

**Orleans Conservation Commission**  
**Town Hall, Nauset Room**  
**Work Meeting, Tuesday, September 14, 2010**

*Darling, Bess*  
TOWN OF ORLEANS  
TOWN CLERKS OFFICE  
10 SEP 21 PM 2:00

**PRESENT:** Judith Bruce, Vice-Chairman; Bob Royce; James Trainor; Steve Phillips;  
Jim O'Brien (Associate Member)

**ABSENT:** Arnold Henson, Chairman; Adrienne Pfluger; Jamie Balliett; Jennifer Wood,  
Conservation Administrator

8:30am      Call to Order

**Continuation**

Last heard 9/7/2010 (AP1,JO1,BR1)

**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 provided a planting plan and the Commission felt it was acceptable.

**MOTION:** A motion to approve the proposed berm planting plan dated September 8, 2010, with the condition that planting would be replaced within 2 months after a storm event, was made by Steve Phillips and seconded by James Trainor.

**VOTE:** Unanimous

**PRESENTATION**

As part of the Town's Wastewater Plan at Tri-Town Septage Facility, the consultant Wright-Pierce will present their plan to protect the box turtle habitat on site. Mike Giggey of Wright-Pierce presented a 5<sup>th</sup> option for the location of the Facility and requested the opinion of the Commission during this phase of planning. George Cavanaugh asked if the Commission was satisfied with the present mitigation. The Commission felt the mitigation was acceptable during this phase of planning. Steve Phillips asked if the other 4 options previously presented were no longer viable, and George Cavanaugh said that after working with Natural Resources, they felt this was the best location for the Facility. Steve Phillips asked if any Eastern Box Turtles had been seen on the site. Mike Giggey said that although their staff biologist had not seen any turtles on the parcel, the site is ideal for Eastern Box Turtles. The Commission thanked Mike Giggey and George Cavanaugh for their presentation.

**Certificates of Compliance**

**William and Nancy Brotherton (2007 & Amended), 17 Blue Rock Road.**

The Order to remodel and add an addition to an existing house was amended to upgrade the septic system. The house was built as shown but the approved landscaping plan was not followed. We have an as-built of the structures but not the plants. Changes to the plan include a stone retaining wall, a reduction in the size of the west patio, a fence within 50', additional walkways, and a pool. The approved planting plan which was all native species has not been followed. There are many non-native plants within 50'. The English ivy has been partially removed. There is a very unstable slope to the east of the entrance way. Judith Bruce read Jenny Wood's comments

regarding the site. Russ Holden of Ryder & Wilcox said that the hardscapes were not the same as shown on the plan. Patty Crow, the landscape designer, completed the initial plan, but that the installation and maintenance of the planting was completed by another contractor. Judith Bruce stated that an as-built was needed for the site, and Bob Royce suggested that a plan be comprised which illustrates what was proposed versus what was installed. Judith Bruce also said that the non-native species that had been planted must be removed, and approved native species put in their place. The plants must be viable for 3 years before a Certificate of Compliance is issued, and Steven Phillips suggested that a bond may be an option. Judith Bruce said the bank must be stabilized, and the invasives completely removed. Steve Phillips suggested the plan include how the bank would be stabilized, and Russ Holden said that he would work on the suggestions presented by the Commission. Russ Holden chose to have the Commission not act at this time, as the Order does not expire until April, 2011. Steve Phillips and James Trainor asked for the plan to include maintenance for the plantings and a time frame as to when the work would be done.

**James & Phyllis Wansiewicz (1999 & 2008) 68 Freeman Lane.** The first Order was for the demolition of an existing house and the building of a new dwelling. Changes to the plan included work within 50' that required a variance and they were required to file the second Order for approval. This Order requested the removal of a gravel drive and its replacement with permeable grass pavers, the removal of wire fencing along the top of the bank and the removal of patio blocks in the marsh. This work has been done. Also on the Order was the applicant's request to replace their ramp to the water with permeable grass pavers, which they have done. There are 3 stone steps at the bottom of the ramp and rock walls on either side.

**MOTION:** A motion to approve the Certificate's of Compliance was made by James Trainor and seconded by Bob Royce.

**VOTE:** Unanimous

### **Revised Plan**

**Thomas Campbell (2010), 72 Gibson Road.** The Order to install a gas line and replace a porch and patio is proposed to be revised to include a small hot tub spa in the corner on top of the patio. The limit of work will remain the same and the footprint of the patio will not change. A small sitting wall will be built on the patio to meet the building code. An additional drywell will be built to contain rainwater runoff from the patio. The hot tub will use O-zone treatment. Steve Phillips asked if the new surface would be permeable. Dustin Wolfe of Artistic Grounds Landscape, explained they would be using paver block, an option not entirely permeable, but more so than the previously proposed blue rock. Steve Phillips asked about water runoff, and Dustin Wolfe said that they would be redirecting the drainage into proposed drywells. Steve Phillips asked where the mechanical equipment for the spa would be located, and Dustin Wolfe said that it would be located underneath the deck. Dustin Wolfe said that he would be removing the ivy and planting bearberry, using straw netting per Jenny Wood's suggestion. James Trainor asked if there were any intentions of altering the path, as a portion of it crossed onto the neighbor's property. Dustin Wolfe said they were only looking to repair

the stairs to make the transition safe from the deck to the path. Judith Bruce advised that any work done on the path would require a separate filing.

**MOTION**: A motion to approve the changes for the plan dated 9/4/2010 was made by Steven Phillips and seconded by Bob Royce.

**VOTE**: Unanimous

### **Chairman's Business**

Approval of the Minutes from the Work Meeting on September 7, 2010.

**MOTION**: A motion to approve the minutes was made by Judith Bruce and seconded by Steve Phillips.

**VOTE**: 4-0-1, Jim O'Brien abstained.

The Meeting was adjourned at 9:10am

Respectfully submitted.

Erin Shupenis, Principal Clerk, Conservation Commission