

K. Dellin Assd.
TOWN OF ORLEANS
TOWN CLERKS OFFICE

10 MAY 25 AM 10:16

Orleans Conservation Commission
Town Hall, Nauset Room
Hearing, Tuesday, May 18, 2010

PRESENT: Adrienne Pfluger, Bob Royce, Arnold Henson, Chairman; Judith Bruce, Vice-Chairman; Harry Herrick, Steve Phillips, James Trainor, (Members); Jamie Balliett, (Associate Member); and Jennifer Wood, Conservation Administrator.

ABSENT: Jim O'Brien (Associate Member)

The Meeting opened at 8:30 a.m.

Notice of Intent

Andrea Lobkowicz, 27 Monument Road by Ryder & Wilcox, Inc. Assessor's Map 42, Parcel 72. A proposed addition and renovations to an existing single-family dwelling. Work will occur within 100 feet to two fresh water wetlands. Russ Holden of Ryder and Wilcox and Andrea Lobkowicz, the owner, were present. Russ Holden said they are proposing to remove 454 sq ft of building and replace it with 728 sq ft of addition. They are proposing to remove and replace the existing deck with an increase of 29 sq ft. The old concrete steps will be removed and there will be new stairs and a platform on the northwest. The existing stone wall will be rebuilt as needed with the length and width to be determined. The temporary pipe for runoff from the dwelling will be removed and down spouts to drywells will be installed. An area of existing grass of 3200sq ft will be allowed to grow and mowed once a year as a 25' buffer to the wetland to the south. Arnold Henson asked if shrubbery would be planted in the new buffer area. Russ Holden said no shrubs will be planted there. They agreed that it would be mowed once a year in October. All of the proposed work is greater than 100' from the vernal pool to the north. Steve Phillips asked if all the open area within 100' to the vernal pool could be naturalized. Andrea Lobkowicz said there is bamboo in that area. They have been trying to remove it and have been mowing it to keep it down. The area could be naturalized over time. It may take awhile to get rid of the bamboo. Steve Phillips asked about a second story to the addition. Elevation plans showing the proposed project were not available. Russ Holden said that part of the dwelling is built on locust posts. They are proposing a full foundation and a small second story to match the existing house. The number of bedrooms would remain the same. They would have a larger master bedroom. There is an additional increase in square footage of 1000 sq ft on the second floor. The oil tank and cement platform are proposed to be removed. The new tank will go in the cellar. Jenny Wood asked how the wetland was delineated. Russ Holden said they dug test holes and used the natural bank on the eastside. Jenny Wood was concerned about the steep grade to the south of the addition and the proposed

fill. Russ Holden said they are not adding fill they are going to cut the bank back 3 or 4 feet to make it more gradual and plant grass around the dwelling.

MOTION: A motion to approve this project was made by Judith Bruce and seconded by Harry Herrick and conditioned on the new buffer area to be mowed once a year in October, the moving of the oil tank inside the dwelling, down spouts to be put in dry wells and the area within the buffer to the vernal pool be gradually naturalized.

VOTE: Unanimous

Amended Order

Richard and Lisa Pell, 114-118 Barley Neck Road by Ryder & Wilcox, Inc. Assessor's Map 50, Parcel 51,52,& 53. The Order is proposed to be amended to construct a swimming pool. Work will occur within 100 feet to a fresh water wetland. David Lyttle from Ryder and Wilcox and Peter Polhemus from Polhemus, Savery, DaSilva, architects and builders were present. David Lyttle said the pool and patio are proposed adjacent to the guest house. Work will be within the 75 to 100' buffer to the isolated wetland to the south. As mitigation for this expansion they have doubled the approved buffer planting which was for a 25' buffer to the vernal pool. David Lyttle said this property had been divided in to 3 lots and now it is one so that the building are only on a small portion of the lot. Jenny Wood asked for a time line and invasive species removal on the Mitigation Planting Plan. David Lyttle said he could submit a timeline. The landscaper has been changed. A revised plan will be submitted. Steve Phillips asked if the pool and patio could be moved further out of the buffer. David Lyttle said he would have to consult the architect to see if that was a functional plan. The owners would like to take advantage of the lawn area. Adrienne Pfluger asked about the hay bales supporting the large pile of soil. She asked that it be removed promptly when no longer necessary. Jim Trainor asked if the barn had a bathroom. The barn currently has a half bathroom. The shower was removed. There is a deed restriction on the building that it can never be used as a dwelling.

MOTION: A motion to approve with all the conditions on the original Order and with the addition of a time line and invasive species removal on the Mitigation Planting Plan to be submitted was made by Judith Bruce and seconded by Jim Trainor.

VOTE: Unanimous

Continuations

Rebuck/Peedin, 40 Gibson Road by Ryder & Wilcox, Inc. Assessor's Map 19, Parcel 23. The proposed renovations to an existing dwelling; second-story dormers, new doors & windows; & a stone retaining wall. Work will occur within 100' of the Top of a Coastal Bank.

David Little of Ryder & Wilcox said Stephanie Sequin of Ryder & Wilcox asked if this hearing could be moved to June 1st meeting.

MOTION: A motion to continue this Hearing to June 1, 2010 was made by Adrienne Pfluger and seconded by Jamie Balliett

VOTE: Unanimous

Certificate of Compliance

Chris Nelson (2000), 16 Hayward Lane A COC request to upgrade a septic system is in compliance with the Board of Health.

MOTION: A motion to approve was made by Judith Bruce and seconded by Adrienne Pfluger

VOTE: Unanimous

Administrative Reviews

John Hax, 9 Archer Lane Request to remove lawn and plant a naturalized area up next to the street 75' from the top of a coastal bank. Work by Rosie Hatch.

MOTION: A motion to approve was made by Jim Tranior and seconded by Adrienne Pfluger

VOTE: Unanimous

Richard Troy, 4 Mayona Circle Request to place a kayak rack next to the water by the dock at the end of The Lane.

MOTION: A motion to approve was made by Harry Herrick and seconded by Jamie Balliett.

VOTE: Unanimous

Norman Eaton, 88 Tonset Road Request to remove 2 large locust trees that are too close to the house and 1 broken limb from another locust tree. Work by A to Z Treez.

MOTION: A motion to approve was made by Judith Bruce and seconded by Harry Herrick

VOTE: Unanimous

Pleasant Bay Narrows Trust, 111A Davis Road Request to replace the (four 2'x12") boards on the revetment that came loose in the February gale.

MOTION: A motion to approve was made by Jim Trainor and seconded by Harry Herrick

VOTE: Unanimous

Pleasant Bay Narrows Trust, 111A Davis Road Request to continue trimming the top of the bank for a view. This work will complete the area between the two stairways.

MOTION: A motion to approve was made by Judith Bruce and seconded by Adrienne Pfluger

VOTE: Unanimous

Gull Lane Nominee Trust (Hobbs), 21 Gull Lane Request to upgrade a 2-bedroom septic system by filling and abandoning the existing septic tank and leach pit and installing a new septic tank, pump chamber and leaching field. The existing system is within 50 to 60 feet of the top of a coastal bank. The septic tank and pump chamber of the new system are within 50-75' of the top of the coastal bank and the leaching field is just outside of 100' away. Plan by JM O'Reilly & Associates, Inc.

MOTION: A motion to approve was made by Jim Trainor and seconded by Bob Royce

VOTE: Unanimous

Wendy Cultice, 12 Skymeadow Drive Request to install a 70' long, 6' high cedar fence on the property line to the north. This is a new structure in the resource area and 50' buffer and would require a variance. Request to remove or prune approximately 14 trees between the house and the marsh. Request to remove 4 or more trees to the south. Request to remove a large number of trees to the east. Some of these trees are greater than 100' to the top of the coastal bank. There is no current site plan available. There is also a general request to remove brambles. AR submitted by Beth Arndtsen (Landscape Design and Planning). Beth Arndtsen of Landscape Design and Planning and Don Poole of Outermost Land Survey, Inc. were present. Beth Arndtsen said the owners want to remove some trees to get more light on the house because of mold and mildew on the

trim. A complete landscaping plan will be proposed in the future. Jenny questioned the resource areas shown on the site plan by Outermost Land Survey. The coastal bank is not shown. The ACEC ends at the 10' contour. Beth Arndtsen said she is willing to plant trees for screening instead of a fence. Arnold Henson said there may be too much work proposed on this site to fit under an AR. He suggested a site visit. This application will be held for a site visit.

Request to use Conservation Property

Windmill, Wedding, July 10, 2010, Alison Potama/?, 50 people, 12 noon -2:00

MOTION: A motion to approve was made by Judith Bruce and seconded by Adrienne Pfluger

VOTE: Unanimous

Revised Plan

Lynn and Donna Pike (2008), 33 Cove Road Request to exchange the Special Condition on the Order which states that a 10' wide buffer strip of native shrubs must be established along the retaining wall. There is a 4' planting bed there now. A new condition is offered of an organic lawn on this property. They also request to plant low non-native junipers along the steep road shoulder. David Lyttle of Ryder & Wilcox and Donna Pike the owner were present. Steve Phillips asked if the buffer was reduced would there be effective screening on this site. David Lyttle said the proposed plan would not provide any screening as it is all shrubs. The current planting is roses and hydrangeas. Most of the yard is lawn so that an organic lawn would be very important here.

MOTION: A motion to approve was made by Bob Royce and seconded by Judith Bruce

VOTE: Unanimous

Chairman's Business

Approval of the Minutes from the Hearing/Work Meeting on May 11, 2010.

MOTION: A motion to approve the minutes from the work meeting on May 11, 2010 with the changes requested was made by Judith Bruce and seconded by Bob Royce.

VOTE: Unanimous

Other Member's Business

Administrator's Business

The Meeting was Adjourned at 9:30 am

Respectfully submitted,
Christine Hermes, Conservation Commission Secretary

Approved *Arnold Henson*

Dated *May 25, 2010*