

Orleans Conservation Commission
Town Hall, Nauset Room
Work Meeting, Tuesday, October 25, 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

Continuation

Continued from 9/20/11 (AP1)

Joy Fopiano, 16 Honeysuckle Lane. by East Cape Engineering, Inc. Assessor's Map 23, Parcel 26. The proposed removal, reconstruction, & additions to portions of an existing dwelling has been amended to include the construction of a garage and a shell driveway. Work will occur within 100' of a Bog and Land Subject to Coastal Storm Flowage. *Jim O'Brien recused himself.* Tim Brady of East Cape Engineering, Inc., Peter Coneen, builder for the applicant, and Emily Beebe, Environmental Consultant, were present. Tim Brady passed out a written outline going over the proposed plantings for the site. The area to be replanted would extend into the 75' buffer zone, and the shed was now proposed to be removed. Arnold Henson and Judith Bruce asked about the number of plantings proposed. Emily Beebe said a number would be difficult to determine as the plants proposed would be based on availability. Judith Bruce was concerned about the present plantings as they were very sparse, and John Jannell wanted to see a plan which detailed additional shrub and canopy species. Steve Phillips asked about the flood elevation for the site. Tim Brady said although it was not indicated on the plan, the flood elevation was 12'. Steve Phillips was concerned about the 2007 ruling which asked for the parking area to be eliminated, and asked what had changed. Tim Brady said the client now wanted a garage, the driveway would be an access corridor only, and vehicles would not remain parked in this area. Steve Phillips asked if water was coming into the basement given the proximity to the flood zone, and Tim Brady said water was not in the basement. James Trainor asked for clarification that the proposed driveway would be going from 28' wide to 12' wide, and Tim Brady confirmed this change. The Commission was concerned about the amount of plantings which would be proposed, where they would be located, and their overall density. Tim Brady asked for a continuation of one week to November 1, 2011, so that he could have a meeting with John Jannell about the plantings and revised site plans.

MOTION: A motion to continue the hearing to November 1, 2011, was made by Judith Bruce and seconded by Jamie Balliett.

VOTE: Unanimous

Continued from 10/18/11

Marion & Carolyn Kennedy, 96 Tonset Road. by Ryder & Wilcox, Inc. Assessor's Map 26, Parcel 75. The proposed removal of invasive species, vista pruning, planting of native species, and establishment of view corridors. Work will occur on a Coastal Bank and within 100' of Land Subject to Coastal Storm Flowage. The Conservation Department received a letter asking a continuation to November 1, 2011.

MOTION: A motion to continue the hearing to November 1, 2011, was made by Judith Bruce and seconded by Adrienne Pfluger.

VOTE: Unanimous

Continued from 10/18/11

Lacy Herrmann et al., 1 Harbor View East. by Ryder & Wilcox, Inc. Assessor's Map 21, Parcel 3. The proposed removal of invasive species, the planting of native species, and establishment of a view corridor. Work will occur on a Coastal Bank and within 100' of Land Subject to Coastal Storm Flowage. Jennifer Exner of Wilkinson Ecological Design, went over the changes to the revised Land Management and Restoration Plans, which included the addition of 200 Pennsylvania Sedge plugs to the mulched area outside of the 100' buffer zone. The phasing of Area 3 and Area 1 have been changed to reduce the visual impact from the water, and two more oak trees have been included in Area 3. John Jannell suggested to the Commission that a condition be included in any approval which required the planting of the 200 Pennsylvania Sedge Plugs outside the 100' buffer zone.

MOTION: A motion to approve the site plan dated September 29, 2011, and the Land Management and Restoration Plans dated October 3, 2011, Revised October 21, 2011, with the condition that the 200 Pennsylvania Sedge plantings be incorporated as part of the approval, was made by Steve Phillips and seconded by Judith Bruce.

VOTE: Unanimous

Certificate of Compliance

Mark & Nancy O'Leary (2005), 24 Franz Road. The request for a Certificate of Compliance for an Order of Conditions for the demolition and reconstruction of a portion of a single family dwelling and deck including mitigation plantings. John Jannell reported that the applicant is in substantial compliance. An as-built has been provided incorporating all of the plan revisions and demonstrating the existing site conditions.

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

VOTE: Unanimous

Administrative Reviews

Suzanne Carlson, 60 Champlain Road. The proposed removal of one dead Cedar and one dead Cherry next to cottage. Work will occur within 100 feet of a Freshwater Wetland. John Jannell stated for the record that the applicant would be removing a brush pile in addition to the work proposed.

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

VOTE: Unanimous

James Nichols, 259 Route 6A. The proposed removal of two pine trees. Work will occur within 100' of the Edge of Wetland. Work to be done by A to Z Treez. John Jannell explained that the applicant was recently approved to remove 3 locust trees, removing a majority of the canopy. John Jannell did not recommend that the pine trees

be removed. Steve Phillips asked if the pine trees provided screening, and John Jannell said no, but they did provide the remaining canopy on site.

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

VOTE: 0-7-0; Motion Denied

Laura Arnold, 18 Towhee Lane. The proposed removal of a dead leaning pitch pine, pruning of branches over driveway, pruning of 3 Oaks in adjacent to deck, and the removal of an Autumn Olive. Work will occur within 100' of the Edge of Deep Pond. John Jannell said he met with the owner who wanted to remove specific limbs on 3 trees to create a view. Judith Bruce felt the area was well treed and asked who would be doing the work. John Jannell said the applicant has not chosen a tree company or landscaper. Judith Bruce was concerned about which limbs would be cut for the health of the trees, and asked that John Jannell speak with the applicant to ensure an arborist would be used who would adhere to best pruning practices. John Jannell said he would speak with the applicant, and the Commission decided to hold the application until John Jannell found out this information.

Nancy DuRie, 64 Freeman Lane. The proposed removal of 3 Black Cherry trees and cutting back of invasive vines. Work will occur within 100' of the Top of a Coastal Bank and Rachel's Cove. John Jannell explained that similar work had been filed for and approved in 2008. Arnold Henson asked if under the previous filing they had done the work. John Jannell said that the files indicate they have filed and completed this work previously.

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

VOTE: Unanimous

Robert Batchelder, 66 Gibson Road. The proposed upgrading of an existing septic system including the pumping and filling of cesspools and installation of a new septic pipe. Only the installation of the new septic line will be within the buffer zone. Work will occur within 100' of the top of a Coastal Bank and Land Subject to Coastal Storm Flowage.

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

VOTE: Unanimous

Stephen Onesti, 81 Freeman Lane. The proposed removal of 2 Autumn Olives and the annual mowing of a meadow. Work will occur within 100' of the Edge of Salt Marsh. Work to be done by Ponderosa Landscaping. John Jannell said this application had been held until he was able to meet with Ponderosa Landscaping. The applicant understands that any additional work beyond what is outlined in the Administrative Review will require a Notice of Intent.

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

VOTE: Unanimous

Chairman's Business

Approval of the Minutes from the Meeting on October 18, 2011

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

VOTE: Unanimous

The Commission discussed the site visits. The meeting was adjourned at 8:56am.

Respectfully submitted,

Erin C. Shupenis, Principal Clerk, Orleans Conservation Department