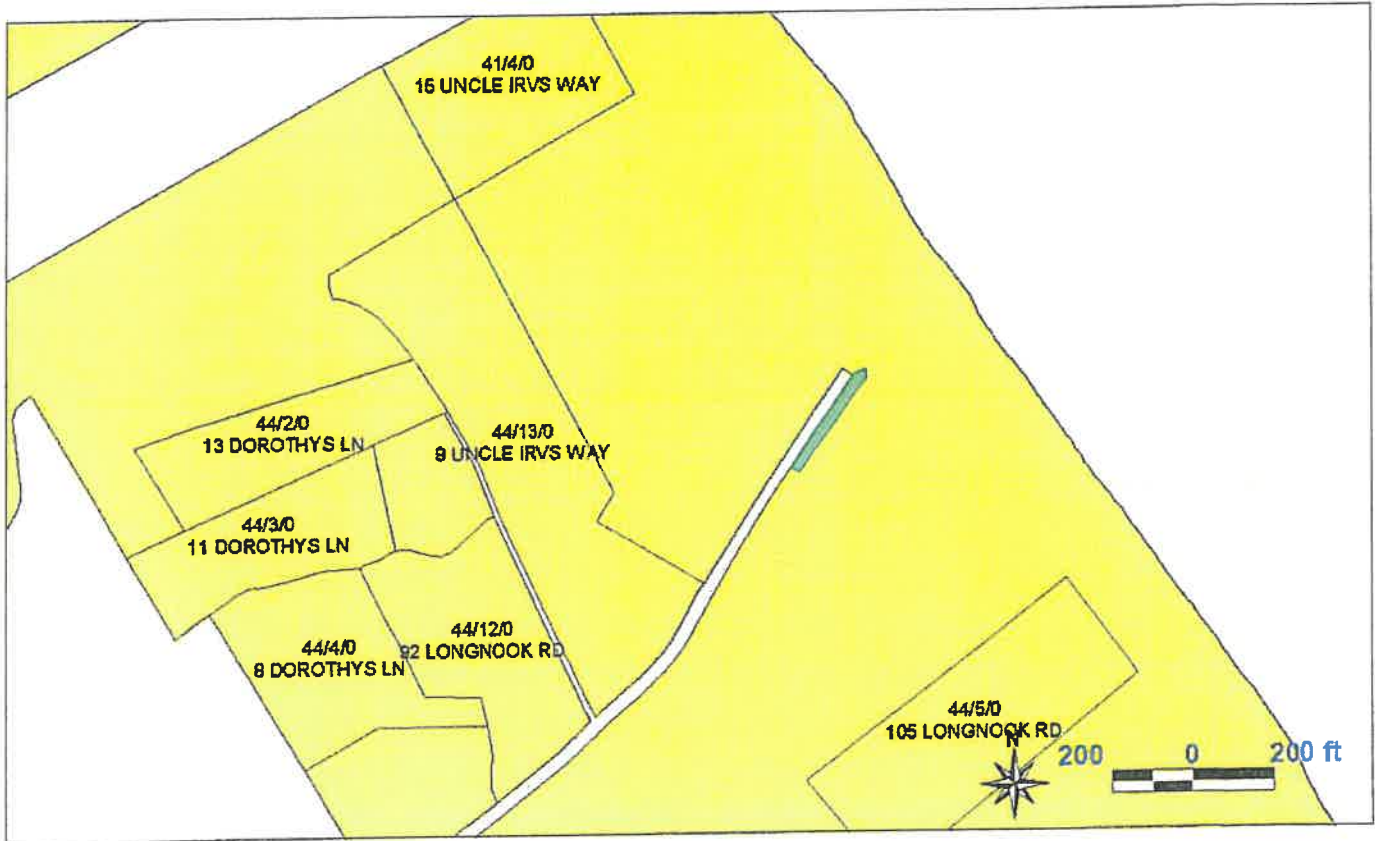
Certified by: 

Olga Farrell
Assessing Clerk

103 Longnook Road and 99 Marconi Site Road
 Map 44, Parcel 1 and Map 40, Parcel 999
 Conservation Commission

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfleet	MA	02667
1577	41-4-0-R	JOHN M DEUTCH REVOC TRUST TRS: JOHN M DEUTCH	15 UNCLE IRVS WAY	51 CLIFTON ST	BELMONT	MA	02478
2077	44-1-0-E	TOWN OF TRURO	103 LONGNOOK RD	PO BOX 2030	TRURO	MA	02666-2030
2078	44-2-0-R	OKO BENJAMIN K & DIMOS HELEN A	13 DOROTHYS LN	11 BARLOW MOUNTAIN RD	RIDGEFIELD	CT	06877
2079	44-3-0-R	OKO BROTHERS LLC	11 DOROTHYS LN	C/O MICHAEL OKO 3718 APPLETON ST NW	WASHINGTON	DC	20016
2080	44-4-0-R	DRAZ CHRISTIAN C	8 DOROTHYS LN	44 W CEDAR ST	BOSTON	MA	02114
2081	44-5-0-E	U S A DEPT OF THE INTERIOR	105 LONGNOOK RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
5802	44-12-0-E	U S A DEPT OF THE INTERIOR	92 LONGNOOK RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
5803	44-13-0-E	U S A DEPT OF THE INTERIOR	9 UNCLE IRVS WAY	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667

Handwritten signature: JZ de la Rosa

40-999-0-E		41-4-0-R	44-1-0-E
USA-DEPT OF INTERIOR Cape Cod National Seashore 99 Marconi Site Rd Wellfleet, MA 02667	JOHN M DEUTCH REVOC TRUST TRS: JOHN M DEUTCH 51 CLIFTON ST BELMONT, MA 02478	TOWN OF TRURO PO BOX 2030 TRURO, MA 02666-2030	
44-2-0-R		44-3-0-R	44-4-0-R
OKO BENJAMIN K & DIMOS HELEN A 11 BARLOW MOUNTAIN RD RIDGEFIELD, CT 06877	OKO BROTHERS LLC C/O MICHAEL OKO 3718 APPLETON ST NW WASHINGTON, DC 20016	DRAZ CHRISTIAN C 44 W CEDAR ST BOSTON, MA 02114	
44-5-0-E		44-12-0-E	44-13-0-E
U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	

**NOTIFICATION TO ABUTTERS UNDER THE
MASSACHUSETTS WETLANDS PROTECTION ACT &
TOWN OF TRURO WETLAND BY-LAW, CHAPTER 8**

In accordance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40 and the Town of Truro Wetland By-Law Ch. 8, you are hereby notified of the following:

- A. The name of the applicant is: Town of Truro
- B. The applicant has filed a Request for Determination of Applicability with the Truro Conservation Commission, seeking a jurisdictional determination for proposed work that may remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (MGL c. 131 s. 40 & Town of Truro Wetland By-Law, Chapter 8).
- C. The address of the lot where the activity is proposed is: 103 Longnook Road (44-1) & 0 Cape Cod National Seashore (40-999)
- D. Proposed work is: Longnook Beach access improvements including construction of a sand path, relocation of a shed and call box, removal of paved hardscape, and installation of a split-rail fence.
- E. Copies of the Request for Determination of Applicability may be examined at the Truro Town Hall at the Conservation Commission office between the hours of 8:00 a.m. and 4:00 p.m. Monday thru Friday. For more information, call (508) 349-7004 ext. 131.
- F. Copies of the Request for Determination of Applicability may be obtained from either the applicant or applicant's representative. Applicant's phone number

Or Applicant's representative's phone number: 508-495-6210

- G. Information regarding the date, time and place of the public hearing may be obtained by calling the Truro Conservation Commission office at (508) 349-7004 ext. 131
- H. Person sending this notification (applicant, representative or other)

Name: Mitchell A. Buck, Woods Hole Group, Inc.

Address: 107 Waterhouse Road

Town: Bourne State: MA Zip: 02532

Telephone: 508-495-6210

NOTES :

- Notice of the public hearing, including date, time and place will be published at least five (5) days in advance in a newspaper of general circulation.

- Notice of the public hearing, including date, time and place will be posted in the Town Hall not less than forty-eight hours in advance.
- You may also contact the Southeast Regional Office of the Department of Environmental Protection at (508) 946-2800 for more information about this application.

7018 1130 0002 2742 6695

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

24-0173-00/LONGNK/RDA/jkw

Draz Christian C
 44 West Cedar St.
 Boston, MA 02114

Postmark Here

for Instructions

7018 1130 0002 2742 6718

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

24-0173-00/LONGNK/RDA/jkw

OKO Benjamin K. & Dimos, Helen A.
 11 Barlow Mountain Rd.
 Ridgefield, CT 06877

Postmark Here

for Instructions

7018 1130 0002 2742 6701

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

24-0173-00/LONGNK/RDA/jkw

OKO Brothers, LLC
 c/o Michael OKO
 3718 Appleton St. NW
 Washington, D.C. 20016

Postmark Here

for Instruction

7018 1130 0002 2742 6732

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

24-0173-00/LONGNK/RDA/jkw

USA-Dept of Interior
 Cape Cod National Seashore
 99 Marconi Site Road
 Wellfleet, MA 02667

Postmark Here

for Instruction

5229 1130 0002 2742 6725

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

24-0173-00/LONGNK/RDA/jkw

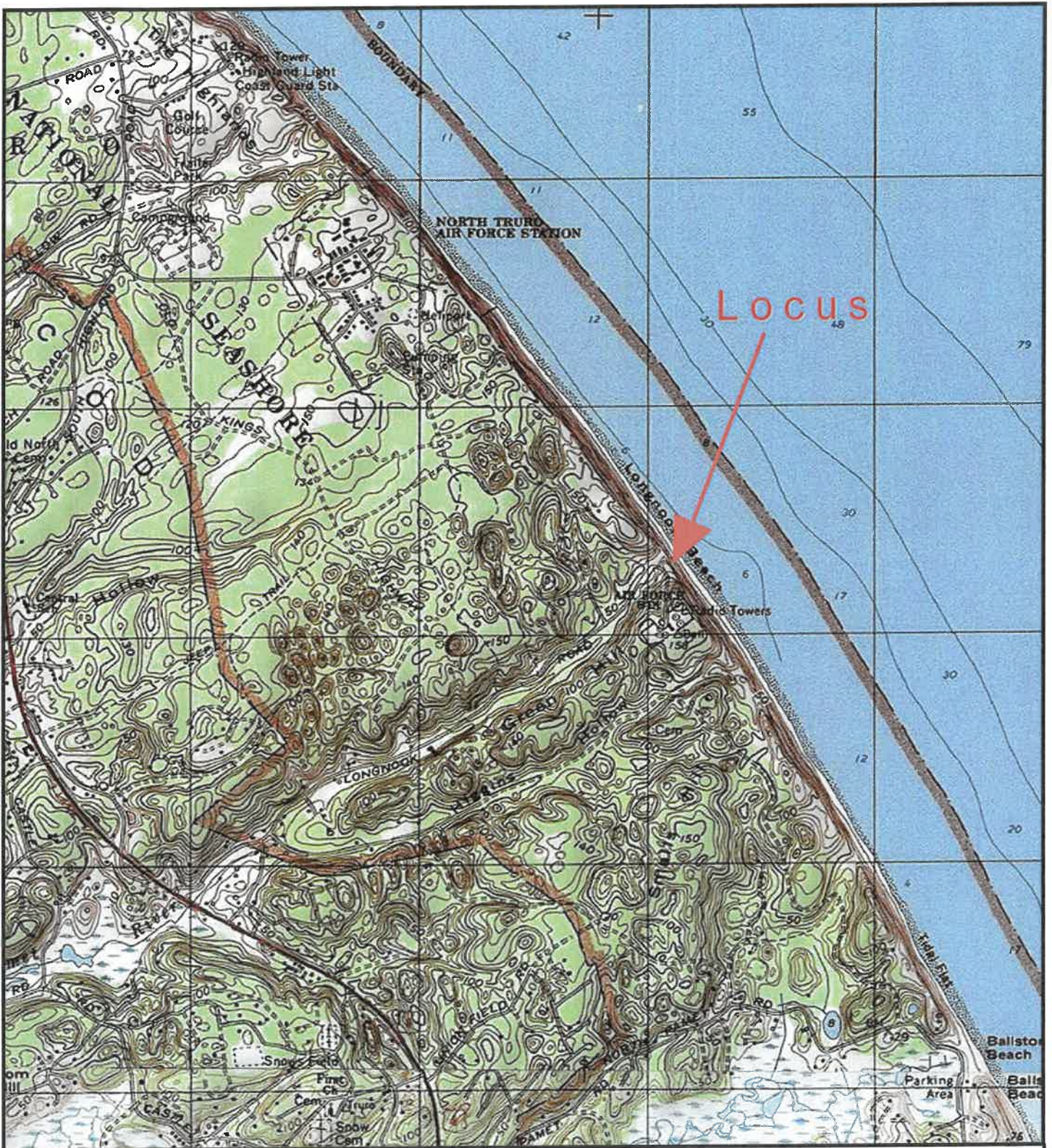
John M. Deutch Revocable Trust
 TRS: John M. Deutch
 51 Clifton Street
 Belmont, MA 02478

Postmark Here

for Instructions

Section E

Project Maps & Plans

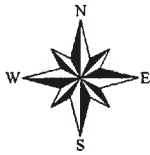


Town of Truro
0 Cape Cod National Seashore
Truro, MA
USGS North Truro Quadrangle
Map Scale 1:24,000

107 Waterhouse Road
Bourne, MA 02532

0 0.5 1
Miles





103 Longnook Road & 0 Cape Cod National Seashore

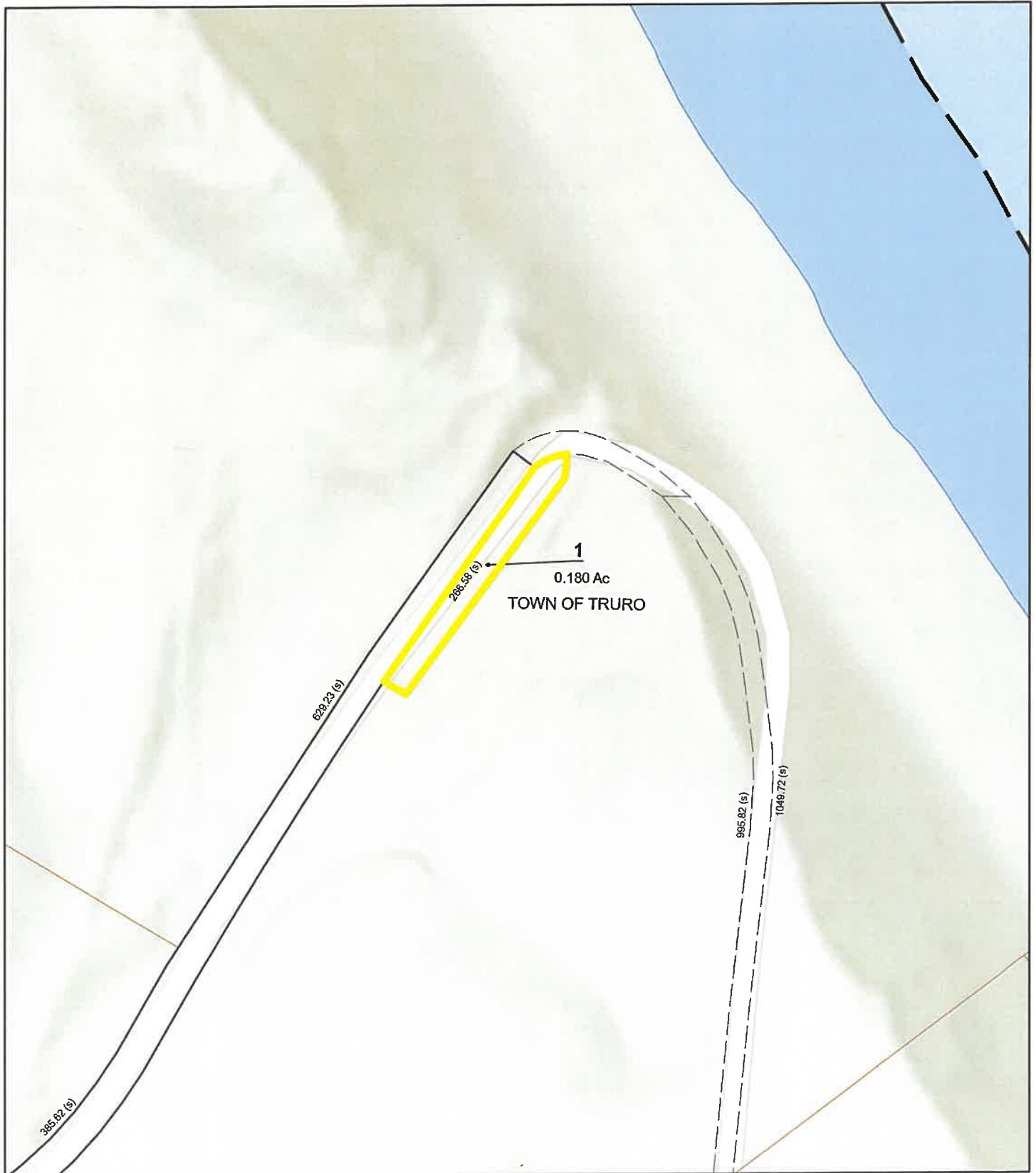
Town of Truro, MA

1 inch = 140 Feet

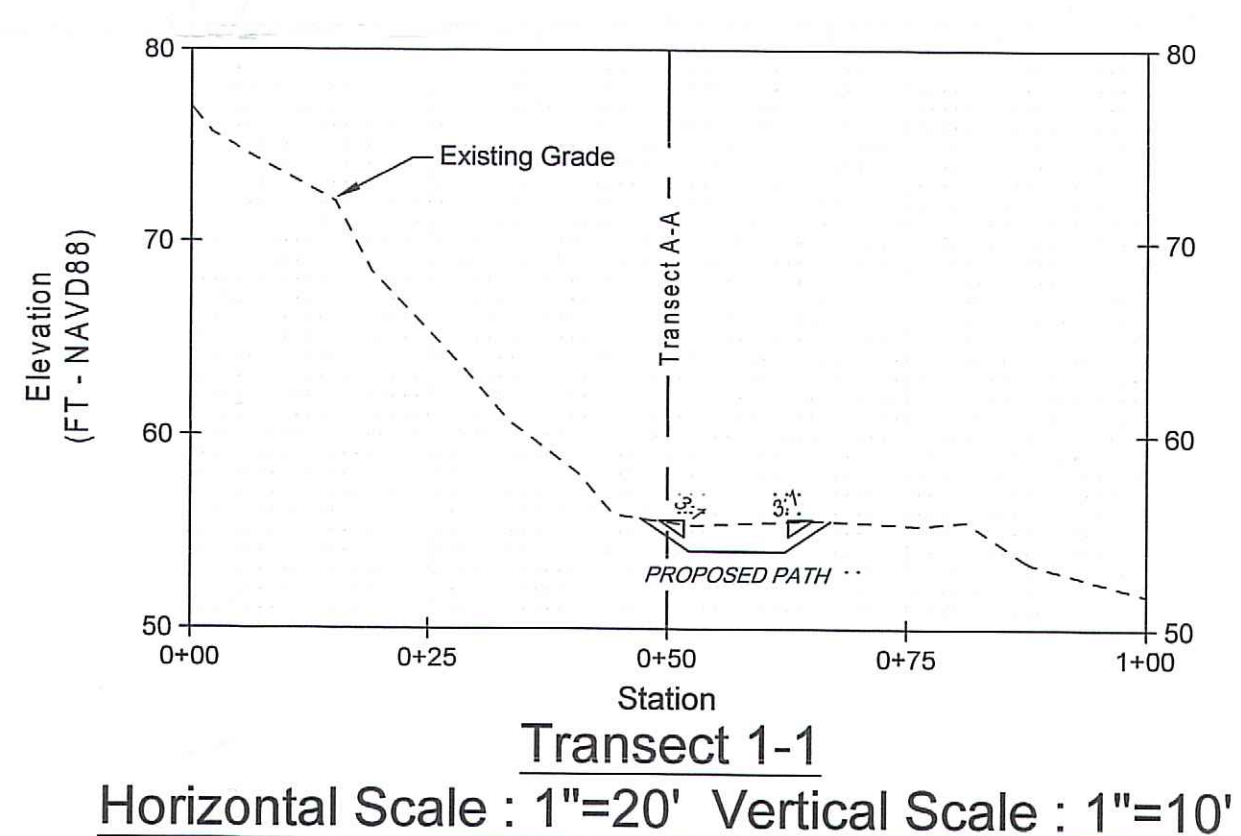
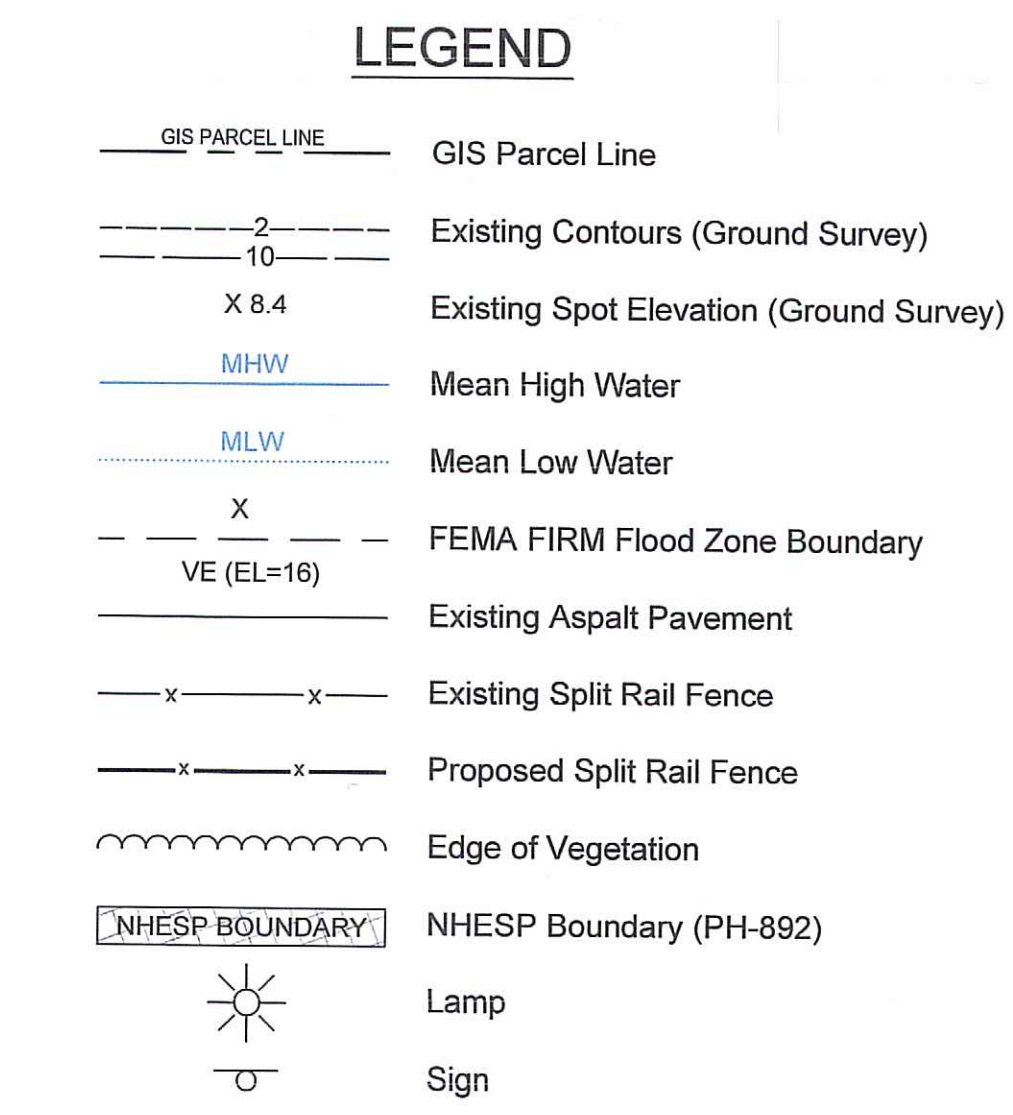
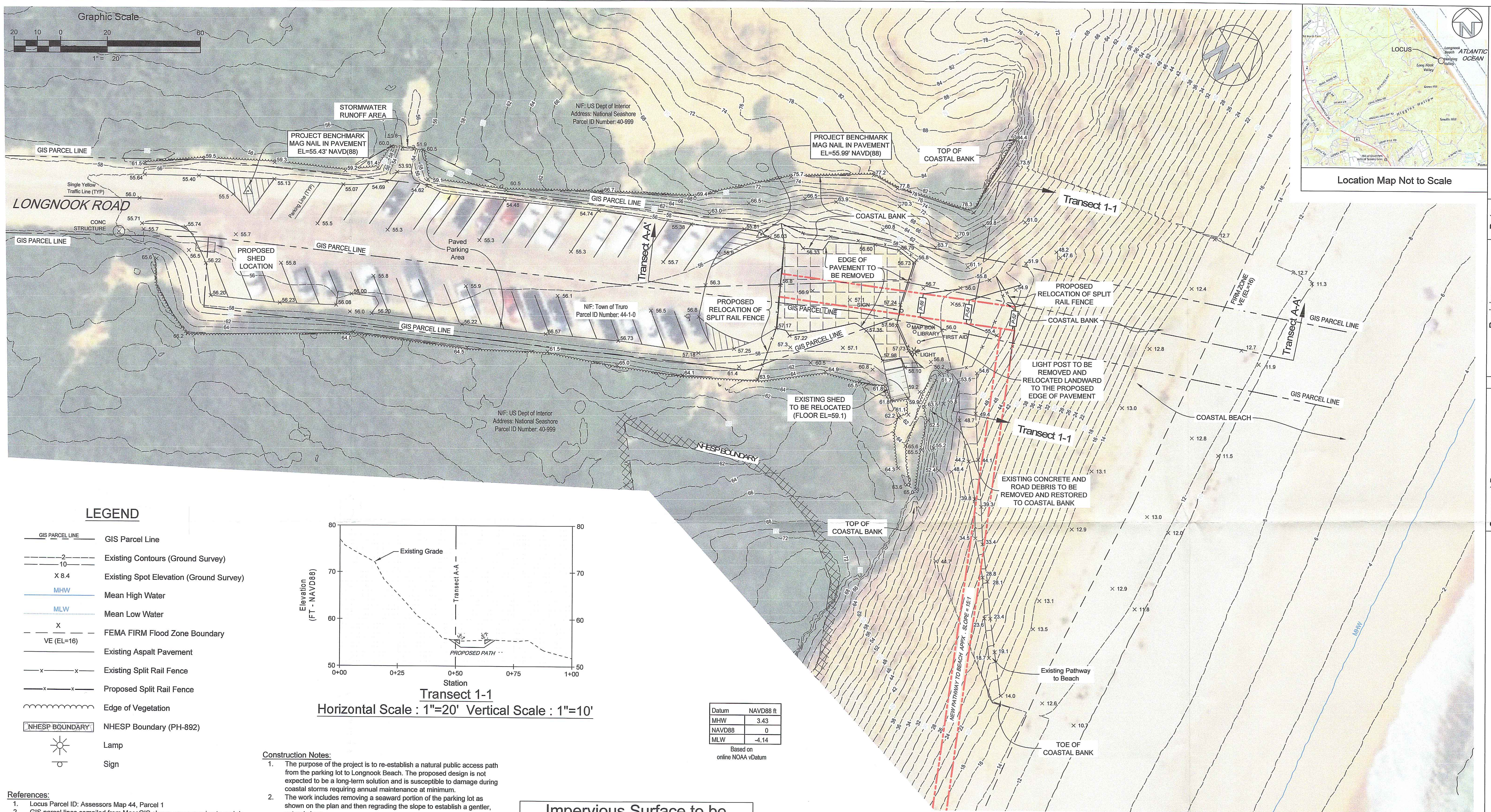


www.cai-tech.com

February 10, 2025



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.



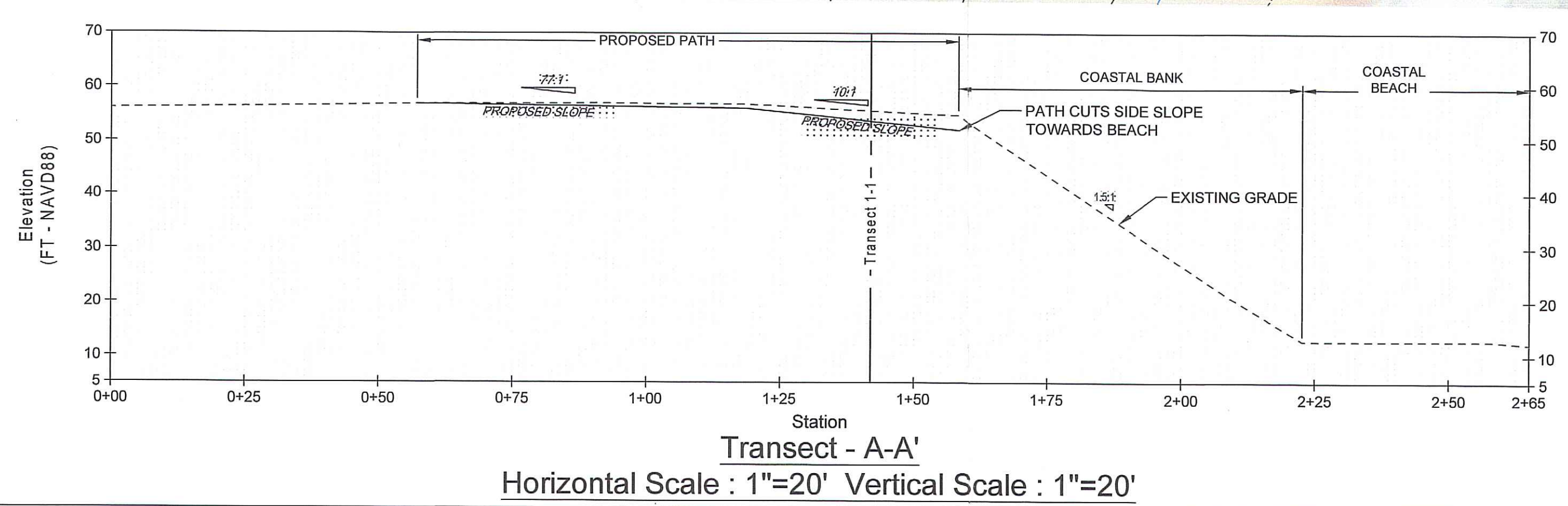
Datum	NAVD88 ft
MHW	3.43
NAVD88	0
MLW	-4.14

Based on
online NOAA vDatum

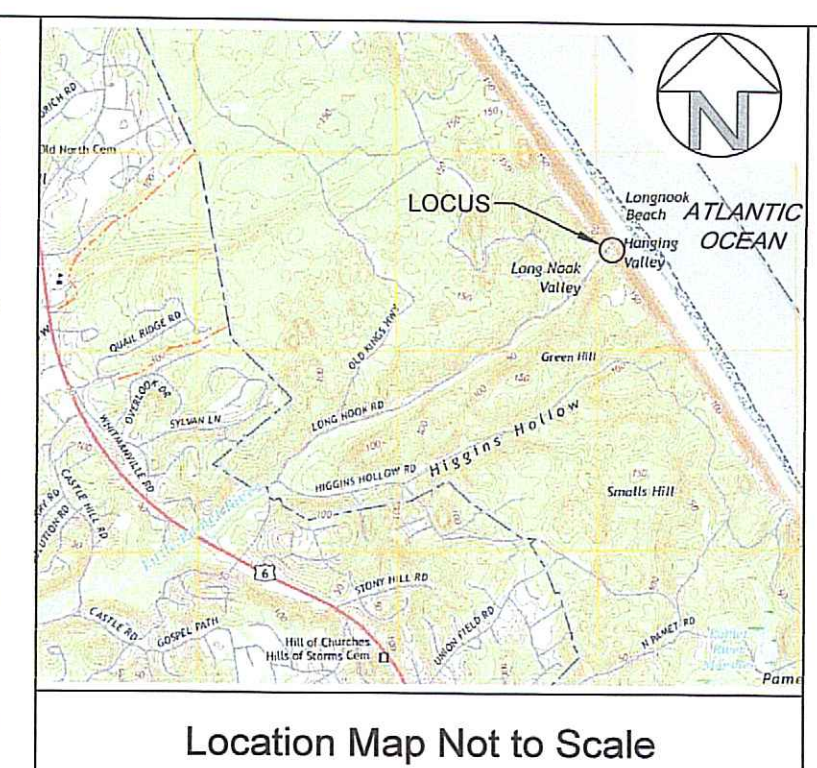
- Construction Notes:**
- The purpose of the project is to re-establish a natural public access path from the parking lot to Longnook Beach. The proposed design is not expected to be a long-term solution and is susceptible to damage during coastal storms requiring annual maintenance at minimum.
 - The work includes removing a seaward portion of the parking lot as shown on the plan and then regrading the slope to establish a gentler, natural slope.
 - The path will be a natural path that will not have any structural elements, therefore, no structural or geotechnical design work was required.
 - Work shall be performed in accordance with State and Local Permits as required.
 - All work will be completed using Town of Truro labor and equipment.
 - All construction debris will be hauled offsite and disposed of at an approved facility.
 - Material (sand) generated from excavation will be stockpiled onsite where it will be beneficially reused to restore the coastal bank in disturbed areas including native plantings (e.g. American Beach Grass).
 - Construction Access will be from Longnook Road and the Limits of work will be located both within Town owned parcels and Cape Cod National Seashore where a Special Use Permit will be obtained.
 - Prior to commencement of construction activities, appropriate erosion control measures will be implemented and maintained throughout construction as shown on the plans.
 - No utilities are known to be present, or were observed within the area to be disturbed; however, Digsafe should be contacted prior to construction.
 - All disturbed areas will be restored prior to completion of construction.
 - The existing sections of split rail fence will be relocated to both the new edge of pavement and top of coastal bank with a single opening to direct foot traffic onto the path as shown.
 - The existing light post and call box will also be relocated to the new edge of pavement.

Impervious Surface to be Removed (Area S.F.)	
Longnook Road	1490 S.F. ±
Town of Truro Parcel	383 S.F. ±
National Seashore Parcel	230 S.F. ±
Total Area	2103 S.F. ±

Structure Area to be Relocated (Area S.F.)	
National Seashore Parcel	146 S.F. ± (Shed & Ramp)



- References:**
- Locus Parcel ID: Assessors Map 44, Parcel 1
 - GIS parcel lines compiled from MassGIS shown are approximate and do not represent an actual property boundary survey.
- Survey Notes:**
- Field Data collected on 8/20/24 by Woods Hole Group, Inc.
- Flood Note:**
- Portions of Area depicted on plans lie within Special Flood Hazard Zones VE (EL=16) as depicted on FEMA Firm Panel #25001C0143J, effective 7/16/2014.
- Datum Notes:**
- Coordinates are based on Massachusetts State Plane NAD83, Mainland Zone (2001), in units of US Survey Feet.
 - Elevations are referenced to the North American Vertical Datum of 1988 (NAVD88) in US survey feet.
 - Tidal Datum Elevations are based on NOAA online vDatum.
- General Notes:**
- Portions of the area depicted is located within the Priority Habitats of Rare and Estimated Habitats of Rare Wildlife in accordance with the Massachusetts Natural Heritage Atlas, 15th Edition.
 - Portions of the area depicted are within Land Subject to Coastal Storm Flowage.



WOODS HOLE GROUP

Conservation TOWN OF TRURO

Proposed Beach Access Path for Longnook Beach in Truro, MA

Revisions

1.	2.	3.	4.
Revise Coastal Resources and Notes			

Surveyed By: Woods Hole Group
107 Waterhouse Road
Bourne, MA 02532
508-540-0080

Title: Project Number: 24-
Dwg File: 24-0173-00
Scale: 1" = 20'
Date: 02/12/2025
Approved:
Drawn: RHV

Page 1 of 1

2750890137
February 28, 2025

Town of Truro Conservation Commission
c/o Emily Beebe – Conservation Agent
24 Town Hall Road
Truro, MA 02267
e: ebeebe@truro-ma.gov

Re: **Request for Hearing Continuance**
SE#75-1198 10 Thornley Meadow Road, Truro, MA

Dear Commission Members:

On behalf of our clients, Roland & Lucia Letendre, we kindly request a continuance of the hearing for SE#75-1198 10 Thornley Meadow Road currently scheduled for March 3, 2025.

We are asking for this continuance as we have an onsite meeting scheduled with Conservation Staff, the Truro Conservation Trust and an abutter to discuss the project scope and an agreeable path forward. This meeting is critical to resolve this matter and to further our understanding of the limitations of the Conservation Restriction which is located inside a portion of the project's work area.

It is our desire to have this meeting prior to the next hearing to ensure that all variables of the project are accounted for, the restriction is not unknowingly violated, and the plan is agreeable to all parties. We feel that a hearing prior to this meeting would result in insufficient information for the Commission and would ultimately lead to a continuance.

Therefore, we respectfully request that you reschedule this hearing for your **April 7, 2025**, public hearing. Should you have any questions, please contact our office to discuss.

Very truly yours,

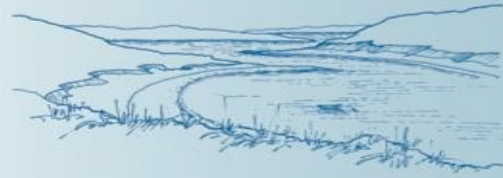
TIGHE & BOND, INC.



Marshall H. Puffer, PE
Senior Project Manager

Copy: Arozana Davis – Assistant Conservation Agent
Courtney Warren – Assistant Conservation Agent
Roland & Lucia Letendre – Homeowners

SAFE HARBOR
ENVIRONMENTAL MANAGEMENT
HABITAT RESTORATION



Date: February 11, 2024

From: Gordon Peabody, Safe Harbor Environmental

Office: 95 Commercial St. Room 211, Wellfleet, MA, 02667

Mail: P.O. Box 880, Wellfleet, MA, 02667

Contact: Phone: 508-237-3724; email gordonpeabody@gmail.com

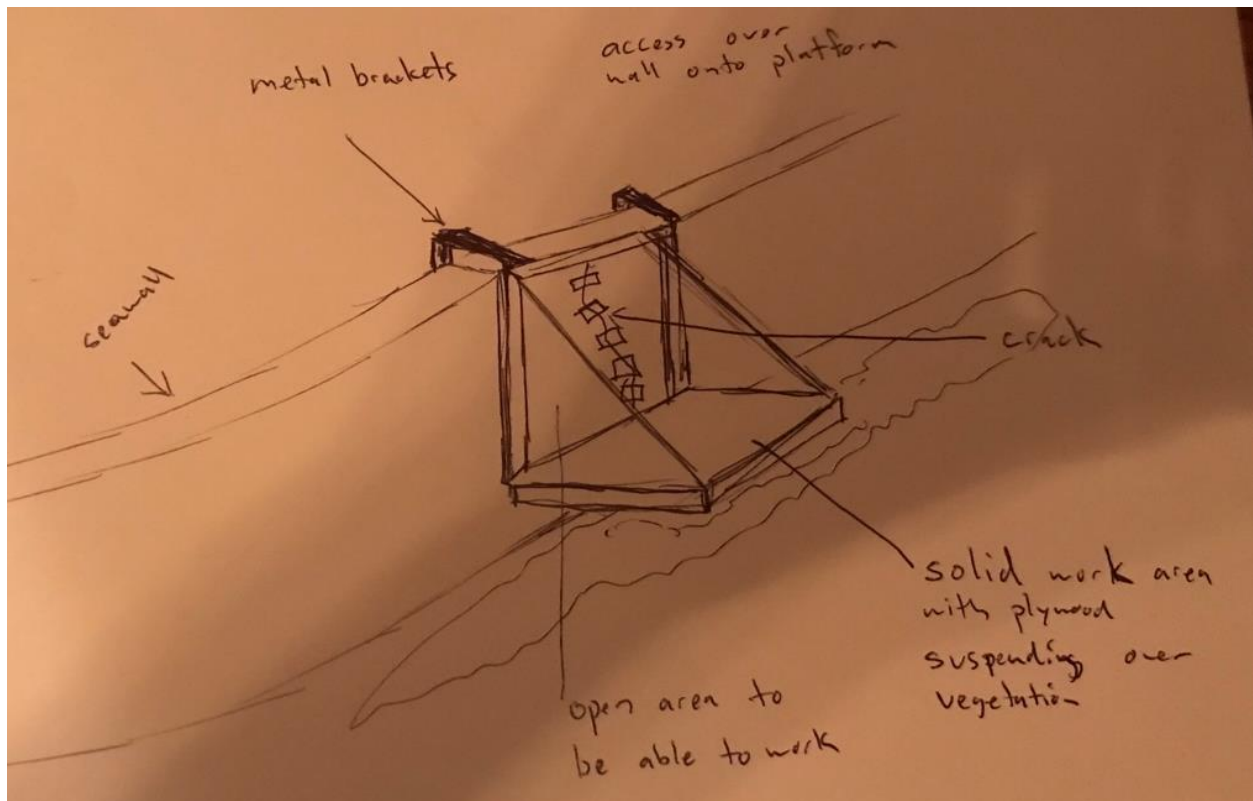
Re: Notice of Intent 46 Castle Road, Map 50 Parcel 257 - Limited Seawall Repairs

The property owners would like to use an innovative metal staple system to repair some cracks in their short (50') low, existing seawall. Activity area is in a Flood Zone; Riverfront Buffer Zone; Salt marsh Buffer Zone; Coastal Bank Buffer Zone.



Images showing preparation and installation of epoxy clad, metal repair staples

An innovative, staple-cement repair system would minimize impact, using a small, moveable workstation, hung from the wall and slid along to each repair location. A small tarp on the workstation would prevent migration of non-indigenous debris into the resource area. Workstation access would be streetside of the existing wall, which is heavily grassed. Materials and mixing activity would use driveway. An extra course of block would be added for SLR because the wall is only a few feet high. No Change in Footprint; no activity directly in the resource area. 500 mixed stems *Spartina patens*/*alterniflora* would be planted to restore bare marsh pedestrian areas as mitigation. *These minimal repairs significantly reduce impacts of remove & rebuild alternative.*





NOTICE OF INTENT ENVIRONMENTAL MANAGEMENT PLAN 46 CASTLE ROAD

Date: February 11, 2025

To: Town of Truro Conservation Commission

Attn: Emily Beebe, Conservation Commission Agent

Cc: Arozana Davis, Courtney Warren

From: Gordon Peabody, Safe Harbor Environmental

Office: 95 Commercial St. Room 211, Wellfleet, MA, 02667

Mail: P.O. Box 880, Wellfleet, MA, 02667

Contact: email gordonpeabody@gmail.com Phone: 508-237-3724

RE: 46 Castle Rd, Notice of Intent for limited, low elevation seawall repairs

Synopsis: The owners want to repair this short (50') section of low seawall, using innovative metal staples and cement. Abutter access from #48, has been granted (see letter) to reduce impacts on #46. A hanging work platform has been designed to slide between repair areas without contacting the Marsh surface. 500 mixed, hand plantings of *Spartina patens* and *Spartina alterniflora* will be made to restore pedestrian impacted areas. A single course of block will be added to the wall to address SLR. There will be no change in footprint. No contact with Marsh surface. Since this wall connects to the existing wall at # 48 Castle rd., the performance is enhanced.





Where 46 Castle Rd. seawall joins Sladeville seawall (on right)

JURISDICTION: This is a tidal river system. River width at high tide is approx. 1,300 ft and at low tide, approx. 100 ft. The activity area is in jurisdiction of MA DEP Wetlands Protection Act, Truro Wetlands Bylaw and MA Riverfront Act (200 ft. delineation taken from Flood Zone edge because of tidal river). Resource areas are Flood Zone; Riverfront Buffer Zone; Salt Marsh Buffer Zone; Coastal Bank Buffer Zone.

RIVER FRONT REQUIRED ALTERNATIVE ANALYSES:

- I. No action: May experience more frequent flooding events with more intense storms and SLR. Continuation of cracking in wall, eventual failure and collapse of wall with land erosion and property damages. No planting of marsh grass.
- II. Demolish and rebuild: This is a sensitive area for excavation. The activity required to replace this seawall has impacts to resource area that cannot be effectively mitigated.
- III. Demolish and rebuild higher for SLR. This is a sensitive area for excavation. The activity required to replace this seawall has impacts to resource area that cannot be effectively mitigated.
- IV. Use innovative low impact metal/concrete staple repair system for cracks and use hanging platform to keep activity above Marsh. May experience more frequent property damages from flooding events with more intense storms and SLR. 500 mixed stems of *Spartina patens* and *Spartina alterniflora* planted in eroded marsh pathway.
- V. Use innovative low impact metal/concrete staple repair system for cracks, using hanging platform to keep activity above Marsh. To mitigate SLR and more intense storms, add a single course of blocks on top of existing wall, working from grassed area above wall. 500 mixed stems of *Spartina patens* and *Spartina alterniflora* planted in existing eroded marsh pathway.

Preferred alternative: # V. Management Plan meets Performance Standards for no impacts to resource area. Performance will be enhanced because this seawall is connected to existing abutter seawall. Property gains future protection and additional sustainable protection from high volume Marsh grass pathway plantings to reduce pedestrian impacts.

NARRATIVE AND ENVIRONMENTAL MANAGEMENT PLAN:

1. **Goal:** To maintain Performance Standards using Mitigations and Strategies which effectively protect Public Interests.
2. **Abutter authorized access** across property (letter attached) reduces impacts to #46
3. **Site Characteristics:** Heavily grassed yard, gently sloping to back of low, existing seawall. Marsh side of wall has *Spartina patens* and Glasswort (*Salicornia*). Pedestrian traffic has impacted vegetation.
4. The DEP # shall be prominently posted at the road.
5. Erosion control systems shall be installed along driveway work area shown on site plan per protocols in **"EROSION CONTROL GUIDELINES"** Safe Harbor, 2020, 7 pgs. Or per OOC.
6. The OOC shall be recorded at the Registry of Deeds and proof of said recording shall be provided to all parties.

7. Preconstruction site meeting shall be scheduled by Safe Harbor and held, to address the order of conditions (OOC), limit of work (LOW), and any other issues.
8. No mechanized equipment shall be used, all work performed by hand.
9. End of day visual inspections shall prevent unintentional migration on non-indigenous materials into the resource area.
10. All Concrete work shall be managed per "**CONCRETE MANAGEMENT GUIDELINES**" Safe Harbor, 2020, 5 pages.
11. Work on the seawall will begin and should be short term.
12. Safe Harbor shall make regular inspections to maintain performance standards.
13. Revegetation work shall begin, by trained Safe Harbor workers, to plant high Marsh grass.
14. Safe Harbor Planting Plan protocol shows new plantings made on existing pedestrian path.
15. Revegetation work shall be completed.
16. No fertilizers, herbicides or pesticides will be used on this site.
17. Within three years, following project completion, with stabilized, performing vegetation, Safe Harbor shall request Certificate of Compliance.

TORQUE LOCK CONCRETE STAPLE REPAIR SYSTEM

<https://torque-lock.com/about-torque-lock/>

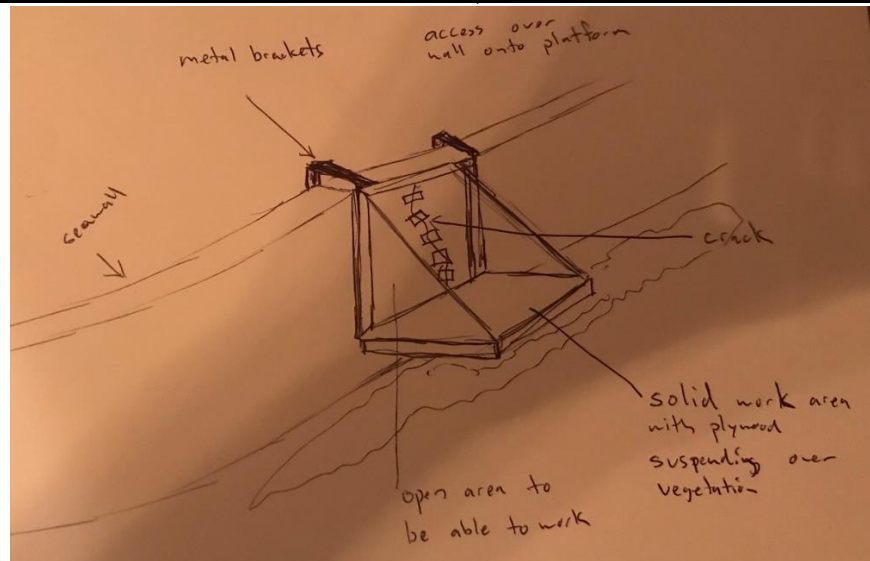
In 2004, frustrated with traditional *crack repair* methods, including epoxy injection, re-bar, etc., **Torque Lock** founder and inventor **Darren Merlob** developed a revolutionary technique for repairing structural cracks – the **Torque Lock Staple**. Built stronger, made easier to use and guaranteed to deliver a controlled compression that stays – **Darren's Staple** and its method of application earned a **Patent** and has since been used world wide. That's 7 Continents, hundreds of countries and in thousands upon thousands of applications. It is the only post-tension controlled compression device on the market for solid concrete repair and it's the proven solution to structural cracking!

All **Torque Lock Staples** are made in-house. This is how we guarantee consistency and quality control for all of our products. Because the **Torque-Lock™ Staple** is used to repair and stabilize cracks in virtually any structure composed of cement, Gunite, concrete, poured block and more, we insist that production is kept in-house to ensure customers of only the highest quality of their build.

Torque Lock Staple and Repair applications include swimming pools, spas, fountains, concrete foundations, garages, and basement floors. To stabilize cracks properly and to stop their spreading, shifting, and widening; if it's concrete and it cracks, Torque Lock is the only solution that works.

Using its patented **Cam Lock™** technique, **Torque lock Staples** stabilize cracking by creating up to **5000 lbs** of compression torque for each staple installed. When applied in the recommended **stitching method**, also patented, the end result is durability, strength and support.

INNOVATIVE MOVABLE WORK PLATFORM, SUSPENDED ABOVE MARSH SURFACE

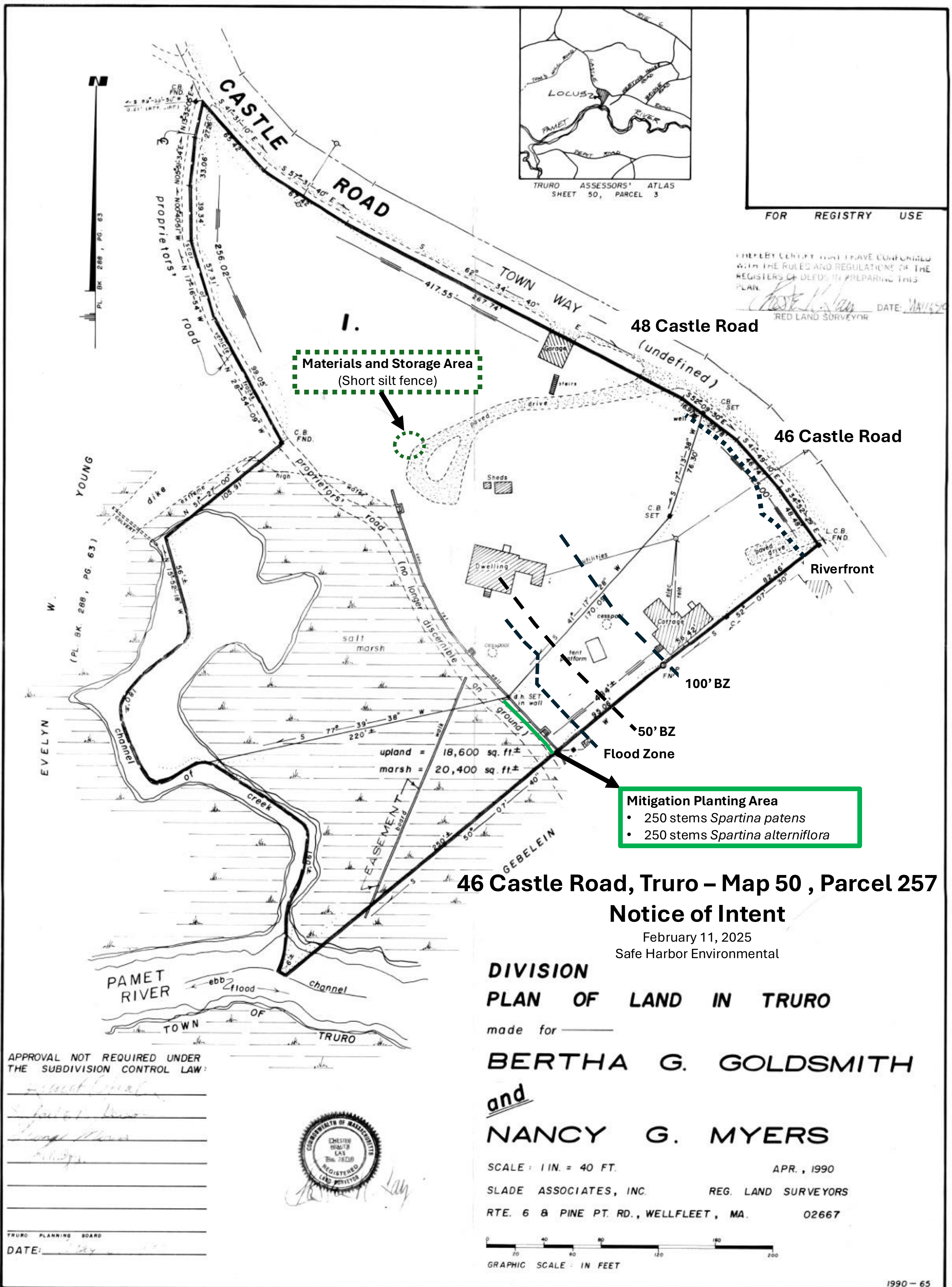


Locus Map



USGS Map





FEB 26 2025



Benjamin Fairbank
Principal Designer

—
16 Gages Way
Brewster, MA 02631
(203) 415-2220
fairbank.b@gmail.com

26 FEBRUARY 2025

Truro Conservation Commission

RE: Request for Determination of Applicability for
Pamela Blair
6 Castle Road
Truro, MA 02666

Dear Commission:

Thank you for considering a continuance for the RDA for
fence repair and realignment at 6 Castle Road.

Attached is our updated proposal and alternatives
analysis. We look forward to our discussion.

Sincerely,

Benjamin Fairbank

I. Background Considerations:

After our last hearing on January 6th, 2025, there was discussion about amending our RDA to better accommodate possible wildlife movement under portions of the privacy fencing that was unsatisfactorily installed, without owner or Conservation Commission approval.

We are proposing to repair/realign 102 feet of 8' Ft. wide x 6' H natural cedar posts and panels between the Blair's property and the neighbor's.

In lieu of having the privacy fencing close to the ground as it is now, as originally proposed, two alternatives are provided with a preference for the proposed Option 1.

This involves only the portions of the privacy fence panels that are currently 14 to 20 inches from the property line. The Blair's would like to take this opportunity to not only fix the replacement panels, but align this fencing, as well as fencing that was installed as approved in 2019, with panels approved and installed in 2014 which are currently 6" inside the property line.

II. Project Goals & Objectives:

- 1) Reinstall (1:1 replacement) approx. 102 linear feet of the currently existing six-foot high natural cedar privacy fencing by reusing and relocating the 8 new panels the fencing company recently installed and the 5 panels installed in 2019 to within six inches of the property line (on the Blairs' side) and to be in line with the remaining 2014 panels. This will involve hand digging for the posts, use of an auger or post hole digger.
- 2) Assure that the fencing will be secure and provide safety between the neighboring properties, dogs, guests/renters, etc. along this line.
- 3) Other goals outlined in the original RDA submission

III. Alternatives for the privacy fencing re: increasing potential wildlife movement:

Option 1 (preferred):

- Reinstall the newer privacy fencing 1:1, three to four inches above grade (ground is not level) so that the bottom of the fencing is straight and the top remains 6' above grade and the fencing is six inches from the property line. Posts will be hand dug as mentioned, and all displaced dirt will be placed on the Blair's property during the reinstallation process.
- Cut out a "critter gate" in every panel that is being reinstalled, particularly within the 100-foot buffer zone by creating 12-inch wide openings at a height of six inches above grade.
- Please note that the full linear length of these panels is about 102 feet—not the 140 linear feet previously indicated in error.
- The pros to this alternative is that it provides ample wildlife access for larger critters every 16 feet while allowing for access for smaller critters throughout the extent of the 102 feet. This also minimizes areas where domestic animals can have access to/from the abutting properties.

Option 2:

- Reinstall the privacy fencing as above but trim the bottom of all panels to six inches above grade.
- While this alternative may provide greater potential wildlife movement underneath the privacy fencing in particular, the same will be true for domestic animals of concern.
- We think that fewer openings under the privacy fence with the critter gates, as described in Option 1, for any wildlife that enters the property, might optimally direct animals toward the bank area and the 10,000+/- sq. ft. current "open corridor" on the southern and eastern borders of the property (Section A on plan, which about 30% of the property). This is most, but not all, of the area on the property that has been in the process of being rid of numerous invasive plant species and revegetated with native species over the past 13 years. This process is still ongoing under our 2023 NOI/OOC (SE#75-1175), which should be creating an enriched habitat for wildlife, by planting hundreds of plugs several trees, grasses and shrubs as outlined in reports and the NOI.

IV. Additional Mitigation for wildlife movement under fencing (for both both options):

In addition to plans for the privacy fencing that exists between the close neighboring houses, we are proposing to create additional areas for wildlife movement toward/onto the open bank where the combined chain link/split rail fencing exists. Note that this split rail/chain link fencing was approved and installed in 2017.

We propose to raise a total of 42 linear feet of the chain link to be approximately six inches above grade (ground is not level). In order starting from the Southern corner of the split rail fencing: four-foot wide gate, one 4-foot fence section, and one 10-foot fence section (totaling 18 consecutive linear feet); plus one 10-foot section located in the middle of the fence line; plus one 10-foot section located next to the northern-most gate in addition to the four-foot wide gate (42 feet total). The chain link of these portions of fencing/gates would be trimmed up. The cut chain link will be knuckled up so that no sharp points remain and the bottom rail of these sections will be removed. According to our new fencing contractor, this is the easiest way to create openings for wildlife movement in this area vs trying to create critter gates in chain link fencing. Please refer to the site plan for locations.

This would be in addition to the openings already existing under gates or between fencing near the garage area, as described in the original RDA, and in addition to those proposed for the privacy fencing. Hopefully this will create a kind of wildlife corridor toward the bank and the Pamet River within the property where the animals, such as turtles, would most likely want to go for their own safety, and will address some of the Commissioner's concerns.

Regarding the 2014 privacy fence panels, we would rather leave them intact to avoid further disturbance in this very sensitive area where there is a very steep bank and where it's been historically difficult to establish native species and prevent erosion. Leaving the panels in place also addresses liability and privacy concerns.

We have made great progress with regard to stabilizing the bank with native species, and have updated the Commission as to the status of these efforts in the annual monitoring reports submitted to the Conservation department for the years of 2024 and 2023. We are on track to making this bank self-sustaining with native species, preventing erosion and increasing wildlife and vegetative value and would like to protect these efforts as much as possible.

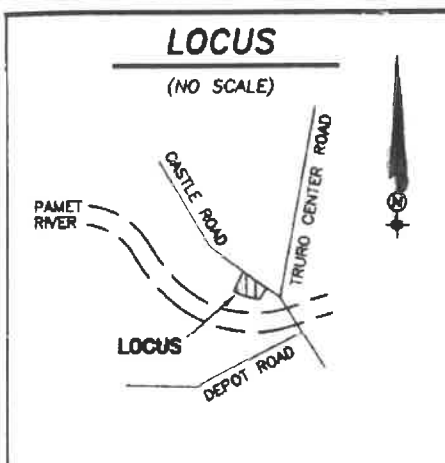
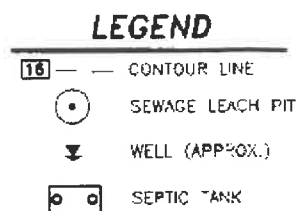
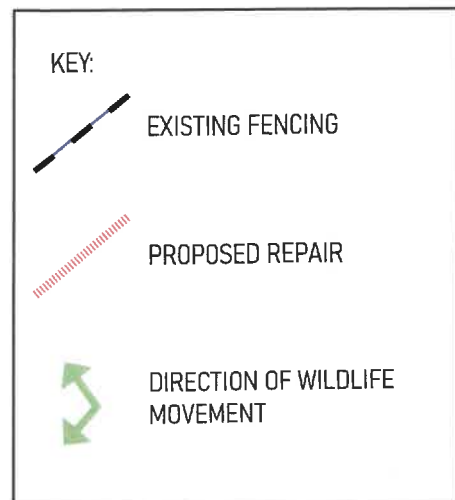
As stated in the original RDA, there may need to be some need to prune a few shrubs that are on the neighboring property that now encroach over the property line in order to install the privacy fencing. We may also need to manage some English Ivy encroachment. This is particularly the case near the Blair's parking area which is nearest the 200-foot riverfront boundary. These activities would only be done beyond within the Blairs' property line, which will be staked prior to any activity related to the fencing by a licensed surveyor. There are already three concrete bounds along the property line, but it was recommended to us to stake every 12 feet to make sure all activity remains on the Blairs' side of the property.

With regard to protecting any trees close to the property line, the new fencing company described the way they "bridge" around a tree to avoid going into possible large roots...placing posts further away from a tree trunk and adjusting the width of panels to accomplish a secure installation. See section diagram.

As additional mitigation, we are proposing to plant two more shrubs or cedar trees to supplement what is approved in our 2023 Order of Conditions. These plants will be placed near the privacy fencing.

We will also continue efforts to manage the coastal bank and other areas of the property as well as continue with numerous plantings outlined approved in the 2023 Order of Conditions. We will continue these efforts as mitigation of the impacts of work to realign the fence.

In conclusion, we believe this proposal will greatly support the interests of these management efforts and of the interests of the MA Wetlands Protection Act and Truro conservation bylaw



PLAN NOTES:

Proposal Objectives:

- 1) Reinstall (1:1 replacement) approx. 102 linear feet of the currently existing six-foot high natural cedar privacy fencing by reusing and relocating the 8 new panels the fencing company recently installed and the 5 panels installed in 2019 to within six inches of the property line (on the Blairs' side) and to be in line with the remaining 2014 panels. This will involve hand digging for the posts or use of an auger or post hole digger.
- 2) Assure that the fencing will be secure and provide safety between the neighboring properties, dogs, guests/renters, etc. along this line.
- 3) Other goals outlined in the original RDA submission

Option 1 (preferred):

- Reinstall the newer privacy fencing 1:1, three to four inches above grade (ground is not level) so that the bottom of the fencing is straight and the top remains 6' above grade and the fencing is six inches from the property line. Posts will be hand dug as mentioned, and all displaced dirt will be placed on the Blair's property during the reinstallation process.
- Cut out a "critter gate" in every other panel, particularly within the 100-foot buffer zone by creating 12-inch wide openings at a height of six inches above grade.
- Please note that the full linear length of these panels is about 102 feet—not the 140 linear feet previously indicated in error.
- The pros to this alternative is that it provides ample wildlife access for larger critters every 16 feet while allowing for access for smaller critters throughout the extent of the 102 feet. This also minimizes areas where domestic animals can have access to/from the abutting properties.

Option 2:

- Reinstall the privacy fencing as above but trim the bottom of all panels to six inches above grade.
- While this alternative may provide greater potential wildlife movement underneath the privacy fencing in particular, the same will be true for domestic animals of concern.
- we think that fewer openings under the privacy fence with the critter gates, as described in Option 1, for any wildlife that enters the property, might optimally direct animals toward the bank area and the 10,000+ current "corridor" (Section A, about 30% of the property). This is most, but not all, of the area on the property that has been in the process of being sustainably revegetated with native species over the past 13 years, and is still ongoing under our 2023 NOI/OOC, and creates the best habitat for wildlife on the property.

Mitigation:

With the additional mitigation of creating six inches above grade openings along the split rail fencing would better redirect critters to the 10,000+ square foot area being naturalized into a supportive vegetative and wildlife habitat. The green arrows on the plan to the left visually indicates the proposed wildlife corridor that is created by both alternatives in the attached narrative. While creating more wildlife movement throughout the section of the proposed repairs, we propose to additionally create 42 linear feet of access points throughout the split rail-chain link portion of the fencing in service of allowing easy flow and circulation of wildlife closest to the resource area. This is preferable to encourage wildlife towards the resource area and away from busy traffic on Castle Road. The arrows that are pointing to the split rail-chain link fencing at the edge of the lawn indicate where sections of the chain link will be cut at the bottom six inches above grade and re-nuckled to secure it.

PROPOSED RAISING SIX INCHES ABOVE GROUND
- 4 FOOT GATE SECTION

PROPOSED RAISING SIX INCHES ABOVE GROUND
- 10 FOOT SPLIT RAIL SECTION

PROPOSED RAISING SIX INCHES ABOVE GROUND
- 10 FOOT SPLIT RAIL SECTION

PROPOSED RAISING SIX INCHES ABOVE GROUND
- 10 FOOT SPLIT RAIL SECTION

PROPOSED RAISING SIX INCHES ABOVE GROUND
- 4 FOOT SPLIT RAIL SECTION

PROPOSED RAISING SIX INCHES ABOVE GROUND
- 4 FOOT GATE SECTION

FENCING REPAIR & MITIGATION PLAN

Amended - 26 FEBRUARY 2025

Pam Blair

6 Castle Road

Truro, MA 02666

1" = 40'



Conservation Commission
TOWN OF TRURO
FEB 26 2025

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

Request for Determination

Project address: 31 MILL POND ROAD Map 50 Parcel 2 87-0

- Is the project located in a resource area or buffer zone BUFFER ZONE YES
- Resource Area Type(s): WITHIN 100' OF TPOE COASTAL BANK
- If Buffer Zone what is the distance from Resource Area: MOSTLY 50'-100' SOME NEAR 130'

Description of project: (list all activities and describe methodology for construction or installation including equipment type if applicable) TRANSPLANT SELECTED PLANTS, REMOVE SECTION OF LAWN, PLANT AROUND THE HOUSE DO PRUNING OF TREES

Attached site plan title/dates, and any other plan or narratives title/dates: "PLANTING LANDSCAPE CONCEPT" LANDSCAPE PLAN 1-30-25, NARRATIVE 2-10-25

Describe the best management practices/mitigation that will be used on the site: PLANT TREES, SHAUBS, PERENNIALS, AND GRASSES, SOME TRANSPLANTING

Special Conditions required by the Conservation Include: TEMPORARY IRRIGATION WALKWAY STOPS + STOPS

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.

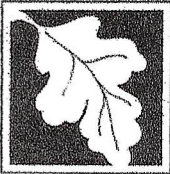
The owner and applicant/representative shall, avoid and otherwise minimize any activities in the buffer zone or in resource areas by use of best management practices on the site, such as:

- 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: CHARLES WENTZ LANDSCAPING Charles Wentz
Owners printed name and signature: Timothy J. Richards



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

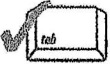
WPA Form 1- Request for Determination of Applicability

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: MARGARET CLARKE
TIMOTHY RICHARDS
First Name Last Name
1791 CRESTWOOD DR. NW
Address
WASHINGTON D.C. 20011
City/Town State Zip Code
Ph [REDACTED] [REDACTED]

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)

CHARLES WENTZ
First Name Last Name
PONDEROSA LANDSCAPING, INC.
Company Name
4850 STATE HWY
Address
EASTHAM MA 02642
City/Town State Zip Code
508-237-2901 CHARLES.W@PONDEROSALANDSCAPING.COM
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):

31 MILL POND RD TRURO
Street Address City/Town

How to find Latitude
and Longitude

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)

and how to convert
to decimal degrees

50
Assessors' Map Number

287-0
Assessors' Lot/Parcel Number

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

VEGETATED BUFFER AREA RE-LANDSCAPED AND TREE WORK.
100' OF TPA OF COASTAL BANK

c. Plan and/or Map Reference(s): (use additional paper if necessary)

"PLANTING LANDSCAPE CONCEPT" 1-30-25
Title Date
NARRATIVE 2-10-25
Title Date



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

B. Project Description (cont.)

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

RE-PLANT THE AREA AROUND THE HOUSE.
INSTALL STEPPING STONES AND STONE FOR THE FRONT
WALKWAY, PRUNE PITCH PINES TO ALLOW FOR LIGHT
FOR UNDERSTORY PLANTS AND REMOVE 2 6" CAL. OAK
TREES TO ALLOW ROOM FOR THE EXISTING PINES.
SEE NARRATIVE AND A LANDSCAPE PLAN.

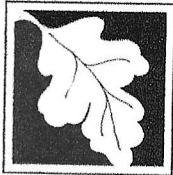
- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

MINIMAL IMPACT INCLUDING PLANTING + WALKWAYS +
MINIMAL TREE WORK

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.)



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

C. Determinations

1. I request the 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 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:

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.

Signature of Applicant

Date

Charles Wentz
Signature of Representative (if any)

2-10-25
Date



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, CHARLES WENTZ (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 2-11-25 (date) for work at 31 MILL POND RD (address). I understand that the next meeting of the Conservation Commission is scheduled for MARCH 3, 2025 and that the Commission will open the public hearing on that date.

I am the: ☐ Applicant

☒ Applicant's Representative

Charles Wentz
(signature)

2-10-25
(date)



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Checklist for Filing a Notice of Intent

- ☐ Notice of Intent Application ☐ Signature of applicant/property owner
- ☐ USGS Map/locus map ☐ Certified abutters list from the Town Assessor (300') and letter to abutters*
- ☐ Project Narrative ☐ Project Plans /up-to-date Site plan ☐ signed copy of 21 day waiver (requested)
- ☐ **NHESP (if applicable- check map or ask staff for assistance to determine if property is within mapped jurisdiction)**
 - ☐ MESA application and fee ☐ Copy of the entire Notice of Intent (including USGS Map, Plans)
 - ☐ Send by certified mail return receipt requested to NHESP

***NOTE:** The abutter's notification letter must be sent to each abutter by certified mail, return receipt requested, at the expense of the applicant. The green cards must be submitted at the hearing.

Copies to DEP

- 1) **Fee: mail the state-share** of the fee to Boston by certified mail, return receipt requested; enclose the "fee transmittal form" and mail to DEP, PO Box 4062, Boston, MA 02211
- 2) Mail 1-copy of the Notice of Intent Application packet **and a copy of the fee transmittal form** by certified mail, return receipt requested to: DEP SERO, 20 Riverside Drive, Lakeville, MA 02347

Copies to Truro Conservation Commission

- ☐ attach check to "Town of Truro" for the town share of filing fee, PLUS the local filing fee
- ☐ provide:
 - _ (2) copies of the NOI Application
 - _ (1) copy of the abutters list, notification, wetlands fee transmittal, & 21 day waiver (if applicable)
 - _ (9) copies of any narratives AND plans
 - _ (1) emailed pdf of plans
- ☐ bring the green cards as proof of notification of abutters to the meeting

Checklist for Filing an RDA

(Request for Determination of Applicability)

- ☒ Request for Determination of Applicability form plus current site plan/project sketch
- ☒ ample project details
- ☒ signed copy of 21 day waiver (requested)
- ☒ Signature of applicant/property owner ☐
- ☒ attach check to the "Town of Truro" for \$30 (this fee can be applied toward fee for higher level of filing if required)

1-copy of the Request for Determination of Applicability packet mailed by certified mail, return receipt requested to: DEP SERO, 20 Riverside Drive, Lakeville, MA 02347

9-copies of the Request for Determination of Applicability packet
(packet = application + plans) for the Commission

FEB 11 2025

Residence, Meg Clarke and Tim Richards

31 Mill Pond Road, Truro, MA

February 10, 2025

NARRATIVE FOR THE PROPOSED LANDSCAPE PLAN

Refer to the Landscape Plan of January 30, 2025, "Planting Landscape Concept".

Existing Landscape Conditions: The residential lot is near a marsh wetland and is partially within 100' of the top of the coastal bank. The landscape plan shows the 100' buffer line front the edge of the marsh at three sides of the house.

Apparently the water near the property is no longer considered a river. The soil on the property is probably a loam with sand. The lot is well vegetated with no apparent erosion and has sections of a Cape Cod style lawn. Invasive plant growth is minimal.

Work Area: The majority of the proposed work to be done is in front of the house, about 50' to 100' from the edge of the wetland. Other landscaping work will be done outside of the 100' buffer at the rear and right side of the house. It is proposed to add stone steps for safety reasons along the existing path to the lower portion of the property which is mostly about 30' from the top of the coastal bank.

Proposed Landscape Project: There will be little disturbance to the soil and erosion should not be a problem. Overall, remove the existing Cape Cod lawn and plant the area with plants to make it look more natural with mostly native plants. A straw waddle can be installed to the left of the house to reduce the chance of erosion. Some transplanting will be done as noted on the landscape plan. The work area will be confined to the left and front of the house. It is proposed to remove 2 Oak trees to allow the Pitch Pines room to grow. Prune 13 Pitch Pines that are in front of the house and one Oak tree to allow for more light to penetrate the understory plants and to improve the overall health of the trees by removing much of the dead wood from the canopy of the trees. Native plants will be planted as mitigation.

The goal of the proposed work for the project is to perform the work with little environmental impact to the natural environment, and to restore the site with vegetation.

Mitigation and vegetation restoration, Performance

Standards Analysis:

It is proposed to plant 3 trees, 19 shrubs, and a minimum of 100

perennials inside the 100' buffer zone. To the side and rear of the house additional plants will be planted including 3 trees, 16 shrubs, and about 80 perennials. The plants will be pocket planted with organic material. The quantities, sizes, and approximate locations of the proposed plants is shown on the landscape plan. Selected areas will have pine bark mulch and pine needle mulch.

Stepping stones will be added in selected areas and the front walkway will have stone added to it, from the front deck to the driveway as shown on the plan. The stepping stones will be set apart from each other into the existing soil and the front stones will be set on gravel and coarse sand. Drainage of rainwater should not be an issue as the water will be absorbed into the soil. It is proposed to add stone steps to the existing path through the woods for safety reasons. They will be installed into the existing soil with gravel if needed, and will cause little environmental disturbance. An existing recirculating style water feature, outside the buffer zone will be re-built. The stepping stones, steps, and walkway within the buffer zone will result in an increase of about 165 sq. ft. of soil coverage.

The plantings will cover about 575 sq. ft. after three to five years which is about a 3:1 ratio of foliage coverage to increased ground coverage. The native shrubs will add vegetation to the site, help control possible soil erosion, allow for increased wildlife habitat, and help sustain carbon fixation.

Mitigation measures using the proposed plants will have no adverse impact on the area and will introduce additional wildlife habitat. Few of the proposed plants are non native but the intention is to make it look natural and thoroughly vegetated.

Replacing the existing walkway will not be a substantial change to the site. Overall the project should be beneficial, and promote a natural habitat.

General Sequence of Work and Management: It is proposed to start the project in the spring of 2025, as weather permits.

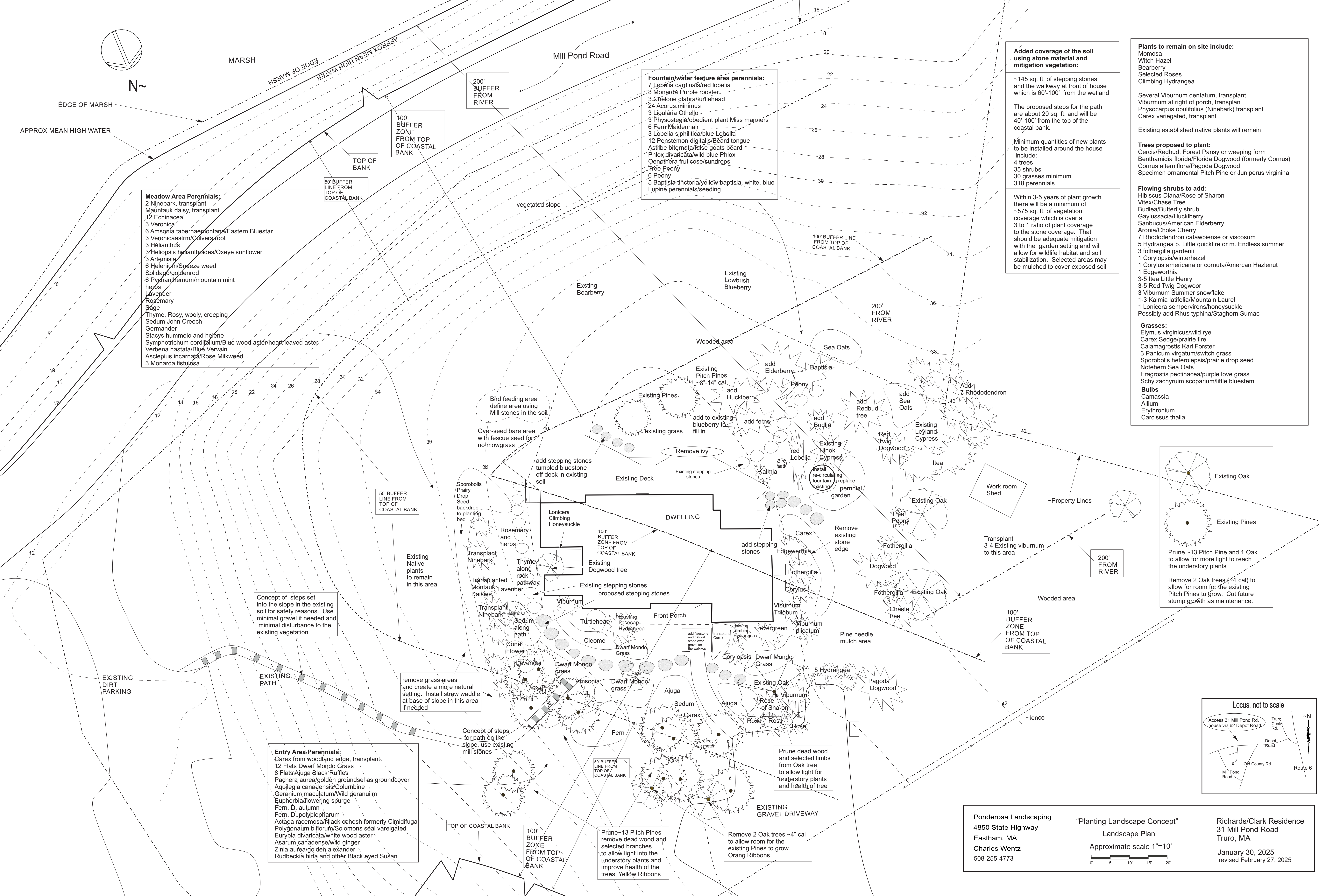
Perhaps the steps on the path will be installed in the fall or later.

Temporary drip irrigation may be installed for plant health and survival of the new plants. The goal would be to have at least 90% survival rate. Some selective hand watering may be done.

Work Construction Protocol: The contractor will inform the Conservation Agent and representative prior to work commencing and, if needed, will meet on site to review the project. A straw waddle will be installed if requested. Care will

- be taken to do minimal environmental impact to the site.

Alternative Analysis and Projections: There seems to be few alternatives to the project. The project has allowed for substantial mitigation and restoration of the lot using native species inside the buffer zone with no significant adverse effects. There will be less lawn to care for on the site. The homeowner will have safer access to the house. The environmental benefits of the proposed mitigation planting of native plants will benefit the stability of the soil, improve water filtration through plant root systems, and benefit the wildlife habitat.



ECR



Environmental Consulting & Restoration, LLC

Specializing in Wetland and Coastal Resource Area Delineation & Permitting

REQUEST FOR DETERMINATION OF APPLICABILITY

522 Shore Road, North Truro

SUBMITTED TO

Truro Conservation Commission

February 2025

APPLICANT

**Eric Shapiro
c/o RKM Property Management
74 Shank Painter Rd.
Provincetown, MA 02657**

REPRESENTATIVE

**Environmental Consulting & Restoration, LLC
P.O. Box 4012
Plymouth, MA 02361
(617) 543 - 1654**



Environmental Consulting & Restoration, LLC



February 7, 2025

Town of Truro
Conservation Commission
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

RE: Request for Determination of Applicability, Proposed Stairways and Beach Access Relocation, 522 Shore Road, Truro, MA

Dear Members of the Conservation Commission:

Please accept this Request for Determination of Applicability application for the proposed construction of stairways and relocation of beach access over or around the existing sand drift fence and coir log/envelope materials located at 522 Shore Road in Truro (the site). The Town of Truro Assessors Department references the site as Parcel #7-8-19. The proposed actions would be located at four points within a Coastal Beach, Coastal Dune and Land Subject to Coastal Storm Flowage. The proposed actions allow for the continuity of the dune protection of the fence/coir installation permitted under OOC SE#075-1186. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Truro Wetlands Protection Bylaw.

If you have any questions or require additional information, please contact me at (617) 543-1654.

Sincerely,
Environmental Consulting & Restoration, LLC

Stan Humphries
Coastal Geologist

CC: MassDEP - Southeast Regional Office, sero_noi@mass.gov

Eric Shapiro, c/o RKM Property Management, 74 Shank Painter Rd. Provincetown, MA 02657

REQUEST FOR DETERMINATION OF APPLICABILITY
TABLE OF CONTENTS

<u>Item</u>	<u>Attachment</u>
WPA Form 1: Request for Determination of Applicability (RDA)	1
Project Description	2
Project plans and figures	3
USGS Site Locus Map	4
FEMA F.I.R.M.	5
MA Natural Heritage & Endangered Species Map	6
Town Conservation Misc Forms	7



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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:		
Sutton Place Condo Trust	c/o RKM Property Management	
First Name	Last Name	
74 Shank Painter Road		
Address		
Provincetown	MA	02657
City/Town	State	Zip Code
Phone Number	Email Address	
2. Property Owner (if different from Applicant):		
Same as above		
First Name	Last Name	
Address		
City/Town	State	Zip Code
Phone Number	Email Address (if known)	
3. Representative (if any)		
Stan	Humphries	
First Name	Last Name	
Company Name		
Environmental Consulting & Restoration, LLC		
Address		
PO Box 4012, Plymouth	MA	02361
City/Town	State	Zip Code
617-543-1654	stan@ecrwetlands.com	
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):		
522 Shore Road	Truro	
Street Address	City/Town	
21.42847	70°8'2.52	
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)	
Map 7	Lots 8-19	
Assessors' Map Number	Assessors' Lot/Parcel Number	
b. Area Description (use additional paper, if necessary):		
See attached		
c. Plan and/or Map Reference(s): (use additional paper if necessary)		
Figures 1 - 4		
Title	Date	
Title	Date	

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

B. Project Description (cont.)

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

See attached

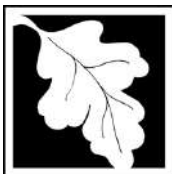
- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

NA

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.)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

C. Determinations

1. I request the 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 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:

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.

Signature of Applicant

Signature of Representative (if any)

Date

2/7/25

Date

PROJECT DESCRIPTION

Section 1.0 Introduction

The project at 522 Shore Road in Truro (the Site) consists of a proposed set of beach stairs and place a removable ramp to be constructed at three locations and the access to the beach at the north end of the site to be relocated. Several resource areas have been identified by Environmental Restoration and Consulting, LLC (ECR). The proposed actions will enable the sand drift fence and coir logs/envelopes to remain intact and not be opened at those locations. As a result, we believe there will be no adverse impacts, and in fact, an improvement to the overall project area. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act Regulations and Town of Truro Wetlands Bylaw.

Section 2.0 Site Description

The site consists of 12 condominium units with associated decks or patios seaward of Shore Road and landward of a dune protection and restoration project currently permitted. The site contains coastal resource areas within a developed barrier beach.

As a result of ECR's field work and review of available environmental databases, ECR is able to confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Coastal Beach;
- Coastal Dune; and,
- Land Subject to Coastal Storm Flowage (FEMA VE Zone).
- The site is located within mapped areas of Priority Habitat & Estimated Habitat for Rare Species

Section 3.0 Proposed Activities

The purpose of this Request for Determination of Applicability application is to authorize the construction of two sets of beach stairs over the existing sand drift fence and coir log/envelope system, as well as relocating an at-grade beach access in order to maintain a continuous line of fencing and coir materials in following the following areas from north to south (Figure 1):

1. As previously permitted, access to the beach was designated between Units 17 and 18. In order to keep the fence closed in this area, we propose to relocate the beach access further to the north, over a restored portion of dune and around the fence/coir materials (Figure 2). A MOBI mat would be used to maintain dune form during passage of foot traffic.
2. Construct a set of stairs between Units 10 and 11 and keep the fence closed in this area (Figure 3).
3. Construct a set of stairs between Units 7 and 8 and keep the fence closed in this area (Figure 4).
4. Place a removable ramp and keep a seasonal opening off Unit 9 (Figure 4).

We believe these actions will result in an improvement to the dune protection and restoration project and respectfully request a Negative Determination from the Commission.



Figure 1. Proposed access activities related to SE 075-1187.

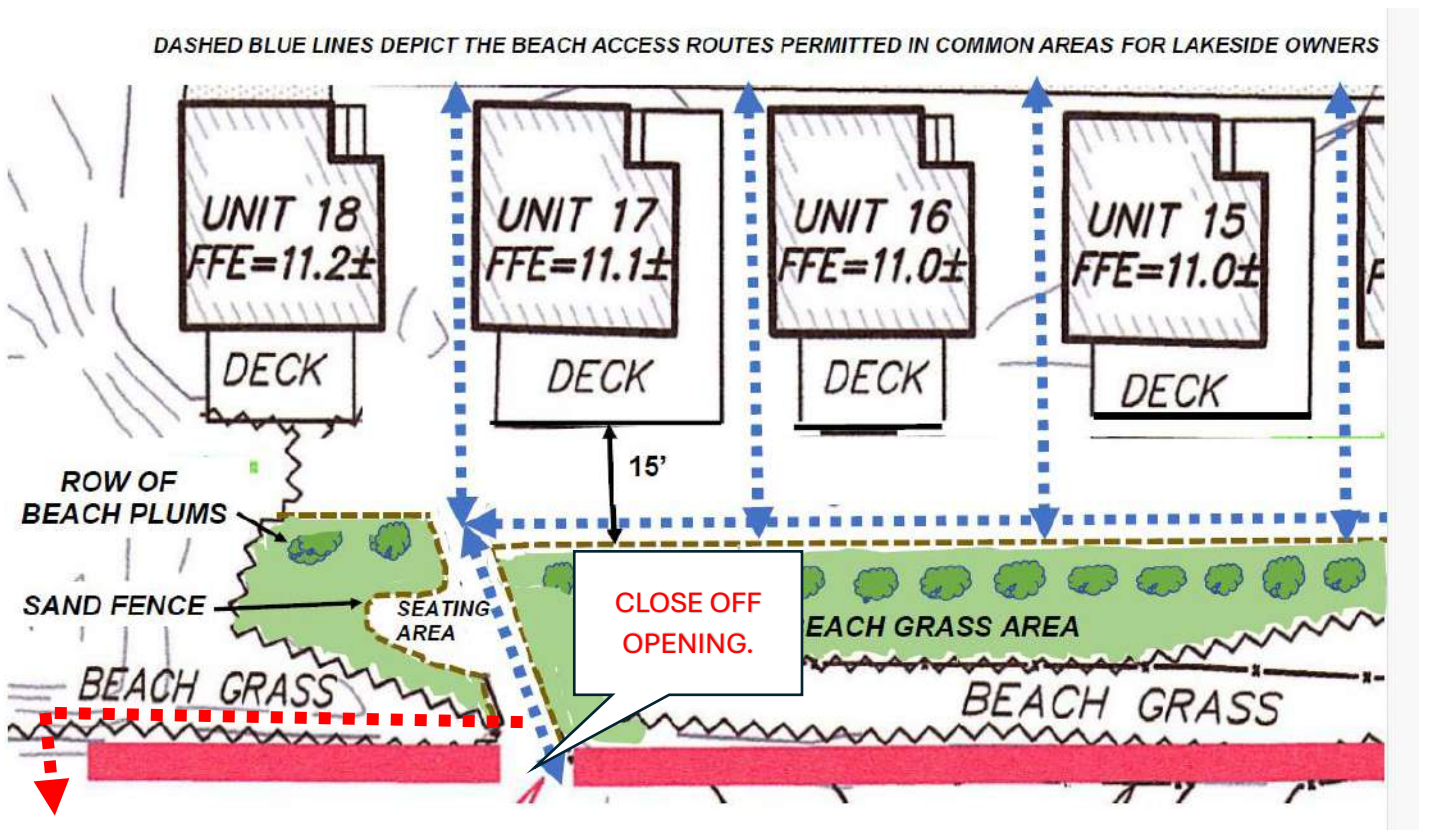
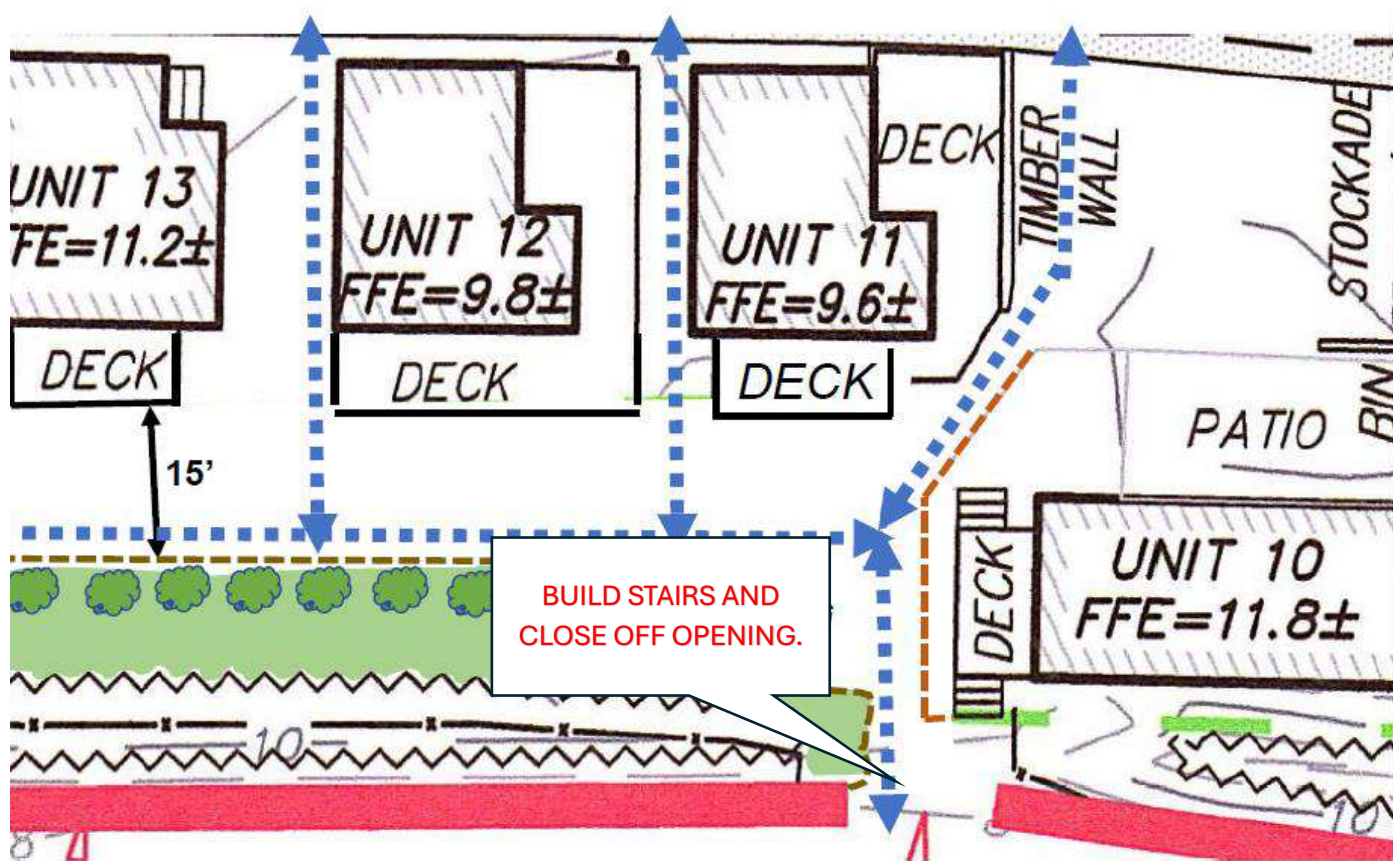


Figure 2. A revised beach access at the north end is proposed as shown in red. Note opening closure.

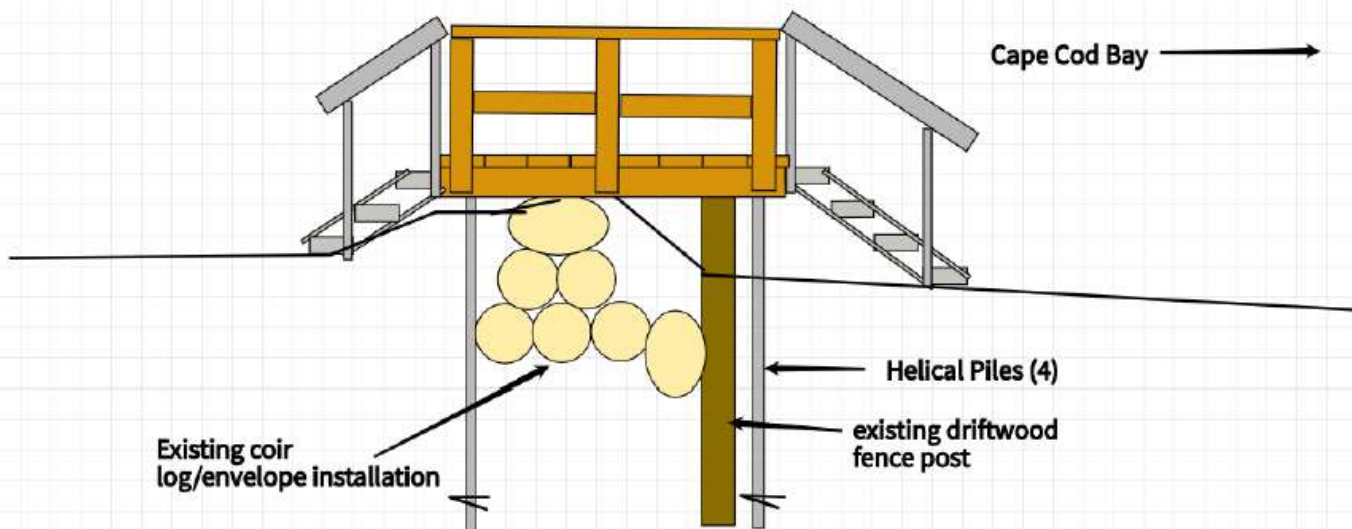


- 3' wide x 12' +/- long wood platform to bridge coastal dune installation and drift fence
- (4) Helical Piles to support platform
- Detachable aluminum stair on both sides

Wood Platform components

- (6) 4"x4" handrail posts
- (4) 2"x4" mid-rails (between posts)
- (6) 2"x10" Joists
- (2) 1x6 top rails
- (24) 1x6 wood Deck boards

**NOT TO SCALE



Proposed stairs

Figure 3. Proposed access activities between Units 10 and 11.

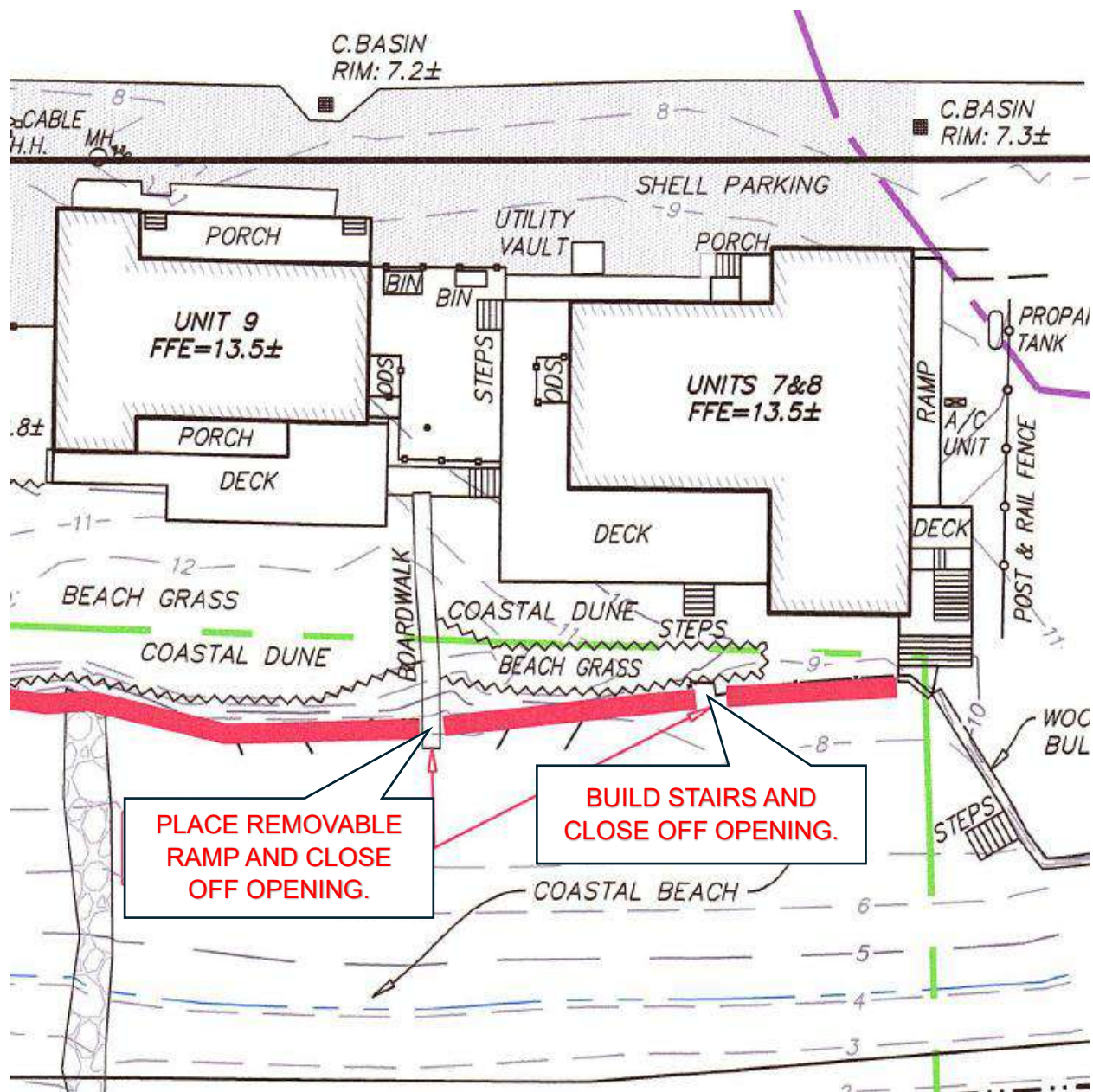


Figure 4. Proposed activities between Units 7 and 8.



USGS SITE LOCUS MAP
522 Shore Road
North Truro, Massachusetts

Source: USGS- topoBuilder





FEMA F.I.R.M
522 Shore Road
North Truro, Massachusetts

Source: FEMA Map 25001C0117J; Eff: 07/16/2014



PERMIT # 2025-09



TOWN OF TRURO

Conservation Commission

24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission
TOWN OF TRURO

FEB 09 2025

AD

APPLICATION FOR ADMINISTRATIVE REVIEW PERMIT

PERMIT FEE \$20

Applicant Name: Joe Brady, for Cape Associates, Inc. Telephone: 508-255-1770

Email address: jbrady@capeassociates.com aanderson@capeassociates.com

Owner Name: Jason & Paige Hall Telephone: _____

(If the applicant is not the owner of the property, written consent to the work MUST be attached to this Application.)

Address of subject property: 276-11 Shore Rd, Truro MA Map: 13 Parcel: 22-11

Description of proposed work: Adding an outdoor rinse station as part of cottage renovation

Proximity to Resource Areas: See attached plans

CRITERIA FOR ADMINISTRATIVE REVIEW (AR) PERMITS

Vegetation Projects:

- No removal of vegetation within any inland or coastal wetland resource.
- No uprooting of vegetation.
- No mowing to the ground or clear cutting.
- Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
- Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
- Trees for removal must be tagged for inspection.
- No excavation by machinery is required or proposed.

Sheds and Other Construction Projects:

- No construction *within* any wetland resource except for minimal projects with the consent of the Conservation Agent.
- Any proposed new construction is more than 50' from the edge of resource area.
- No excavation by machinery is required or proposed.
- Foundation for structure shall be concrete blocks, sono tubes, diamond piers
- Repairs or replacement of existing structures remain within the same footprint.
- New structures must be less than 160 square feet.
- Only minimal projects such as biomimicry, sand nourishment, beach grass and planting of native species shall be allowed under this permit

Procedure:

- The fee shall be submitted with the Administrative Review Application.
- The Agent shall conduct a site visit, at which time the proposed project must be clearly defined in the field with stakes. Trees shall be flagged.

- If the Agent determines that all of the conditions of this Policy are met, the Agent may approve the Application. If the conditions of this policy are not met; the application is incomplete; or the field ID is inadequate the application is denied.
- **If the Agent approves the application, such approval must be ratified by the Truro Conservation Commission prior to the issuance of this permit and prior to the commencement of any work.**
- Any Property Owner, contractor or other agent of the owner performing any work pursuant to an Administrative Review permit shall have a copy of the permit available at the site at all times during the period that the work is being performed.
- Upon approval and ratification by the Commission, an Administrative Permit shall issue.
- The applicant shall notify the Commission prior to the start of the work, and must complete the work within thirty (30) days of issuance of the permit, unless otherwise permitted by the Commission.
- The Conservation Agent shall inspect the property to verify that the work completed is within the scope of the Approved Application.
- Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.
- NOTE: Use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen.

By signing this permit application, you are acknowledging that you have read and understand the terms as stated herein. You are also aware that no work shall go forward until the permit has been issued by the Conservation Commission.

Joe Brady _____
 (Signature of Applicant) (Date)

FOR OFFICE USE ONLY:

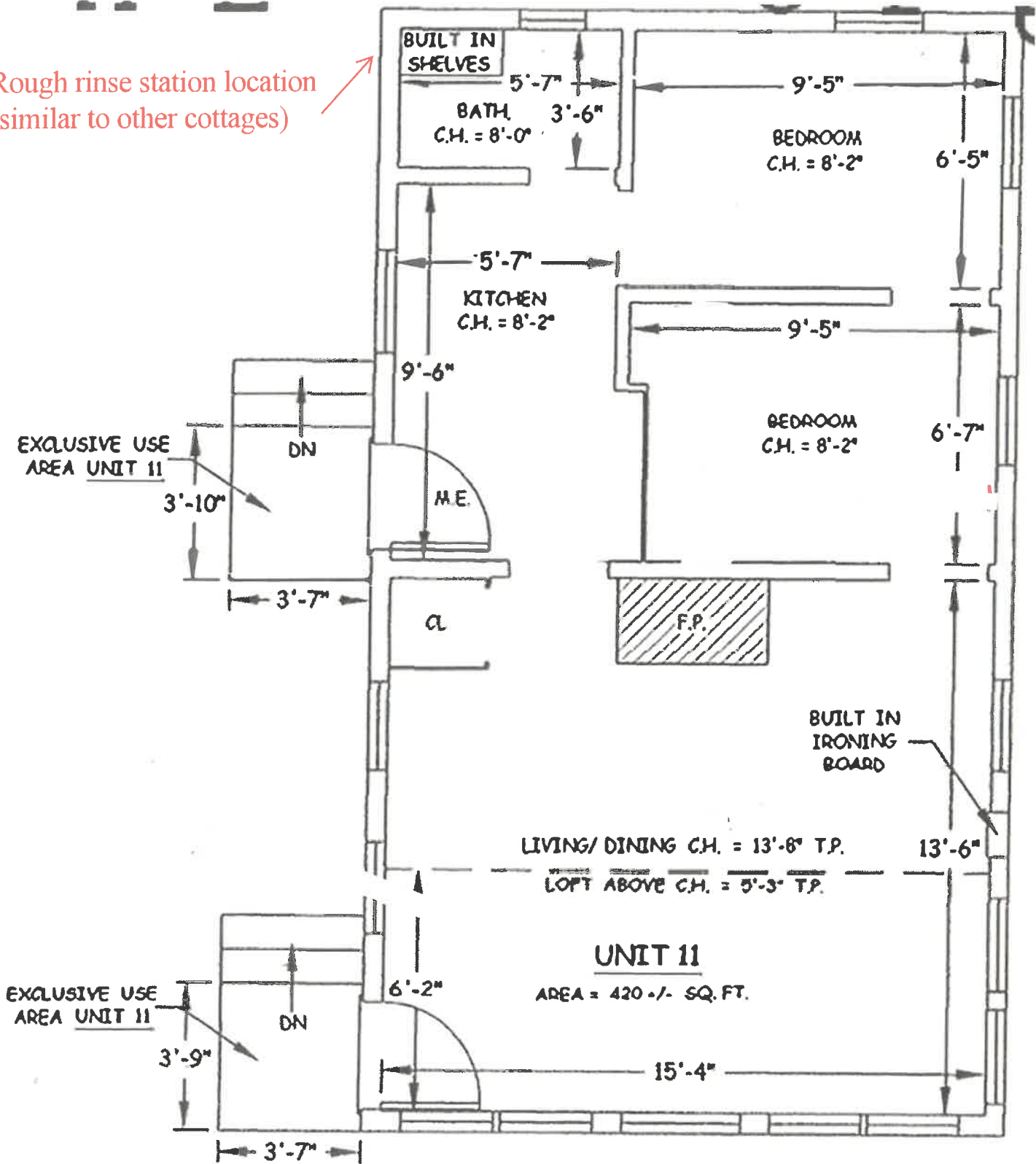
Agent's Comments: outdoor rinse station similar to the other units.

Site Inspection Date: 4/7/25 Application Approved: ☒ Yes ☐ No

Conservation Commission Review: Meeting Date: 3/3/2025 Permit Approved: ☐ Yes ☐ No
 Conditions: _____

Signature of Commission Chair or Agent: _____ Date: _____

Rough rinse station location
(similar to other cottages)





DAHLIA

NO

PERMIT # 2025-07



TOWN OF TRURO

Conservation Commission

24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission
TOWN OF TRURO

FEB 06 2025

PAID
8456

APPLICATION FOR ADMINISTRATIVE REVIEW PERMIT

PERMIT FEE \$20

Applicant Name: Gordon Peabody, Safe Harbor Telephone: (508) 237-3724

Email address: gordonpeabody@gmail.com

Owner Name: Paula Grandberg Telephone: [REDACTED]

(If the applicant is not the owner of the property, written consent to the work MUST be attached to this Application.)

Address of subject property: 6 Bearberry Lane Map: 42 Parcel: 290

Description of proposed work: 3 yards of compatible sand to be placed beneath lower end of stairway,
using small rubber tread delivery vehicle

Proximity to Resource Areas: On coastal bank

CRITERIA FOR ADMINISTRATIVE REVIEW (AR) PERMITS

Vegetation Projects:

- No removal of vegetation within any inland or coastal wetland resource.
- No uprooting of vegetation.
- No mowing to the ground or clear cutting.
- Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
- Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
- Trees for removal must be tagged for inspection.
- No excavation by machinery is required or proposed.

Sheds and Other Construction Projects:

- No construction *within* any wetland resource except with the consent of the Conservation Agent.
- Any proposed new construction is more than 50' from the wetland boundary.
- No excavation by machinery is required or proposed.
- Foundation for structure shall be concrete blocks.
- Repairs or replacement of existing structures remain.
- New structures must be less than 160 square feet.
- Only minimal projects such as biomimicry, sand planting of native species shall be allowed under

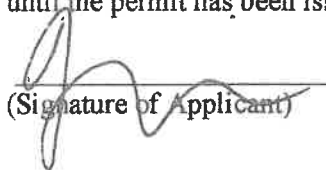
Procedure:

- The fee shall be submitted with the Administrative Review Permit.
- The Agent shall conduct a site visit, at which time the location shall be clearly defined in the field with stakes. Trees shall be tagged for inspection.



- If the Agent determines that all of the conditions of this Policy are met, the Agent may approve the Application. If the conditions of this policy are not met; the application is incomplete; or the field ID is inadequate the application is denied.
- If the Agent approves the application, such approval must be ratified by the Truro Conservation Commission prior to the issuance of this permit and prior to the commencement of any work.
- Any Property Owner, contractor or other agent of the owner performing any work pursuant to an Administrative Review permit shall have a copy of the permit available at the site at all times during the period that the work is being performed.
- Upon approval and ratification by the Commission, an Administrative Permit shall issue.
- The applicant shall notify the Commission prior to the start of the work, and must complete the work within thirty (30) days of issuance of the permit, unless otherwise permitted by the Commission.
- The Conservation Agent shall inspect the property to verify that the work completed is within the scope of the Approved Application.
- Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.
- NOTE: Use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen.

By signing this permit application, you are acknowledging that you have read and understand the terms as stated herein. You are also aware that no work shall go forward until the permit has been issued by the Conservation Commission.

 2/5/25
(Signature of Applicant) (Date)

FOR OFFICE USE ONLY:

Agent's Comments applicant submitted two applications, one for sand one for plantings.

Site Inspection Date: 2/21/2025 Application Approved: ☒ Yes ☐ No

Conservation Commission Review: Meeting Date: 3/3/2025 Permit Approved: ☐ Yes ☐ No
Conditions: _____

Signature of Commission Chair or Agent: _____ Date: _____

SAFE HARBOR

ENVIRONMENTAL MANAGEMENT
HABITAT RESTORATION



Administrative Review: 6 BEARBERRY: Limited erosion mitigation, sand, Beach Grass. Limited nourishment, 3 yds compatible sand, beneath bottom end of eroded beach steps.

Date: February 5, 2025

To: Town of Truro Conservation Commission

Attn: Emily Beebe, Conservation Agent

Cc: Arozana Davis

From: Gordon Peabody, Safe Harbor Environmental

Office: 95 Commercial St. Room 211, Wellfleet, MA, 02667

Mail: P.O. Box 880, Wellfleet, MA, 02667

Contact: email gordonpeabody@gmail.com Phone: 508-237-3724

Re : AR for Grandberg, 6 Bearberry, limited erosion mitigation.

3 yds compatible sand, beneath bottom end of eroded beach steps. Plant Beach Grass.

Conservation Commission
TOWN OF TRURO

FEB 05 2025



Safe Harbor Image, February 2025. A.R. for 3 yds compatible beach sand to be placed beneath lower end of eroded beach steps. Plant 3 bundles American Beach Grass by hand. No fertilizers, herbicides or insecticides to be used. Sand delivered by small rubber tread machine from Corn Hill Town Landing. Contractor responsible for any additional required permitting and/or notifications and/or submissions to Town Departments and abutters.

g/p 2/5/25

PERMIT # 2025-08



TOWN OF TRURO

Conservation Commission

24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission
TOWN OF TRURO

FEB 06 2025

PAID
8456

APPLICATION FOR ADMINISTRATIVE REVIEW PERMIT

PERMIT FEE \$20

Applicant Name: Gordon Peabody, Safe Harbor Telephone: (508) 237-3724

Email address: gordonpeabody@gmail.com

Owner Name: Paula Grandberg Telephone: [REDACTED]

(If the applicant is not the owner of the property, written consent to the work MUST be attached to this Application.)

Address of subject property: 6 Bearberry Lane Map: 42 Parcel: 290

Description of proposed work: Plant 5 bundles of Beach Grass by hand in sand placed beneath lower end of beach stairs & 4 bundles of Beach Grass and 10 Bayberry on eroded area north west of steps.

Proximity to Resource Areas: On Coastal Bank

CRITERIA FOR ADMINISTRATIVE REVIEW (AR) PERMITS

Vegetation Projects:

- No removal of vegetation within any inland or coastal wetland resource.
- No uprooting of vegetation.
- No mowing to the ground or clear cutting.
- Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
- Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
- Trees for removal must be tagged for inspection.
- No excavation by machinery is required or proposed.

Sheds and Other Construction Projects:

- No construction *within* any wetland resource without the consent of the Conservation Agent.
- Any proposed new construction is more than 160 square feet.
- No excavation by machinery is required or proposed.
- Foundation for structure shall be concrete block or masonry.
- Repairs or replacement of existing structures shall be allowed.
- New structures must be less than 160 square feet.
- Only minimal projects such as biomimicry, siltation, or planting of native species shall be allowed under this permit.

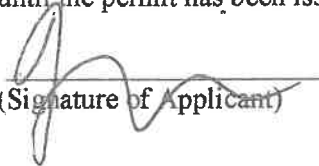
Procedure:

- The fee shall be submitted with the Administrative Review Permit Application.
- The Agent shall conduct a site visit, at which time the project shall be clearly defined in the field with stakes. Trees

Planting

- If the Agent determines that all of the conditions of this Policy are met, the Agent may approve the Application. If the conditions of this policy are not met; the application is incomplete; or the field ID is inadequate the application is denied.
- If the Agent approves the application, such approval must be ratified by the Truro Conservation Commission prior to the issuance of this permit and prior to the commencement of any work.
- Any Property Owner, contractor or other agent of the owner performing any work pursuant to an Administrative Review permit shall have a copy of the permit available at the site at all times during the period that the work is being performed.
- Upon approval and ratification by the Commission, an Administrative Permit shall issue.
- The applicant shall notify the Commission prior to the start of the work, and must complete the work within thirty (30) days of issuance of the permit, unless otherwise permitted by the Commission.
- The Conservation Agent shall inspect the property to verify that the work completed is within the scope of the Approved Application.
- Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.
- NOTE: Use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen.

By signing this permit application, you are acknowledging that you have read and understand the terms as stated herein. You are also aware that no work shall go forward until the permit has been issued by the Conservation Commission.

(Signature of Applicant)  (Date) 2/5/25

FOR OFFICE USE ONLY

Agent's Comments applicant submitted two applications - one for sand, one for nourishment plantings.

Site Inspection Date: 2/21/2025 Application Approved: ☒ Yes ☐ No

Conservation Commission Review: Meeting Date: 3/3/2025 Permit Approved: ☐ Yes ☐ No
Conditions: _____

Signature of Commission Chair or Agent: _____ Date: _____

SAFE HARBOR

ENVIRONMENTAL MANAGEMENT
HABITAT RESTORATION



Administrative Review: 6 BEARBERRY, Limited Planting of bare spot on Coastal Bank

Date: February 5, 2025

To: Town of Truro Conservation Commission

Attn: Emily Beebe, Conservation Agent

Cc: Arozana Davis

From: Gordon Peabody, Safe Harbor Environmental

Office: 95 Commercial St. Room 211, Wellfleet, MA, 02667

Mail: P.O. Box 880, Wellfleet, MA, 02667

Contact: email gordonpeabody@gmail.com Phone: 508-237-3724

Re : AR for Grandberg, 6 Bearberry

Limited replanting of bare area on Coastal Bank 10 Bayberry ; 4 bndls Beach Grass.



Safe Harbor Image February, 2025 showing limited planting Area/ All work to be done by hand by trained Safe Harbor workers. Bayberry 3 Gal, 3 ft spacing/ American Beach Grass, 3 culms per planting, 18" spacing. No fertilizers, herbicides or insecticides to be used. Activity area access from steps.

Conservation Commission
TOWN OF TRURO

FEB 05 2025

Handwritten signature: GP
Handwritten date: 2/5/25

PAID
2863

PERMIT # 2025-10



TOWN OF TRURO

Conservation Commission

24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission
TOWN OF TRURO

FEB 20 2025

APPLICATION FOR ADMINISTRATIVE REVIEW PERMIT

PERMIT FEE \$20

Applicant Name: JAMES SCHIMANSKI Telephone: [REDACTED]

Email address: [REDACTED]

Owner Name: ANCHORAGE ON THE BAY HOA Telephone: [REDACTED]

(If the applicant is not the owner of the property, written consent to the work MUST be attached to this Application.)

Address of subject property: 596 SHORE Rd Map: 5 Parcel: 17

Description of proposed work: CRECT New SIGN - SIGN POST

Proximity to Resource Areas: Barrier Beach, Land Subject to Coastal Storm Flowage, Coastal Dune

CRITERIA FOR ADMINISTRATIVE REVIEW (AR) PERMITS

Vegetation Projects:

- No removal of vegetation within any inland or coastal wetland resource.
- No uprooting of vegetation.
- No mowing to the ground or clear cutting.
- Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
- Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
- Trees for removal must be tagged for inspection.
- No excavation by machinery is required or proposed.

Sheds and Other Construction Projects:

- No construction within any wetland resource except for minimal projects with the consent of the Conservation Agent.
- Any proposed new construction is more than 50' from the edge of resource area.
- No excavation by machinery is required or proposed.
- Foundation for structure shall be concrete blocks, sono tubes, diamond piers
- Repairs or replacement of existing structures remain within the same footprint.
- New structures must be less than 160 square feet.
- Only minimal projects such as biomimicry, sand nourishment, beach grass and planting of native species shall be allowed under this permit

Procedure:

- The fee shall be submitted with the Administrative Review Application.
- The Agent shall conduct a site visit, at which time the proposed project must be clearly defined in the field with stakes. Trees shall be flagged.

* LOCATION FOR SIGN IS MARKED IN GREEN IN PARKING LOT

90-Day Request



- If the Agent determines that all of the conditions of this Policy are met, the Agent may approve the Application. If the conditions of this policy are not met; the application is incomplete; or the field ID is inadequate the application is denied.
- **If the Agent approves the application, such approval must be ratified by the Truro Conservation Commission prior to the issuance of this permit and prior to the commencement of any work.**
- Any Property Owner, contractor or other agent of the owner performing any work pursuant to an Administrative Review permit shall have a copy of the permit available at the site at all times during the period that the work is being performed.
- Upon approval and ratification by the Commission, an Administrative Permit shall issue.
- The applicant shall notify the Commission prior to the start of the work, and must complete the work within thirty (30) days of issuance of the permit, unless otherwise permitted by the Commission.
- The Conservation Agent shall inspect the property to verify that the work completed is within the scope of the Approved Application.
- Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.
- NOTE: Use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen.

By signing this permit application, you are acknowledging that you have read and understand the terms as stated herein. You are also aware that no work shall go forward until the permit has been issued by the Conservation Commission.

[Signature] 2/19/25
(Signature of Applicant) (Date)

FOR OFFICE USE ONLY:

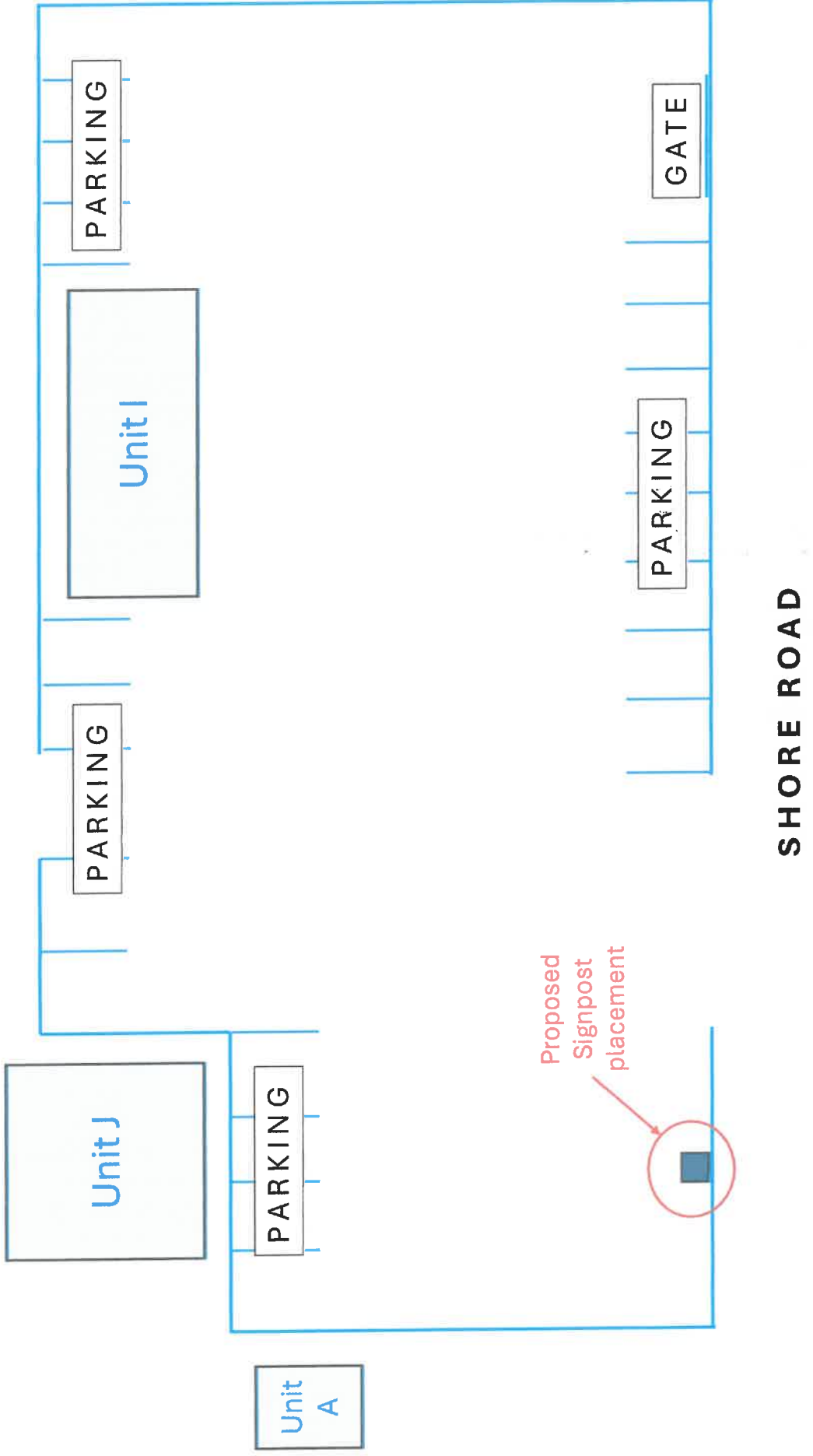
Agent's Comments one post in developed gravel
parking lot.

Site Inspection Date: 2/20/2025 Application Approved: ☒ Yes ☐ No

Conservation Commission Review: Meeting Date: 3/3/2025 Permit Approved: ☐ Yes ☐ No
Conditions: _____

Signature of Commission Chair or Agent: _____ Date: _____

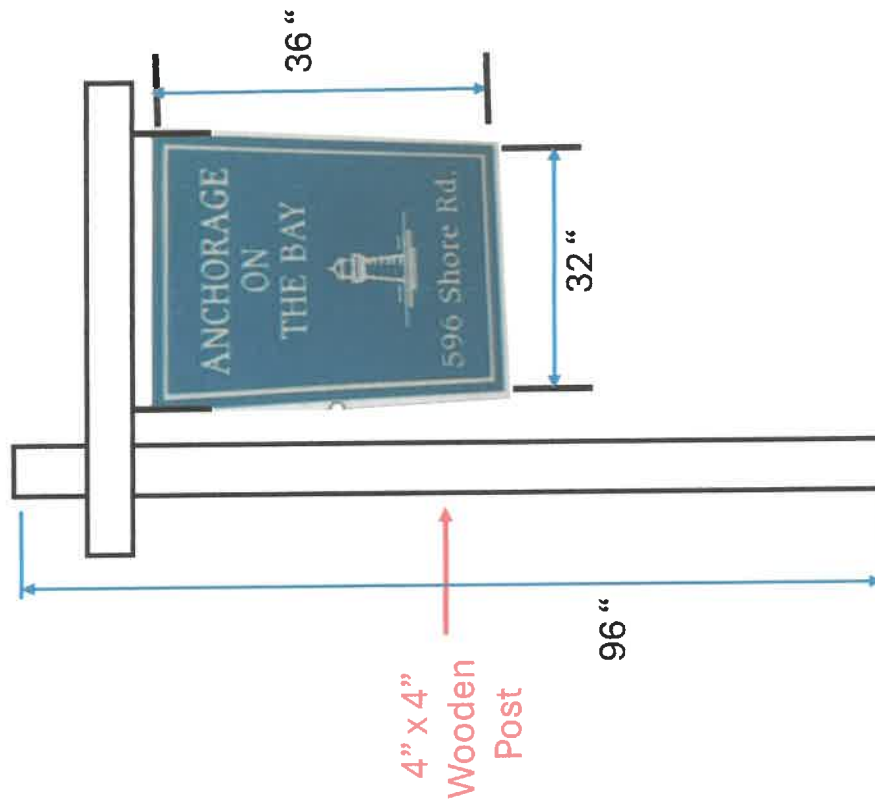
Conservation Commission
TOWN OF TRURO
FEB 20 2023



Sign will be located at the front of the parking lot along the fence line

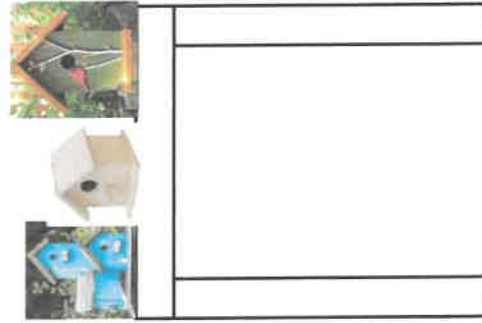


FEB 20 2020





Plan for removal of the old sign would be to cut the sign portion off, keep the base and mount bird houses to it.



FEB 20 2020

PERMIT # 2025-11



TOWN OF TRURO

Conservation Commission

24 Town Hall Road
P.O. Box 2030, Truro MA 02666

PAID
CASH

APPLICATION FOR ADMINISTRATIVE REVIEW PERMIT

PERMIT FEE \$20

Applicant Name: Cranberry Hill Inc. Telephone: [REDACTED]
Email address: [REDACTED]
Owner Name: Cranberry Hill Inc Telephone: [REDACTED]
(If the applicant is not the owner of the property, written consent to the work MUST be attached to this Application.)
Address of subject property: 0 Fishermans Rd Map: 42 Parcel: 131
Description of proposed work: Sand nourishment at base of stairs, planting with beach grass

Proximity to Resource Areas: On coastal bank and coastal beach

CRITERIA FOR ADMINISTRATIVE REVIEW (AR) PERMITS

Vegetation Projects:

- No removal of vegetation within any inland or coastal wetland resource.
- No uprooting of vegetation.
- No mowing to the ground or clear cutting.
- Any proposed tree removal is demonstrated to be necessary, e.g., to protect existing structures, public safety, traffic visibility, etc.
- Mitigation may be required, i.e., an area to be planted with native species of trees or shrubs.
- Trees for removal must be tagged for inspection.
- No excavation by machinery is required or proposed.

Sheds and Other Construction Projects:


- No construction *within* any wetland resource except for minimal projects with the consent of the Conservation Agent.
- Any proposed new construction is more than 50' from the edge of resource area.
- No excavation by machinery is required or proposed.
- Foundation for structure shall be concrete blocks, sono tubes, diamond piers
- Repairs or replacement of existing structures remain within the same footprint.
- New structures must be less than 160 square feet.
- Only minimal projects such as biomimicry, sand nourishment, beach grass and planting of native species shall be allowed under this permit

Procedure:

- The fee shall be submitted with the Administrative Review Application.
- The Agent shall conduct a site visit, at which time the proposed project must be clearly defined in the field with stakes. Trees shall be flagged.

- If the Agent determines that all of the conditions of this Policy are met, the Agent may approve the Application. If the conditions of this policy are not met; the application is incomplete; or the field ID is inadequate the application is denied.
- **If the Agent approves the application, such approval must be ratified by the Truro Conservation Commission prior to the issuance of this permit and prior to the commencement of any work.**
- Any Property Owner, contractor or other agent of the owner performing any work pursuant to an Administrative Review permit shall have a copy of the permit available at the site at all times during the period that the work is being performed.
- Upon approval and ratification by the Commission, an Administrative Permit shall issue.
- The applicant shall notify the Commission prior to the start of the work, and must complete the work within thirty (30) days of issuance of the permit, unless otherwise permitted by the Commission.
- The Conservation Agent shall inspect the property to verify that the work completed is within the scope of the Approved Application.
- Any work beyond the scope of the approved Administrative Review shall be subject to enforcement action.
- NOTE: Use of town property for beach access or staging of construction materials requires a permit issued by the Board of Selectmen.

By signing this permit application, you are acknowledging that you have read and understand the terms as stated herein. You are also aware that no work shall go forward until the permit has been issued by the Conservation Commission.

 2/19/2025
(Signature of Applicant) (Date)

Susan Rocca
Vice President BOB CHI

FOR OFFICE USE ONLY:

Agent's Comments nounshmet plantings ✓

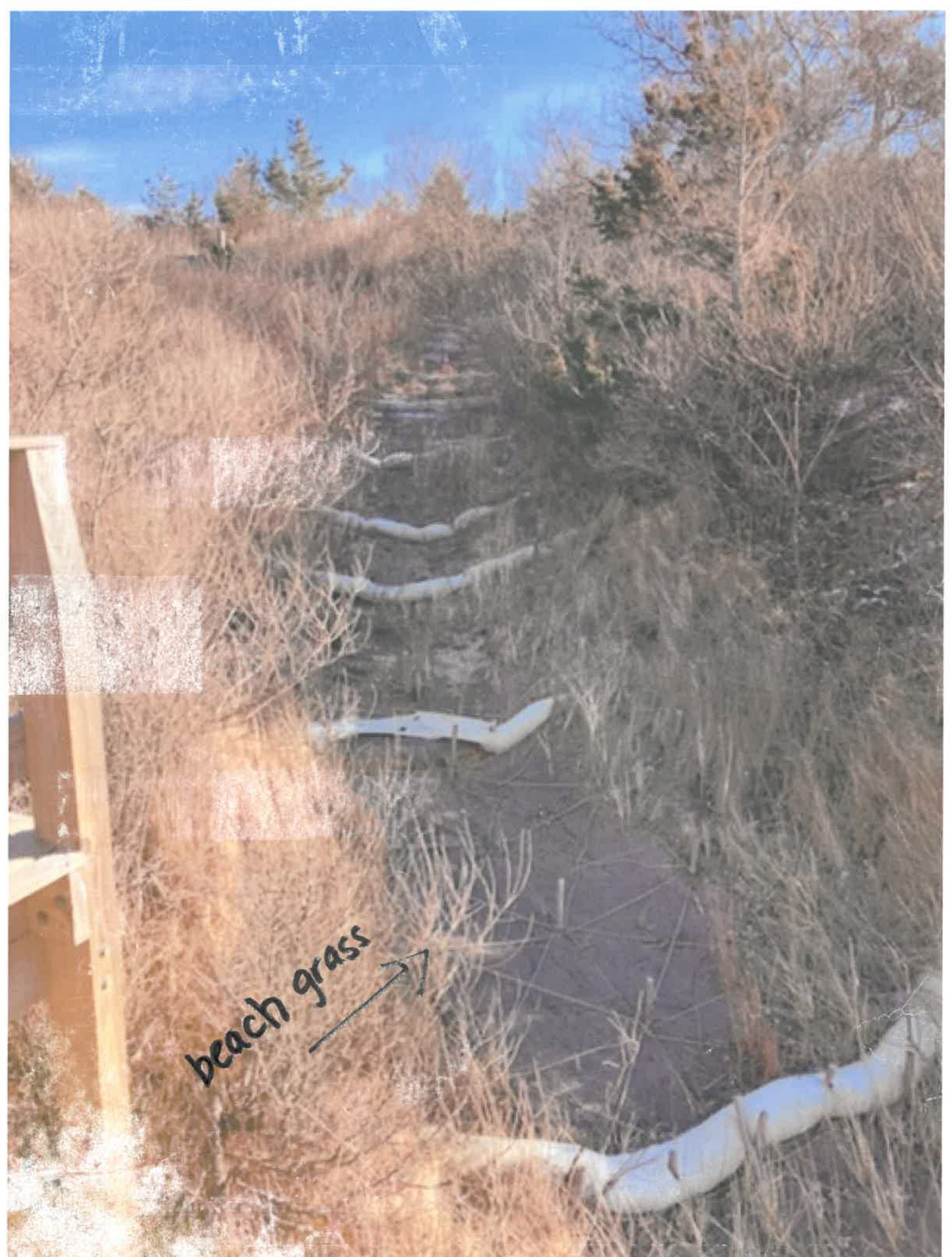
Site Inspection Date: 2/30/2025 Application Approved: ☒ Yes ☐ No

Conservation Commission Review: Meeting Date: 3/3/2025 Permit Approved: ☐ Yes ☐ No
Conditions: _____

Signature of Commission Chair or Agent: _____ Date: _____



nourishment
+ beach
grass



beach grass



TOWN OF TRURO CONSERVATION COMMISSION

P.O. Box 2030
Truro MA 02666-0630

Conservation Commission Meeting Minutes: December 2, 2024

Commissioners Present: Chair Carol Girard-Irwin, Vice Chair Linda Noons-Rose, Commissioners Bob White, Clint Kershaw, and Connie Mather. **Absent:** Diane Messinger; **Others Present:** Emily Beebe, Conservation Agent; Courtney Warren, Assistant Conservation Agent; Select Board member Nancy Medoff (present virtually)

This was a hybrid meeting with both in-person and remote participants. Chair Carol Girard-Irwin called the meeting and public hearings to order at 5:04 pm and provided the virtual meeting instructions.

Notice of Intent: 17 Avocet Road, Jennifer & Michael Freitag (SE#075-1204): replacement of sand drift fence, coir logs, and beach stairs; Coastal Beach; Land Subject to Coastal Storm Flowage, and Coastal Bank. (Map 39, Parcel 217) (*continued from 11/4/2024*) The applicant has requested a continuance until the January 6, 2025 meeting. **Motion:** Commissioner Linda Noons-Rose moved to continue the hearing until January 6, 2025; **Second:** Commissioner Bob White; **Vote:** 5-0-0; the motion carried.

Notice of Intent: 5 Great Hills Lane, Kevin Wise (SE#75-11207): coir log array, sand drift fence, & nourishment; Coastal Dune, Coastal Beach & Land Subject to Coastal Storm Flowage. (Map 53, Parcel 1) The applicant requested a continuance until January 6, 2025, so that the project could be properly staked for the Commissioners site visit. **Motion:** Commissioner Clint Kershaw moved to continue the hearing until January 6, 2025; **Second:** Commissioner Linda Noons-Rose; **Vote:** 5-0-0; the motion carried.

Notice of Intent: 20 Toms Hill Road, Joseph Fiorello (SE#075-): demolish and replace dwelling (this was a previously approved project with an expired OOC); Riverfront Area & Buffer Zone to a Coastal Bank. (Map 46, Parcel 342) (*continued from 11/4/2024*) The applicant requested a continuance until the January 6, 2025 meeting. **Motion:** Commissioner Linda Noons-Rose moved to continue the hearing until January 6, 2025; **Second:** Chair Carol Girard-Irwin; **Vote:** 5-0-0; the motion carried.

Notice of Intent: 556 Shore Road, Shoreline Beach Condo Trust (SE#75-1205): sand drift fence, coir envelopes, and nourishment work; Barrier Beach, Land Subject to Coastal Storm Flowage, and Coastal Dune. (Map 6, Parcel 6) (*continued from 11/4/2024*) Stan Humphries of ECR noted that the staking had been completed and reported that conversations have continued between the easement holder and the condo association trustees. Trustee Bob Frattaroli was on-line to represent the condo association and easement holder Rick Bashian was present in person. The Trustees provided a letter from their attorney opining that the project could be done as long as access for the easement holder was provided. The Commissioners discussed whether or not they could approve this work before the issue with the easement holder and the Trustees was settled and questioned whether or not town counsel should review this. Rick Bashian stated that he was in support of the work to preserve the dune and wanted to come to a resolution of the easement issue. Stan Humphries and Bob Frattaroli noted that the access paths through the proposed installation had been reduced by one. Stan Humphries also said that they were concerned about getting this

project installed prior to storm season. Bob Frattaroli stated that if necessary they would be willing to leave the easement unprotected. Discussion was about what was shown on the current plan and if the Commissioners could condition their approval to exclude the easement. The Agent stated that they could condition that the installation not extend into the easement area at all. Rick Bashian, easement holder, and Bob Frattaroli, Trustee, both agreed to that condition. **Motion:** Commissioner Linda Noons-Rose moved to approve the request with conditions to include the installation will not encroach on the easement and the standard conditions for sand drift fence, coir, and nourishment with ongoing conditions; and NHESP conditions. **Second:** Chair Carol Girard-Irwin; **Vote:** 4-1-0 with Commissioner Clint Kershaw opposed; the motion carried.

Notice of Intent: 10 Thornley Meadow Road, Roland & Lucia Letendre (SE#075-1198): after-the-fact filing for beach stair replacement and beach grass trimming; Coastal Bank & Coastal Dune. (Map 53, Parcel 87) *(continued from 10/7/2024)*

Marshall Puffer from Tighe & Bond shared a presentation that used aerial photos to document the presence of the inground steps in 1995. He shared an updated plan which would leave the inground steps as is and add plantings as mitigation. He described the Conservation Restrictions on the property stating that access and the right to maintain the access are allowable activities but structures and clear cutting are prohibited. Mr. Puffer noted that the stairs are in the coastal bank and the coastal dune area “stops short” of the disturbed area. For mitigation, they proposed to plant an area three times that of the dug in steps and would work with the Trust to choose acceptable native plants. Chair Carol Girard-Irwin stated that it was clear something was previously existing but noted that the steps are currently being washed out and growth of vegetation is impeded. Commissioner Kershaw stated that the bank was eroding because of the steps and asked if an elevated stairway could replace both sets of timber steps. The Agent asked if all the work done without a permit was shown on the plan as there is a second set of replaced in-ground timbers closer to the house. Mr. Puffer replied that he had only focused on the steps on the coastal bank because the steps closer to the house had not been discussed previously. The Agent asked if he had seen that both sets of steps are called out in the enforcement letter that was sent to the homeowner, and noted that a small amount of work is shown on the abutting property. There was a request for more information about the easement. Although not shown on the plan, the two properties have dual easements for beach access for both properties, one across the dune on the abutter’s property and the other across the Letendre’s property. Mr. Puffer asked if maintenance or replacement in kind could have been approved. The Chair stated that it was not likely and the Commissioners agreed that they are not helping the bank. Mr. Puffer stated that the Conservation Trust restriction does not allow structures to be built across that area, and at that time the Agent suggested setting up a meeting with the Trust to determine what would be allowed.

Mr. Puffer stated that removing the steps would potentially destabilize the bank. He clarified for the Commission that the lower set of steps on the coastal bank were completely within the area of the conservation restriction. The upper steps are in the buffer zone to the coastal bank. He stated that he had concerns about removing the steps and destabilizing the bank. The Agent suggested that an alternatives analysis should be presented and stated that after-the-fact filings are difficult. She noted that there has been confusion with this filing and explained that this was an attempt to resolve an unpermitted matter with something that both the Commission and the applicant can find acceptable. The Commissioners discussed several options and asked Mr. Puffer for an alternatives analysis. Fred Gaechter, chair of the Conservation Trust, noted that the conservation restriction was approved by the Commonwealth and that any proposal would need to follow all the requirements of that document. He noted that the Trust should have been consulted earlier in this process. Mr. Puffer replied that the path predated the conservation restriction, then requested a continuance to the February 3, 2025 meeting. **Motion:** Commissioner Clint Kershaw moved to continue the hearing until February 3, 2025; **Second:** Chair Carol Girard-Irwin; **Vote:** 5-0-0; the motion carried.

Notice of Intent: 544 Shore Road, Bay Beach Town Homes (SE#75-1208): coir log array, sand drift fence, & nourishment; Barrier Beach, Land Subject to Coastal Storm Flowage, Coastal Dune. (Map 7, Parcel 5) Brian Madden from LEC represented the project along with Michael Bonner from Sumco, designer Darren Grady, and attorney George Hailer. Mr. Madden described the dune restoration project as coir envelopes, coir logs, sand drift fencing, nourishment, and plantings. He shared his screen to describe the proposed plan. Snow fencing, nourishment, and beach grass were installed last year as an interim measure, but that work suffered significant storm damage. They propose a more robust solution with coir logs installed on the face of the existing dune transitioning to coir envelopes. Mr. Madden described the construction access plan and stated that they had permission from abutters on either side to extend this installation to the property lines, and tie into the project at Shoreline Condos (556 Shore Rd). Beach access for the condo owners will be from the breezeway to a 6' easement in the center over the coir envelopes on a sand path with a mobimat, and there are conditions from NHESP. Commissioner Kershaw expressed concerns about keeping foot traffic off the project when completed. They propose to install snow fencing on the landward side to keep people off the restored dune. According to the management plan, beach access for occupants would be by exiting the street side of the units and using the central breezeway to the sand path. Commissioner Kershaw stated that he preferred a physical barrier because of the history of misuse of the dune area. Commissioner Linda Noons-Rose noted that the stakes appeared to be much further seaward in the field than they appeared on the plan and asked how far they were from mean high water (MHW). Chair Carol Girard-Irwin also stated that the stakes seemed much further seaward than the fences on neighboring properties. Mr. Madden said that the distance from MHW varied, but that it was 20-30 feet, and the intent was to follow the contour of the shoreline. Chair Carol Girard-Irwin asked if the installation could be pulled more landward. Michael Bonner from Sumco stated that it would be difficult to move the east end closer because of the space needed to recreate the dune but that the west end could be brought more landward. The Agent asked for clarification on how the proposed array would work and about the purpose of the vertical members. Michael Bonner replied that the drift fence would be immediately seaward of the coir envelopes and that the vertical green oak posts would support the envelopes. The Agent confirmed receipt of letters from the abutters on both sides giving permission to bring the fence to the property line. Easement holder Rick Bashian of 535 Shore Rd is fully supportive of the project except for the location because of his easement rights. He stated that he owns one easement for passage and one for usage and it appears the fence is well beyond 37' from the building. He is also concerned about the property owners using the dune as a beach while proposing to build a fence and replacement dune across his beach usage area. Commissioner Bob White agreed that the placement of the fence is very far seaward and would lead to not having any beach there. Commissioner Linda Noons-Rose also noted that the 37' should have been staked and agreed that there will be no place to sit at high tide. Abutter Marie Belding stated that she was under the impression that this fence was going to line up with her fence. The Agent noted that none of the platforms off any of the decks have been approved and should not be there. Attorney George Hailer, representing Bay Beach Town Homes, opined that the easement issues were out of the purview of the Conservation Commission. He asked to continue the matter so that he could further discuss this with the abutter. The Agent thanked Mr. Hailer and noted that everyone wants to increase resiliency. The best way to protect the building and the usage of the property is to address the concept of exclusive use areas. She also stated that the management plan should be further discussed and amended to reflect standard conditions for this area. Mr. Madden agreed to amend the management plan and stated that the design of the dune follows the shoreline, but the installation could be brought landward where possible. Commissioner Kershaw stated that the association should remove the exclusive use areas now as they are contributing to the issues at this property. Commissioner Linda Noons-Rose asked the Agent about the well-established beach grass and what would happen if it were to get covered. The Agent replied that beach grass will grow back up through several inches of sand or more. The Agent also suggested a site visit with the engineer. Brian Madden requested a continuance until

January 6, 2025. **Motion:** Commissioner Clint Kershaw moved to continue the hearing until January 6, 2025; **Second:** Commissioner Linda Noons-Rose; **Vote:** 5-0-0; the motion carried.

Request for Amended Order of Conditions: 6 River View Road, Liz & Rob Morrison (SE#75-1154): This request would amend a previously approved Order of Conditions to include vista corridors; Riverfront Area and Buffer Zone to a Coastal Bank. (Map 50, Parcel 267)

Theresa Sprague from Blue Flax represented the request. The original application did not request any vista management because the owners wanted to wait until the house was constructed to determine appropriate view corridors. One main vista corridor would provide filtered views toward the river and bay. With some light pruning, the area where the previously approved well was installed would provide a filtered view toward the marsh. She outlined the trees targeted for removal and noted that the very healthy understory would be allowed to in-fill. Shrubs such as low bush blueberry, bayberry, and bearberry would be planted mainly in the area that was disturbed during construction of the well. Additionally, existing huckleberry would be transplanted from the seating area to that disturbed area. Chair Carol Girard-Irwin asked for clarification of trees to be removed. Commissioner Kershaw asked if they proposed replacement trees. No trees are proposed to be planted, but shrubs would be planted at 2:1. The Agent noted it was easier to support vista pruning in the understory where bearberry and bayberry were dominant. Some thinning would easily provide a discrete window with filtered views. Commissioner Linda Noons-Rose asked about the 4' footpath. The Agent noted that this was an existing footpath as confirmed by Commissioner Bob White. Theresa Sprague stated that maintaining this path at a 3-4' width was approved under the original order and that there is no proposal to further improve the path. The Commissioners were concerned that not all of the smaller pitch pines targeted for removal were tagged. The Agent suggested scheduling another site visit to allow the Commissioners to view the site from the second floor of the home. Theresa Sprague asked for a continuation until the Feb 3, 2025, meeting. **Motion:** Commissioner Linda Noons-Rose moved to continue the hearing until February 3, 2025. **Second:** Chair Carol Girard-Irwin; **Vote:** 4-0-1 with Commissioner Bob White abstaining; the motion carried.

Field Change: 8 Great Hills Rd, SE# 75-1182. **Motion:** Chair Carol Girard-Irwin moved to approve the field change; **Second:** Commissioner Clint Kershaw; **Vote:** 5-0-0; the motion carried.

Field Change: 522 Shore Rd; SE# 75-1187 **Motion:** Commissioner Clint Kershaw moved to approve the field change; **Second:** Chair Carol Girard-Irwin; **Vote:** 5-0-0; the motion carried.

Extension Request: Mass DOT, SE# 75-0951 **Motion:** Commissioner Bob White moved to approve the field change; **Second:** Commissioner Clint Kershaw; **Vote:** 5-0-0; the motion carried. When preparing the state paperwork, it was discovered that this was extended last year until 1/14/2027.

Administrative Review Applications: 1.) 8 Castle Road: cut down 2 dead trees; 2.) 490 Shore Road – extension request **Motion:** Commissioner Connie Mather moved to approve the cutting of the dead tree closest to the house at 8 Castle Road but not the dead tree on the bank; **Second:** Commissioner Clint Kershaw; **Vote:** 5-0-0; the motion carried. **Motion:** Commissioner Clint Kershaw moved to approve the extension request for 490 Shore Road; **Second:** Chair Carol Girard-Irwin; **Vote:** 5-0-0

Minutes October 7, 2024, **Motion:** Chair Carol Girard-Irwin moved to approve the minutes from October 7, 2024 as presented; **Second:** Commissioner Clint Kershaw; **Vote:** 5-0-0; the motion carried.

Commissioner Kershaw asked that staff send a letter to the unit owners at 544 Shore Road, reminding them that deck extensions are not allowed. Commissioner Linda Noons-Rose asked that no storage on the decks be included in that letter. **Motion: Commissioner Clint Kershaw moved to have staff draft a letter to the owners at 544 Shore Road; Second: Commissioner Linda Noons-Rose; Vote: 5-0-0; the motion carried.**

Commissioner Kershaw asked the Commission to consider implementing a policy around staking, suggesting that if a property is not properly staked prior to the scheduled site visit, that project could not be on another agenda for 90 days. Chair Carol Girard-Irwin and Connie Mather both suggested 60 days instead. **Motion: Commissioner Clint Kershaw moved to accept a staking policy as discussed; Second: Commissioner Connie Mather; Vote: 5-0-0; the motion carried.**

Commissioner Kershaw asked the Commission to form a committee that would include himself and Connie Mather to work on defining mitigation in Truro Conservation regulations. **Motion: Chair Carol Girard-Irwin moved to form a mitigation committee as discussed; Second: Commissioner Linda Noons-Rose; Vote: 5-0-0; the motion carried.**

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

The meeting was adjourned at 7:57 PM.

Respectfully submitted by Courtney Warren