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ORLEANS TOWN CLERK
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Orleans Conservation Commission
Town Hall, Nauset Room
Work Meeting, Tuesday, June 28, 2011

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

Certificate of Compliance

Wendolyn Michnay (1996), 7 Wildflower Lane. The request for a Certificate of Compliance for an Order of Conditions for the installation of a new septic system for an existing dwelling.

MOTION: A motion to issue this Certificate of Compliance was made by Jamie Balliett and seconded by Bob Royce.

VOTE: Unanimous

Peter Deeks (2008), 34 Uncle Mark's Way. The request for a Certificate of Compliance for an Order of Conditions for the removal of an existing guest house, construction of a garage/guest house, an addition to an existing dwelling, the installation of a FAST septic system to serve the garage/guest house and existing house, and mitigation plantings. John Jannell reported that the Order of Conditions was in substantial compliance with all 3 of the approved plans associated with the approval.

MOTION: A motion to issue this Certificate of Compliance was made by James Trainor and seconded by Adrienne Pfluger.

VOTE: Unanimous

Administrative Reviews

Elliot Johnson, 85 Brick Hill Road. The proposed removal of existing beams in garage, installing replacement steel beams, and installation of 2 new sono tube footings within the existing footprint of the building. Work will occur within 100' of the Edge of Wetland. Work to be done by Dan Davis.

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

VOTE: Unanimous

Mary Conway, 22 Jack Knife Point. The proposed conversion of an existing open shed attached to an existing studio to an enclosed lavatory, including the installation of water and sewer lines. Work will occur within the A.C.E.C. and within 100' of the Top of a Coastal Bank. Work to be done by Peter Coneen, LLC. Steve Phillips asked if a bathroom presently existed in the shed. John Jannell explained that this would be the addition of a bathroom to an existing studio. Judith Bruce asked if this was considered a shed for garden tool storage or if it was used as occupied space. John Jannell explained that while the original intention of the building may have been as a garden shed, it was clearly used as an accessory building for purposes other than storage. Peter Coneen, the builder representing the applicant, explained that there was a record with the building department converting the shed into an accessory building. John Jannell explained that there was no record in Conservation of this filing. Adrienne Pfluger asked if a sink and a lavatory would be installed. Peter Coneen said yes, and explained that two trenches would be hand dug; one for the water line and one for the sewer line. Bob Royce asked about the capacity of the septic system, and Judith Bruce asked about the increase of flow to the septic system. Peter Coneen explained that per the

Board of Health regulations, unless internal access to bathing facilities was provided, it would not be considered a bedroom. Judith Bruce was concerned about changing a building which was once deemed a shed from an accessory building to potential habitable space. Jim O'Brien felt the pictures which John Jannell distributed to the Commission did not show the accessory building being a shed, and felt that no adverse impact would occur as a result of the water and sewer lines. John Jannell asked if it would be a seasonal lavatory, and Peter Coneen said yes. John Jannell explained that in his comments he would include that no outdoor shower be permitted, and any future work on this accessory building would require a Notice of Intent.

MOTION: A motion to approve this work with John Jannell's additional comments was made by Steve Phillips and seconded by Adrienne Pfluger.

VOTE: Unanimous

Robert Morley, 15 Nauset Farms Way. The proposed annual mowing of invasive species. Work will occur after October 15 to ensure nesting birds are not disturbed. A 30' setback from the water will be established with a symbolic fence installed to delineate the boundary. Work will occur within 50' of the Edge of Wetland. Judith Bruce was concerned that the applicant wanted to mow within the 30' setback area. John Jannell explained that the applicant wanted to protect from the Edge of the Wetland to at least 30', and had delineated this as a no mow zone. Adrienne Pfluger asked how the line was delineated, and John Jannell explained that it was staked with rope between the stakes to prevent mowers from accessing the area. Judith Bruce asked if the bittersweet on site continued into the 30' no mow zone. John Jannell said the bittersweet had yet to establish itself in that area. Steve Phillips asked whether or not the applicant would have to come back every year. John Jannell explained that the Administrative Review was only good for one year upon approval, and that this would have to be permitted on an annual basis. Arnold Henson asked that the word annual be stricken from the description of the project to ensure the applicant realized that the approval would have to be obtained every year for the work to continue.

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

VOTE: Unanimous

Philip Benton, 34 Twinings Lane. The proposed annual reduction in canopy height of several oaks located in the rear view corridor. Work to be done within the A.C.E.C. and on the Coastal Bank. Work to be done by Bartlett Tree Experts.

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

VOTE: Unanimous.

Chairman's Business

Approval of the Minutes from the Hearing Meeting on June 21, 2011.

MOTION: A motion to approve the minutes pending changes was made by Adrienne Pfluger and seconded by Bob Royce.

VOTE: Unanimous.

The meeting was adjourned at 8:46am.

Respectfully submitted,

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