

**Orleans Conservation Commission**  
**Town Hall, Nauset Room**  
**Work Meeting, Tuesday, January 11, 2011**

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TOWN OF ORLEANS  
TOWN CLERKS OFFICE

11 JAN 18 AM 9:31

**PRESENT:** Arnold Henson, Chairman; Judith Bruce, Vice-Chairman; Bob Royce; Adrienne Pfluger; Steve Phillips; James Trainor; Jamie Balliett; Jim O'Brien (Associate Member); John Jannell, Conservation Administrator.  
8:30 a.m. Call to Order

**Continuation**

Continued from 12/21/10 (AP1, JT1, JO1), 1/4/11

**Herbert W. Gullquist, 22 Indian Fort Hill Lane.** by Ryder & Wilcox, Inc. Assessor's Map 76, Parcel 44. Continuation of the proposed reconstruction of an existing boathouse on a new timber pile foundation and the replacement of a timber bulkhead and concrete wall with a stone revetment. Work will occur within 100 feet of a Salt Marsh, on a Coastal Bank, Coastal Beach, Land Subject to Coastal Storm Flowage, and in an A.C.E.C. (Pleasant Bay). David Lyttle went over the revised plan which included elevations for the drill holes in the toe stones on the stone revetment to be used for nourishment inspections. David Lyttle asked about the timeline for inspections and nourishment. Arnold Henson explained that a yearly renourishment would be required, generally to be done in the spring. Judith Bruce asked if the purpose of the drill holes would be to ensure that nourishment was to cover to that elevation, and David Lyttle said yes. The amount of renourishment required each year was discussed, and the Commission felt that since this number may change based on possible impacts to the marsh that a specific number of yards of sand did not need to be specified on the plan. The Commission asked that John Jannell monitor the area to ensure that the renourishment was not detrimental to the marsh. Steve Phillips asked for clarification of the surface for the steps going to the boathouse, and David Lyttle said though the plan showed concrete, it was the intention to build wooden steps. Adrienne asked whether or not there were either electrical or water lines going to the boathouse, as none were indicated on the plan. David Lyttle said the boathouse did have both electrical and water lines going to the boathouse, but the water line was to wash the boat during summer months, and was not connected to a septic system. Bob Royce said the plan must show the electric and water lines. Judith Bruce was concerned about the soils behind the bulkhead, and asked how often the unsuitable material would be removed from the site. David Lyttle said there would be a truck on site which would remove the unsuitable material daily. The Commissioners agreed this should be included in the Order of Conditions. John Jannell asked if there were impacts from nourishment or lack thereof if the applicant would be willing to come back in front of the Commission to amend the order and possibly drill hole elevations, and David Lyttle said yes.

**MOTION:** A motion to approve the project pending the submission of a new plan showing the steps to be wooden and the electrical and water lines was made by Judith Bruce and seconded by Steve Phillips.

**VOTE:** Unanimous

Continued from 12/21/10 (AP1, JT1, JO1), 1/4/11

**Jean Hasenmiller, 39 Willie Atwood Road.** by East Cape Engineering, Assessor's 23, Parcel 7. Continuation of the proposed installation of a new septic system has been amended to include the installation of a new gas service and new water service, the

construction of a stairway and deck, the excavation of an existing foundation, and the removal of several trees. Work will occur within 100' of the Edge of Wetland, Existing Ditch, Top of a Coastal Bank, and an A.C.E.C. Tim Brady of East Cape Engineering explained that the MESA review came back with the determination that no adverse impact would occur from this project. Tim Brady flagged the trees to be removed, and John Jannell explained that he went on site to see the 2 pitch pines and 1 oak tree flagged for removal. Arnold Henson asked that the applicant be limited to removing only the 3 trees flagged. Tim Brady agreed.

**MOTION:** A motion to approve the 12/16/10 plan with the condition that only the 3 trees flagged be removed was made by Steve Phillips and seconded by Judith Bruce.

**VOTE:** Unanimous

### **Revised Plan**

**Daniel & Andrea Schmeig, 13 Kingsbury Lane.** The approved Order to demolish an existing dwelling, construct a new dwelling and swimming pool, and extend the existing fiber roll toe protection has been revised to reduce the dwelling and hardscape located within the resource area. A reduction of 436 square feet has been proposed. Work will occur within 100' of the Top of a Coastal Bank. The applicant was not present for the hearing. The Commission discussed their concern with the hardscape details, whether there would be any changes in the planting plan, why the spa could not be located outside of the 100' buffer zone, and how the increase in elevations would impact the view from the water. The Commission felt the applicant should be present to address their concerns.

**MOTION:** A motion to continue the hearing to January 18, 2011, was made by Judith Bruce and seconded by Jamie Balliett.

**VOTE:** Unanimous

### **Administrative Reviews**

**Town of Orleans, Skaket Beach.** The proposed removal of sand from Skaket Beach Parking Lot and 250' down Skaket Road to 1-2' off of the pavement. Work to be within Coastal Bank, Coastal Dune, and Land Subject to Coastal Storm Flowage.

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

**VOTE:** Unanimous

**Celine Fahey, 8 Aunt Abigail's Way.** Request to remove 13 pitch pine trees. 5 of the trees are standing dead. Work will occur within 100' of the top of an inland bank. John Jannell told the Commission that the number of trees to be removed had been reduced from 13 to 8, 3 of which were standing dead. These trees had been marked by orange flagging. Celine & Bob Fahey, the applicants, explained their concern for the tree removal. Judith Bruce asked whether or not any dead trees would be left on the property for wildlife habitat, and if the removal of these trees still provided an adequate understory. John Jannell said that there would be standing dead trees left on the property, and there was an ample shrub and understory community in existence on site therefore no replanting was being offered.

**MOTION:** A motion to approve the 8 pine trees demarcated with orange flagging was made by Judith Bruce and seconded by Adrienne Pfluger.

**VOTE:** Unanimous

**Chairman's Business**

Approval of the Minutes from the Work Meeting on January 4, 2011.

**MOTION**: A motion to approve the minutes pending changes was made by Jamie Balliett and seconded by Adrienne Pfluger.

**VOTE**: Unanimous

**Other Member's Business**

Judith Bruce asked the Commission to endorse her letter of support for the MEPA process for wastewater management for the Town of Orleans.

**MOTION**: A motion to endorse this letter was made by Bob Royce and seconded by Adrienne Pfluger.

**VOTE**: 6-1-0

John Jannell addressed the Commission regarding an illegal removal of vegetation at 10 Sparrow Lane. Mr. Jannell described the violation and asked whether or not the Commission would like to have an Enforcement Order prepared. The applicant had already notified the Conservation Office that he had retained the services of Ryder & Wilcox and would be submitting a Notice of Intent. Steve Phillips asked when the bond had been released on the property, and Erin Shupenis, Principal Clerk, said the bond for the property had been released in July of 2010. The Commission was concerned about the removal of the vegetation after the release of the bond, and discussed fees and a new bond for the work to be done.

**Administrator's Business****Site Visits**

The meeting was adjourned at 9:06am.

Respectfully Submitted,

Erin C. Shupenis, Principal Clerk, Orleans Conservation Department.