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DeLuca, Asst.
ORLEANS TOWN CLERK

Orleans Conservation Commission
Town Hall, Nauset Room
Work Meeting, Tuesday, July 26, 2011

PRESENT: Arnold Henson, Chairman; Judith Bruce, Vice-Chairman; Bob Royce; Adrienne Pfluger; Steve Phillips; James Trainor; Jamie Balliett; John Jannell, Conservation Administrator.

ABSENT: Jim O'Brien (Associate Member).

8:30 a.m. Call to Order

Certificate of Compliance

Davis Family Trust (2007), 12 Mill Race. The request for a Certificate of Compliance for an Order of Conditions for the restoration of a native plant community within and adjacent to a Coastal Bank, and the rebuilding and extension of an existing dry laid stone wall. John Jannell passed around before and after photos of the site, and explained that the applicant had removed the in-ground lights going down the stairs as previously required by the Conservation Department.

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

VOTE: Unanimous

Administrative Review

Peter Nix, 14 Lewis Road. The proposed removal of 3 white pines and 1 dead cedar tree. An arborvitae will be replanted in the area where the 3 white pines are to be removed. Work will occur within 100' of the Top of a Coastal Bank, Salt Marsh, and within an A.C.E.C. Work to be done by A to Z Treez. Judith Bruce asked if the site was well treed, and Steve Phillips asked if the removal of the trees would result in a view enhancement. John Jannell said that the area was well treed, and the removal of the trees near the pool in the back yard would not create an enhanced view to Meetinghouse Pond.

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

VOTE: Unanimous

Elizabeth Spicka, 24 Uncle Mark's Way. The proposed removal of bittersweet and English ivy and replacement with native plants. This work is in conjunction with a planting plan under an approved Order of Conditions. Work will occur within 100' of the Top of a Coastal Bank. Work to be done by applicant. John Jannell explained that there was an open Order on the site that incorporated a house addition and a planting plan, neither of which had commenced. Arnold Henson asked if the Administrative Review should be held until the Order was in compliance. John Jannell explained that the work under the Administrative Review was independent of the Order, and would not be considered mitigation for the addition.

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

VOTE: Unanimous

Michael & Denise Bernatchez, 30 & 31 Beach Plum Lane. The proposed mowing of invasive Phragmites. Work will occur within a Salt Marsh, Coastal Bank, on Land Subject to Coastal Storm Flowage, and in the Inner Cape Cod Bay A.C.E.C. Seth Wilkinson from Wilkinson Ecological explained that the Administrative Review was filed in conjunction with the Notice of Intent so that management of the phragmites could begin. Arnold Henson asked if this was the first step in the treatment process of this invasive reed, and Judith Bruce asked if his mowing of the phragmites would result in the compromise of any native vegetation. Seth Wilkinson confirmed that this was the first step in the management plan. The native species on site which included salt meadow hay, and common three-square would be mowed along with the phragmites. Wilkinson Ecological would be taking advantage of the Phragmites ability to re-sprout rigorously, and once it reached between 24 and 36" in height, would be treated with an herbicide. This work, however, would not commence until an Order of Conditions was issued for the 3-year management plan. The mowing under the Administrative Review would allow Wilkinson Ecological to get a jump start on their treatment. The Commission was concerned that the applicant would only mow under the Administrative Review, and would not continue the work under the filed Notice of Intent to be heard on August 2, 2011. Seth Wilkinson said that if the applicant did not execute the management plan, the phragmites would return to the area within the year. Seth Wilkinson confirmed the applicant had already made a 50% deposit to execute the management plan. Arnold Henson felt the removal of the phragmites would be a benefit to the resource area.

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

VOTE: Unanimous

G. Howard Hayes, 33 Granny's Lane. The proposed removal of two trees and branches, and the construction of an entry stairway and platform. Work will occur within 100' of the Edge of Wetland. John Jannell explained the applicant revised the application to eliminate the removal of the two trees. Steve Phillips asked for clarification of the size of the entry stairway and platform. John Jannell explained that the dimensions were 11' by 3'6". Judith Bruce asked where on the house was work proposed. John Jannell said the work would be on the roadway side, not the pond side.

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

VOTE: 6-0-1; James Trainor abstained.

Request to Use Conservation Properties

Meadow on the Cove Wedding 9/10/11 Hanlon/Ahlstrom 1-4pm 20-40 People

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

VOTE: Unanimous

Chairman's Business

Approval of the Minutes from the Meeting on July 19, 2011

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

VOTE: 5-0-2; Adrienne Pfluger and James Trainor abstained.

Other Member's Business

Judith Bruce asked the Conservation Commission about an event on the Windmill property by the Orleans Pond Coalition which would take place on a day which had already been reserved for a wedding. The Commission felt that they would be able to give the wedding party ample time to set up for their ceremony without impeding on the Orleans Pond Coalition's event. Erin Shupenis, Principal Clerk for the Conservation Department, asked for clarification regarding chairs and other items brought to the Windmill to be used, and brought up the Parks and Beach Department's allowance of up to 20 chairs. The Commission felt that 20 chairs would be permissible, with the understanding that the applicant must incorporate set up and break down time on their application. Erin Shupenis said she would revise the letter sent to applicants to reflect the Commission's opinion of items to be brought on site.

The Commission discussed the site visits.

The meeting was adjourned at 8:53am.

Respectfully submitted,

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