

TOWN OF TRURO CONSERVATION COMMISSION

**P.O. Box 2030
Truro MA 02666-0630**

Conservation Commission Meeting Minutes: January 27, 2025

Commissioners Present: Chair Carol Girard-Irwin, Vice Chair Linda Noons-Rose, Commissioners Bob White, Clint Kershaw, and Diane Messinger. Present Virtually: Commissioner Connie Mather; **Others Present:** 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 4:00 pm and provided the virtual meeting instructions. This was a special meeting added to close the Notices of Intent from the January 6, 2025 meeting that were impacted by the elevator issue at Town Hall.

Notice of Intent: 48 Castle Road, Anne Brandt/Myers Truro LLC (SE#75-1212):

Proposal to repair cracks in low seawall; Coastal Bank, Salt Marsh, LSCSF. (Map 50, Parcel 3) (*continued from 1/7/2025*) Representative Gordon Peabody stated that he agreed with the draft order of conditions and noted that Safe Harbor now has a contract with the abutting property owners to address the section of the wall on their property. Commissioner Clint Kershaw confirmed that the restored stairs were not on the 48 Castle Road property and Commissioner Bob White thanked the representative for the clear photos delineating the property lines. **Motion:** Commissioner Clint Kershaw moved to approve the Notice of Intent with the conditions as drafted; **Second:** Commissioner Linda Noons-Rose; **Vote:** 6-0; the motion carried.

Statement from the Chair: Chair Carol Girard-Irwin stated the Commission conditions submittal of quarterly monitoring reports to gather data on the functionality of the coir arrays. Vice Chair Linda Noons-Rose stressed the importance of photos taken from the same location every time.

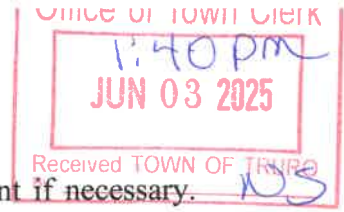
Notice of Intent: 5 Great Hills Lane, Kevin Wise (SE#75-1207): Proposal to install coir log array, sand drift fence, & nourishment; Coastal Dune, Coastal Beach, LSCSF. (Map 53, Parcel 1) (*continued from 1/7/2025*) Stan Humphries from ECR represented the project. He has submitted revised plans that show 25' setbacks to abutting properties. He confirmed that agreement with the draft conditions and had shared them with the property owner. Chair Carol Girard-Irwin stated that quarterly reports would be required. Commissioner Diane Messinger voiced her concern about this type of system in that area and was concerned about scarping of abutting properties. The Assistant Agent noted that a condition was included in the order stating that the installation must maintain 25' setbacks from the

property lines unless permission was granted by the abutters. Vice Chair Linda Noons-Rose stated that specific photograph locations should be required. The Assistant Agent noted that photo locations are included in the order. Commissioner Bob White clarified that the quarterly reports may eventually transition to twice a year reporting. Vice Chair Linda Noons-Rose would like to see the monitoring photos included in the packet when repair permits for these types of installations are submitted. **Motion: Commissioner Clint Kershaw moved to approve the Notice of Intent with the conditions as drafted; Second: Commissioner Bob White; Vote: 5-1-0 with Commissioner Diane Messinger opposed; the motion carried.**

Notice of Intent: 29 & 31 Knowles Heights Road, David Walsh (SE#75-1210): Proposal to install sand drift fence & coir log array; Coastal Beach, Coastal Bank, LSCSF. (Map 35, Parcel 7 & 8) (*continued from 1/7/2025*) Stan Humphries from ECR and homeowner David Walsh represented the project. Stan Humphries stated that he has received approval from abutter to the north to extend the installation to the property line and that the project is proposed to join with the installation being permitted at 33 Knowles Heights Road. He also stated that he accepts the conditions in the draft order of conditions. The Commissioners discussed options for receiving approvals from abutters and stated that abutters might not be aware of the potential for impacts to their property by allowing extension of a coir/fence installation. The Commissioners decided to condition approval with the fence and coir stopping 25' from the property line unless the Agent was satisfied that the abutter understood the potential consequences. **Motion: Commissioner Clint Kershaw moved to approve the Notice of Intent with the conditions as drafted and that the installation must stop 25' from the abutter to the north unless the Conservation Agent is satisfied that both parties understand the potential consequences; Second: Commissioner Bob White; Vote: 6-0-0; the motion carried.**

Notice of Intent: 33 Knowles Heights Road, Janet London (SE#75-1211): Proposal to install sand drift fence & coir log array; Coastal Beach, Coastal Bank, LSCSF. (Map 35, Parcel 9) (*continued from 1/7/2025*) Stan Humphries from ECR represented the applicant. He stated that the project will align with the installation at 31 Knowles Heights Road and approval has been obtained from abutter to the south for the project to extend to the property line. The Assistant Agent noted that a copy of the abutter approval email was provided to each of the Commissioners prior to the meeting. **Motion: Commissioner Clint Kershaw moved to approve the Notice of Intent with the conditions as drafted and that the installation must stop 25' from the abutter to the south unless the Conservation Agent is satisfied that both parties understand the potential consequences; Second: Chair Carol Girard-Irwin; Vote: 6-0-0; the motion carried.**

Notice of Intent: 522 Shore Road Unit 1, Wayside One Realty Trust (SE#75-1209): Proposal to elevate structure above flood zone; Barrier Beach, Coastal Dune, LSCSF. (Map 7, Parcel 8.1) (*continued from 1/7/2025*) Stan Humphries from ECR and Cole Bateman from Tighe & Bond represented the request. Stan Humphries stated that the plan would allow the dune to migrate landward and that the elevations had been clarified with the building inspector. Commissioner Linda Noons-Rose asked if this project needed a filing with ZBA and the Chair answered that it did not. Commissioner Clint Kershaw asked for a staff opinion on whether the building height as proposed was adequate. The Assistant



Agent replied that it met code and deferred to the engineer for comment if necessary.

Motion: Commissioner Clint Kershaw moved to approve the Notice of Intent with the conditions as drafted; Second: Commissioner Linda Noons-Rose; Vote: 6-0-0; the motion carried.

Notice of Intent: 544 Shore Road, Bay Beach Town Homes (SE#75-1208): Proposed installation of coir log array, sand drift fence, & nourishment; Barrier Beach, LSCSF, Coastal Dune. (Map 7, Parcel 5) (*continued from 1/7/2025*) Brian Madden from LEC represented the project and provided a revised management plan. He agreed to the draft order of conditions. Chair Carol Girard-Irwin noted that quarterly reports would be required. Commissioner Clint Kershaw requested that item #10 on the management plan be amended to say "Take all steps" instead of "Take reasonable steps." The Assistant Agent stated that there was no agreement yet with the easement holder. Attorney George Hailer opined that the minor change to the use easement is minimal and would in fact be beneficial to the easement holder. He stated this was a property rights issue and that land court would be the proper venue. Brian Madden noted that the area in question is the westerly end of the project where the exclusive use area transitions to the "common area" and the proposed sturdy fence would align with the fence at Shoreline. The fencing can't move any further landward because of the location of the dune that they are trying to protect. The Commissioners concluded that they could condition the project. **Motion: Commissioner Linda Noons-Rose moved to approve the Notice of Intent with the conditions as drafted; Second: Commissioner Diane Messinger; Vote: 6-0-0; the motion carried.**

Notice of Intent: 17 Avocet Road, Jennifer & Michael Freitag (SE#075-1204): Proposed installation of sturdy sand drift fence, coir logs, and replacement of beach stairs; Coastal Beach; Land Subject to Coastal Storm Flowage (LSCSF) Coastal Bank. (Map 39, Parcel 217) (*continued from 1/7/2025*) Homeowner Michael Freitag was present in person. Jen Freitag, Jen Crawford, and attorney Richard Nylen were all present virtually. Michael Freitag stated that he was comfortable with a six-coir roll assembly with two buried rolls. Chair Carol Girard-Irwin reminded the applicant that the Commission was ready to approve five rolls to match what is on the abutting properties. Michael Freitag replied that he had been advised that five rolls were not sufficient for his property and noted that six roll systems had just been approved in this meeting. He also stated that end scour would only be an issue if the beach elevation dropped below the bottom roll. The Chair reminded him that every property was different. Commissioner Clint Kershaw asked about the secondary access over the bank. Jen Crawford replied that the access from the top of the bank would be for stair construction and maintenance and in case access over the beach was blocked. The Assistant Agent noted that it was required to show access from the locus property. Commissioner Linda Noons-Rose asked how old the current installation was. Michael Freitag stated that coir envelopes were installed around 2011 and that those were later replaced with coir logs. Commissioner Clint Kershaw asked if the limit of work shown on the bank could be tightened. Jen Crawford said that the access width required would depend on the type of work and that it could be tightened for some things. They would prefer to install the array first and then the new stairs. Commissioner Linda Noons-Rose noted that if a conveyor was ever being used to deliver sand, they would need room at the top of the bank due to deck constraints. **Motion: Commissioner Clint Kershaw moved to approve the Notice of Intent with the conditions as drafted for five coir rolls and to**

adopt the findings as written in the memo; Second: Commissioner Connie Mather; Vote: 6-0-0; the motion carried.

Commissioner Clint Kershaw moved to adjourn the meeting; Second: Chair Carol Girard-Irwin; Vote: 6-0-0; the motion carried.

The meeting was adjourned at 5:17 PM.

Respectfully submitted by Courtney Warren *CW*

