

Orleans Conservation Commission
Town Hall, Nauset Room
Work Meeting, Tuesday, August 17, 2010

10 AUG 24 AM 8:48
TOWN OF ORLEANS
TOWN CLERKS OFFICE
K. F. King, Jr. SSF

PRESENT: Bob Royce, Arnold Henson, Chairman; Judith Bruce, Vice-Chairman; Adrienne Pfluger; James Trainor; Steve Philips; Jamie Balliet; Jim O'Brien (Associate Member), Jennifer Wood, Conservation Administrator

8:30 a.m. Call to Order

Notices of Intent

Douglas Kuhn, 10-12 Priscilla Road. The proposed installation of a new septic system for an existing dwelling and removal of walls and roof on a detached studio building. Work will occur within 50 feet of a Vegetated Wetland and a Ditch. Stephanie Sequin of Ryder & Wilcox said the majority of this $\frac{3}{4}$ acre property was wetland with a ditching system connecting to another wetland. The distance from the septic system to the edge of the wetland is 58', as far as possible. There is perched water in the test holes 3-4 feet down so this will be a raised system, 3 to 4 feet above grade. The outbuilding is in poor repair but the joists and flooring are ok. They would like to replace the decking with weatherproof material and take the walls and roof away. All work would be done by hand, and the deck would be used as a picnic area. Steve Phillips asked if the wall by the sono-tubes would remain. Stephanie Sequin said if this wall was thin enough to be broken up, it would be removed. Judith Bruce asked if there were plans for the deck to become habitable space again. Stephanie Sequin said no, the plan is to remove the water and electric. Steve Phillips asked how they would access the out building. Stephanie Sequin said the installation of the septic system would open up the access. Jenny Wood said she had spoken with Bob Canning of the Health Department and was concerned that the overdig would be greater than what was indicated on the plan. Stephanie Sequin said she did not expect a large overdig as the area is all clay and would remain in the shape it was cut.

MOTION: A motion was made to approve this project with the condition that the deck not be considered habitable space was made by Steve Phillips and seconded by Jamie Balliet.

VOTE: Unanimous

Martin & Elaine Benante, 121 Lake Drive. The proposed construction of an earthen berm landward of an existing stone revetment. This berm will help to prevent flooding of the low area between the house and stone revetment. Work will occur on Land Subject to Coastal Storm Flowage and within the Pleasant Bay ACEC. David Lyttle of Ryder & Wilcox explained that this berm would connect the high point in front of their neighbor's pool with the high point in their yard. Major storm events go right over the revetment now and the water floods into the low area in front of the dwelling. David Lyttle said they are proposing to

raise the grade by 2.5 feet and vegetate the area. Arnold Henson asked if they had written permission to work on the neighbor's lot. David Lyttle said he could get written permission. The neighbors are in favor of the project and the Benantes are funding it. Jenny Wood asked about plantings and soil. David Lyttle said the plants there now would be transplanted after the raising of the grade. Arnold Henson asked what was there now. David Lyttle said grasses. David Lyttle said there was an outstanding Order for this property which included an unfinished planting plan. They need the open unplanted area by the house for access for this project. Judith Bruce asked if there was a plan for sand nourishment over the revetment for this property and the neighbors. Except for one abutter all the other nearby properties have revetments. Dave Lyttle said he would look into nourishment which would require maintaining an open access to the site. David Lyttle said the berm would provide some nourishment and it would be constructed of sand that would be comparable to the existing sand. David Lyttle listed the requests of the Commission for the next meeting: a letter from the abutter with permission to work on their property, the sand for the berm must be compatible with the beach sand, a planting plan for the berm, and an updated planting plan for the rest of the property that is currently under a previous Order.

MOTION: A motion to continue to the September 7th, 2010 hearing was made by Judith Bruce and seconded by Adrienne Pfluger.

VOTE: Unanimous

David Strickler & Elaine Pattison, 1 Standish Way. The proposed renovations to an existing house. Work will occur within 100 feet of the Top of a Coastal Bank. Stephanie Sequin and David Lyttle of Ryder & Wilcox, and Theresa Sprague from Wilkinson Ecological Design, were present. Stephanie Sequin said that they were looking to pour a new foundation to create living space underneath the house versus raising it. A stairwell would be built under the seaward porch to access the new cellar. They are proposing an addition and entry porch landward and almost entirely out of the 100 foot buffer. Theresa Sprague explained that the owners have been removing invasive species outside of the buffer zone and are now planning on removing invasives within the buffer and along the top of the coastal bank. They propose to plant native species and a low-mow lawn. Their lawn receives organic lawn care. They were proposing to install a permeable patio for cookouts next to the shed within the buffer. Jenny Wood said the patio was a structure within the buffer and should be shown on the Site Plan. Stephanie Sequin said she could add it to the plan. James Trainor asked if the house would be raised with the installation of the foundation. Stephanie Sequin said no, the top of foundation would remain at 40 feet. James Trainor asked how many bedrooms the house had currently. Stephanie Sequin said 2, and the number of bedroom would increase to 4. Steve Phillips asked about roof runoff. Stephanie Sequin said although the property is fairly level, dry wells or drip areas could be installed. Jenny Wood brought up that part of the planting plan was located off of their property. David Lyttle stated that Cliff Road

was a private road, with the property owners owning to the middle of the road. The National Seashore owns the other half and they have been notified.

MOTION: A motion to approve the project pending the submission of a site plan showing the proposed patio and subject to completion of the planting plan was made by Steve Phillips and seconded by Judith Bruce.

VOTE: Unanimous

Edward Mitchell, 22 Karen Way. The proposed upgrading of the sewage disposal system including abandonment of the existing septic system. Work will occur within 100 feet of a Freshwater Wetland. Jason Ellis of J.C. Ellis Design Company was present. Jenny Wood said that the plan was filed under the Town of Orleans regulations only, and they were as far away from the wetland as possible.

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

VOTE: Unanimous

Continuations

Jay Stewart, 26 Deer Run The proposed construction of a 4-bedroom dwelling and an attached garage. Work will occur within 100' of the top of a Coastal Bank. David Lyttle of Ryder & Wilcox and Theresa Sprague of Wilkinson Ecological Design were present. David Lyttle stated that the Commission had advised the applicant to examine moving the property lines and the usage of an IA septic system. David Lyttle brought in handouts showing these possibilities, but demonstrating that the best option was to reduce the size of the proposed house, thus allowing the garage and avoiding the cost of moving the property line through land court. The house has been moved ½' closer to the road and 4' have been removed from the dwelling allowing passage between the dwelling and the 50' buffer. Arnold Henson asked if the deck had been reduced. David Lyttle said no, as it and the lawn over the septic would be the only two recreation areas. Theresa Sprague said the 2 cedar trees proposed for removal outside the limit of work to the east of the dwelling are in poor health compared to the other cedar trees on site. Judith Bruce asked if there was a waterview from the bottom floor, which David Lyttle said yes. Judith Bruce was concerned about screening and whether or not the house would be visible from the water. David Lyttle said there is a spot where the house will be visible, but once the vegetation was mature, the view from the water would be minimal. Judith Bruce suggested that they leave the two unhealthy cedars until the house is constructed. If the remaining screening was ample they could come down, but if not additional options would be explored, to which David Lyttle agreed. Jenny Wood said we can condition the Order that more screening maybe necessary. Jenny Wood asked about the steep grading by the house. David Lyttle said they might consider a retaining wall in the future. Steve Phillips pointed out that the square footage on the new site plan had not changed even though the house size was reduced. Dave Lyttle said he would bring in corrected plans.

MOTION: A motion to approve pending the submission of a corrected site plan, that the two cedars would remain until the house was constructed, more screening maybe necessary and the completion of the planting plan of part of the Order was made by Judith Bruce and seconded by Steve Phillips.

VOTE: Unanimous

Requests for Revised Plans

Jeanne & Richard Berdik (2009), 150 Quanset Road They would like to revise the part of the Order from repairing the support piers under the barn to replacing the support piers. The old piers were built without footings or reinforcing rods and are unstable. The new piers would be in approximately the same place as the original ones within the footprint of the existing barn. No machinery other than a cement mixer will be used. Work is within 100' of a freshwater pond. Work to be done by Ralph Rincones, Local Talent Builders.

MOTION: A motion to approve this project was made by Arnold Henson and seconded by Bob Royce.

VOTE: Unanimous

Molly Hidden (2009), 10 Bufflehead Lane They would like to revise the Order to include the installation of an underground electric service from Bufflehead Lane to the main dwelling. The trench will be dug by a mini excavator and immediately backfilled. Work is within 100' of the top of a coastal bank. Bob Royce asked if the lines had to curve the way it was indicated on the plan. David Lyttle said the electrical contractor said due to the grades of the property the winding would cause the least amount of disturbance.

MOTION: A motion to approve the revised order was made by Judith Bruce and seconded by Adrienne Pfluger.

VOTE: Unanimous

Certificate of Compliance

SorenSpatzeck-Olsen (2007) Amended, 3 Defiance Lane.Request for a COC on an Order for a home office and storage building. This Order was amended to increase the size of the building and to put in a full foundation. The condition on the Order to install a split-rail fence landward of the NO-Mow Zone has not been met. The area is being mowed regularly. There is a swing set in this area. The shrubs that were put in for a buffer are mowed around. A stone driveway was constructed on the north east property corner with a parking area next to the new building. Part of this driveway and parking area are within the 100' buffer. There is a deck on the west side of the building that is not on the plan. An as-built was not submitted for the changes in the plan. Tim Brady from East Cape Engineering said that the applicants made a deck where there were two small landings on the site plan and the no-mow zone had been reduced by the swing set and increased by the road. James Trainor asked if the deck was 5' wide, the same width as the landings, and whether or not it was pervious. Tim Brady said that it was the same width, and was pervious. Judith Bruce was concerned that

the submission of an as-built may not be enough. The Commission decided to make a site visit next week.

Jamie Balliet left at 9:29am

Administrative Reviews

Andrea Reed, 6 Crystal Lake Drive. Request to fence in the rear yard of the property to prevent kids from going down to the Lake by themselves. The fence along the property lines will be a 5' privacy fence. The fence along the top of the bank will be chain link. There is a steep bank here down to the Lake. Work by Crosby Fence. Andrea Reed, the applicant, was present and said she doesn't have any children living with her but she doesn't want them to be able to access the Lake through her yard. Arnold Henson asked if the fence would be within the wildlife corridor. Jenny Wood said there is almost 100' feet from the Lake to the top of the hill for wildlife to pass through. Judith Bruce asked if the property was within the ACEC, and Jenny Wood said that she would check. Andrea Reed said a chain link fence would be best because it could be hidden amongst the existing vegetation. She is willing to move the fence back outside the ACEC. The Commission was concerned about notification of her abutters and asked her to contact them before installing the fence. This AR is on hold to determine the extent of the ACEC.

Lillian Rice, 48 Horseshoe Lane. Request to repair the cracks in the tennis court using Armor Crack Repair for bituminous concrete surfaces and then to apply an Acrylic Surface System. The net posts will also be replaced. Work is within 100' of the Top of a Coastal Bank. Work to be done by Jay Muir.

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

VOTE: Unanimous

Last Heard 8/10/2010

Linda Odenbach, 41 Orie Lane The request to remove and replace two pines has been reduced to the work that has already been completed. This work was to remove 1 dead pine tree and replace it with a pin oak. The other pine will remain. Judith Bruce asked if the tree taken down was on the Mahendran portion of the easement, or the Odenbach portion. Steve Phillips wanted to know the opinion of the abutters on the tree that had already been planted. The Commission decided to make a site visit.

Request to Use Conservation Properties

Windmill, Wedding, 5/14/11, Nadine Griffin/Morgan Vanliew 4-5pm, 100 people

MOTION: A motion to approve this project was made by Judith Bruce and seconded by James Trainor.

VOTE: Unanimous

Chairman's Business

Approval of the Minutes from the Work Meeting on August 10, 2010.

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

VOTE: Unanimous.

The meeting was adjourned 9:42am

Respectfully submitted,

Erin C. Shupenis, Principal Clerk, Conservation Department