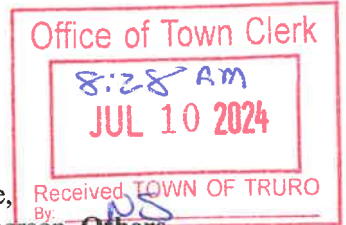




TOWN OF TRURO
CONSERVATION COMMISSION
P.O. Box 2030
Truro MA 02666-0630



Conservation Commission Meeting Minutes: May 6, 2024

Commissioners Present: Chair Carol Girard-Irwin, Vice Chair Linda Noons-Rose, Commissioners Bob White, Diane Messinger, and Clint Kershaw were present in person. **Others Present:** Emily Beebe, Conservation Agent

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 5:01 pm and provided the virtual meeting instructions.

Request for Determination of Applicability: 0 Head of the Meadow Road, Town of Truro: repave parking lot; Land Subject to Coastal Storm Flowage, Coastal Dune. (Map 33, Parcel 1) Agent Emily Beebe represented the project in place of DPW Director Jarrod Cabral. The project includes remilling the pavement surface, repaving, and striping. This is a one-to-one replacement, and they will relocate the attendants' shed. Commissioner Clint Kershaw asked about storm water improvements. The Agent responded that the improvements would be made by grading. **Motion: Commissioner Linda Noons-Rose moved a negative 3 determination; Second: Commissioner Bob White; Vote: 5-0; the motion carried.**

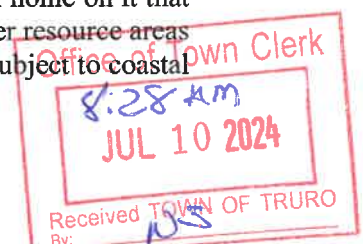
Notice of Intent: 63 Head of the Meadow Road, Jay Merchant: construction of beach stairs on a Coastal Bank. (Map 33, Parcel 3): Steve McKenna and Jay Merchant represented the request to build an elevated stairway within an easement down the Coastal Bank adjacent to the Merchant property. The easement was granted by the National Seashore for access to the beach, and they have reviewed the project, and the superintendent has signed off. The stairway will follow the contours of the bank while remaining within the easement area. All work will be done by hand commence from the top of the bank. Mr. Merchant will work with the Park annually to determine access from the bottom of the stairs through the shorebird nesting habitat. Additionally, the Park has camera equipment that they maintain near this location and they would use the stairway to access this equipment, thereby eliminating some pathways. Chair Carol Girard-Irwin confirmed that the primary reason for these stairs was for access to the beach. The applicant replied that there had been an at-grade post and rope ladder, but it was difficult to use. The Chair then asked for clarification about the accessibility during plover nesting season. The applicant confirmed that he would be working with the Seashore to reroute their footpath thru the habitat area in similar fashion to what is done for other properties in the area. Commissioner Linda Noons-Rose expressed concern about foot traffic disturbing the mitigation plantings located between the deck and the proposed stairway, and she suggested they consider either a raised structure or steps. Commissioner Bob White asked about the depth of the 4x4 posts for the proposed stairs, and if they would consider substituting helical anchors. He also noted the Commission requires batten boards across the grade at each vertical support. Commissioner Diane Messinger was concerned about the width of the stairs. Commissioner Clint Kershaw agreed and also stated that he would prefer to see a raised path. The Agent clarified that the Truro Conservation regulations allow a 4' access through the resource to the water,; further, that this project was considered a replacement of an existing at-grade stair being moved from Park property to its proper location in the easement, and noted that the project had been reviewed by NHESP, who had issued conditions. Chair Carol Girard-Irwin was concerned that this project would eliminate some of the mitigation area from a previously approved project. Steve McKenna said that the elimination of the park access paths could be

considered mitigation, and they would be willing to ask the park if they could plant beach grass in those areas. The Commissioners, with support from the Agent, had a robust conversation with the applicant around what they would need to see to condition the project. Three main items discussed included: 3-foot maximum width of the stairway as proposed, minimizing disturbance to existing mitigation, and the applicant developing a plan to connect the deck to the stairway. The applicant agreed to continue the hearing until the June 3rd, 2024 meeting. **Motion: Commissioner Clint Kershaw moved to continue the Notice of Intent to June 3, 2024; Second: Commissioner Linda Noons-Rose; Vote: 5-0-0; the motion carried.**

Notice of Intent: 2 Heron Lane, Hugh Simons: coastal bank stabilization; Coastal Bank, Land Subject to Coastal Storm Flowage. (Map 39, Parcel 221). Stan Humphries from ECR represented the project. Three properties to the north and five to the south have undertaken similar projects. The home was built in 1981 and is now less than 20 feet from the top of the coastal bank. The lot is ~140' long and has a deck area with a stairway to the beach. The beach has been recently nourished. The proposal includes installation of 5 rows of 20" diameter coir logs. Two to two and a half rows will be buried below the coastal bank with the other rows above covered with sand. Any material excavated from the installation of the subsurface rows will be cover for the top rows. The project will require continued nourishment and beach grass planting. Annual reports will be provided. It is not possible to relocate the home due to the configuration of the lot and it is not eligible for a coastal engineering structure since it was built after 1978. Commissioner Diane Messinger asked if a serpentine fence was proposed with this installation. No fence is proposed, which led to a discussion of whether they were beneficial or not. The Agent asked Stan Humphries if he had any data on whether there is synergy between a fence and a coir log installation. Stan Humphries noted that with the other projects in the area, fences were installed to trap sand and hopefully build a dune. However, monitoring of those properties showed a lack of the opportunity for that to happen. He stated that the smaller fences do not stand up well to wave energy. The consensus was that less structure in that area was better. The Agent then asked some clarifying questions about the length of the proposed coir array and how it would interact with the abutters' properties- and if it should because there appeared to be a soft return in the design that could create vulnerable areas.

Stan Humphries responded stating that there was about 15 feet between the end of the proposed array and the property line, on both sides. The Commission encouraged him to have conversations with the abutters about possibly extending the proposed array to connect to the existing coir on abutting property to avoid creating vulnerable areas. The Agent's second question was around access for nourishment – will that be over the bank? Access from a public landing was becoming less and less achievable. Stan Humphries stated that it would be up to the contractor to work with the Town for access. The Commissioners pointed out a discrepancy in the narrative about access from a public landing and not requiring any other private or public property be used. The Agent explained that the Town issues staging permits to contractors for installations and nourishment work, which allows use the specified public landing but the permit does not grant permission to the contractor to traverse private property. Getting landowner permission is becoming increasingly difficult and projects that require nourishment will need to ensure they have a way to do this either from their own property or possibly by barge. Stan Humphries requested a continuance until the June 3rd, 2024 meeting. **Motion: Commissioner Diane Messinger moved to continue the Notice of Intent to June 3, 2024; Second: Commissioner Bob White; Vote: 5-0-0; the motion carried.**

Request for Determination of Applicability: 18 Phat's Valley Road, John Field Revocable Trust: cesspool upgrade; Riverfront Area, Buffer Zone to a Coastal Bank and Isolated Wetland. (Map 54, Parcel 8) Laura Schofield from Schofield Brothers Engineering represented the Field family. The property is one acre with no upland and has a four-bedroom seasonal home on it that was built in 1830. The Riverfront Area overlaps virtually the entire property. Other resource areas to the south include a salt marsh and an associated coastal bank along with land subject to coastal



storm flowage. To the north is an isolated wetland and BVW. Access to this property is over an easement, so the design includes plastic components to minimize impacts to the Access by the equipment for the installation. There are three cesspools which will be filled and abandoned. An outdoor shower and sink will be connected to a drywell. Commissioner Bob White noted that there is a single-walled oil tank on the property and wanted the homeowner to be aware that this should be upgraded. Laura Schofield will discuss this with the client. **Motion: Commissioner Linda Noons Rose moved for a negative 3 determination; Second: Commissioner Bob White; Vote: 5-0; the motion carried.**

Request for Determination of Applicability: 648 Shore Road, U:9, Paul Ryder: fence installation; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 2, Parcel 9.9) No representative was present.

Request for Determination of Applicability: 162 Slough Pond Road, John Jencks: remove old septic system; Buffer Zone to a Coastal Bank. (Map 62, Parcel 4) Jason Ellis represented the project to upgrade the septic system serving two dwellings. The dwelling closer to the ocean is served by a title 5 septic system; the other is served by a cesspool. A new system designed for both buildings is out of jurisdiction. The existing title 5 system is located in a well vegetated area but in a Coastal Dune. Removing those components (which are in jurisdiction) would cause too much disturbance at this time, so the proposal is to pump and then fill them with sand. Commissioner Linda Noons-Rose agreed that the main concern was the tight access and that it would be too invasive to get a machine in to remove the old components. The Commissioners agreed to allow the old system to remain with the condition that when either the house or deck is replaced/demolished the old components be removed at that time. **Motion: Commissioner Linda Noons-Rose moved for a negative 3 determination; Second: Commissioner Bob White; Vote: 5-0; the motion carried.**

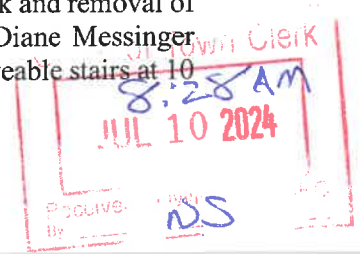
Notice of Intent: 10 Thornley Meadow Road, Roland & Lucia Letendre: after-the-fact filing for beach stair replacement and beach grass trimming; Coastal Bank & Coastal Dune. (Map 53, Parcel 87) *(continued from 3/4/2024)* The applicant has requested continuation until the July 1, 2024 meeting. **Motion: Chair Carol Girard-Irwin moved to continue the hearing until July 1, 2024.; Second: Commissioner Diane Messinger; Vote: 5-0; the motion carried.**

Extension Request: 2 Noah's Way, SE#75-1119: Keith Johnson from Blue Flax represented the extension request. All construction is completed; an extension is needed to complete the plantings. **Motion: Commissioner Diane Messinger moved to approve; request; Second: Commissioner Bob White; Vote: 5-0-0; the motion carried.**

Field Change: 82 South Pamet Road, SE#75-1121 Chris Nagle described the change as moving approved area for a deck on the west side to a deck on the north side. **Motion: Commissioner Clint Kershaw moved to accept that field change as presented; Second: Chair Carol Girard-Irwin; Vote: 5-0-0; the motion carried**

Certificates of Compliance: (1) 522 Shore Road, SE# 75-1106; (2) 2 Marian Lane, SE#75-1164; (3) 263 Shore Road: U2, SE#75-1094
522 Shore Road SE# 75-1106 was tabled and no action taken. **Motion: Commissioner Bob White moved to approve the certificate of compliance requests for 2 Marian Lane and 263 Shore Rd, Unit 2; Second: Commissioner Linda Noons-Rose; Vote: 5-0-0; the motion carried.**

Administrative Review application: (1) 276 Shore Road – nourishment; (2) 10 Pilgrim's Path – removeable beach stairs; (3) 33 Knowles Heights Road – plantings on coastal bank and removal of dead tree; (4) 466 Shore Road-nourishment behind bulkhead. Commissioner Diane Messinger asked about the dead tree removal at 33 Knowles Heights Rd and about the removeable stairs at 10
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Pilgrim's Path. The Agent replied that the homeowner will be using a tree service and the tress will be flush cut, and the work at 10 Pilgrim's Path is a replacement. **Motion: Commissioner Linda Noons-Rose moved to approve all of the administrative review applications; Second: Commissioner Bob White; Vote: 5-0-0: the motion carried**

Request for Determination of Applicability: 648 Shore Road, U:9, Paul Ryder: fence installation; Barrier Beach, Coastal Dune, Land Subject to Coastal Storm Flowage. (Map 2, Parcel 9.9) Although no representative was present, the Commissioners determined that they could approve this project with conditions. **Motion: Commissioner Clint Kershaw moved for a negative 3 determination with the condition that the fence be 6" off the ground; Second: Chair Carol Girard-Irwin; Vote:5-0-0**

Minutes- April 1, 2024 Motion: Commissioner Linda Noons-Rose moved to approve the minutes from April 1, 2024 as presented; Second: Commissioner Bob White; Vote: 5-0-0; the motion carried.

Commissioner Bob White moved to adjourn the meeting; Second: Commissioner Clint Kershaw; Vote: 5-0-0; the motion carried.

The meeting was adjourned at 6:45 PM.

Respectfully Submitted by Courtney Warren

