

Orleans Conservation Commission
Town Hall, Skaket Room
Work Meeting, Tuesday, February 28, 2012

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K. D. Kelly, ASX
ORLEANS TOWN CLERK

PRESENT: Steve Phillips, Vice-Chairman; Bob Royce; Adrienne Pfluger; James Trainor; Jamie Balliett; Jim O'Brien (Associate Member); John Jannell, Conservation Administrator.

ABSENT: Judith Bruce, Chairwoman.

8:30 a.m. Call to Order

Administrative Reviews

Mike & Karen Mellor, 8/9 Skaket Circle. The proposed installation of a split rail fence, removal of one pitch pine, relocation of an existing gravel walkway, and plantings. Work will occur within 100' of the Top of a Coastal Bank, within Land Subject to Coastal Storm Flowage and the Pleasant Bay A.C.E.C. John Jannell reported that a detailed landscaping plan was provided showing the proposed plantings, and explained that the relocation of the gravel walkway and installation of a split rail fence were to provide separation between the two cottages on site. All the proposed plantings were native species, and photos of the site were passed around to the Commission.

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

VOTE: Unanimous

Chairman's Business

Approval of the Minutes from the Meeting on February 21, 2012

MOTION: A motion to approve the minutes was made by Adrienne Pfluger and seconded by Jim O'Brien.

VOTE: unanimous

Other Member's Business

Administrator's Business

7 Wildflower Lane Orleans, report on violation and discuss Enforcement Order.

Steve Phillips announced that the Commission could discuss the enforcement issue and take action on March 6th, 2012, when the applicant had been notified a meeting would take place. John Jannell reported that work was conducted on the property which included but was not limited to the construction of a shell driveway within 50' of the Edge of Wetland and on Land Subject to Coastal Storm Flowage, the filling of a wetland and creation of a dug in swale within a Wetland and on Land Subject to Coastal Storm Flowage, and the altering of a Town-owned parcel, resulting in work within 50' of the Edge of Wetland and on Land Subject to Coastal Storm Flowage. John Jannell passed around photos of the site, stating that this work was outside the approved Order of Conditions dated December 6, 2011, DEP# SE 54-2118, and that all work outside the scope of this approval has since ceased. John Jannell asked the Conservation Commission to authorize the Conservation Department to prepare an Enforcement Order and send a letter notifying all of the parties involved with this site of the upcoming meeting.

MOTION: A motion to approve the preparation of an Enforcement Order and notification of the owner and subsequent parties involved was made by Jamie Balliett and seconded by Bob Royce.

VOTE: Unanimous

Paul Fulcher, Superintendent for the Orleans Parks and Beach Department, passed around a preliminary plan to discuss any major concerns the Conservation Commission may have before a Notice of Intent was filed for a project. The project entailed the construction of an open air pavilion at Nauset Beach for eating purposes, which would be put out to bid and built within the next two years. James Trainor asked if Liam's would still be present, what type of structure this would be, and whether or not the benches would be removed. Paul Fulcher stated that Liam's would remain, the facility would be an eating area with a concrete floor, and a portion of the benches would remain. Jamie Balliett questioned the need for this structure, and inquired as to whether people used the benches out front or if they brought their food back to the beach with them. Paul Fulcher said that the benches were always full during the season, and this area would be a way for the public to avoid harassment by the sea gulls which had become aggressive when food was present. Jamie Balliett asked if mitigation was proposed, and the current status of the dune and beach grass within that area. Paul Fulcher explained that the area between the Beach House and Nauset, in addition to the area south of Liam's, was being planted, and funds were allocated in the budget for the next 4 years to be planted. Jamie Balliett suggested that mitigation be included in the future proposal. John Jannell asked if the site plan was prior to the installation of the new septic system, as cesspools were shown. Paul Fulcher explained that this site plan was only to show the proposed buildings, as he did not want to develop a revised site plan until he determined whether or not there would be any major concerns with the proposed location; a revised site plan showing the current conditions would be provided with the Notice of Intent package. Paul Fulcher explained that there were leaching pits which had been abandoned east of Liam's, but could not be removed as they were located within the dunes.

Paul Fulcher also explained that during a recent site visit with John Jannell, it was determined that the Nauset Spit had grown to the north since last being mapped by the GPS.

The Commission discussed the site visits.

The meeting was adjourned at 8:46am

Respectfully submitted,

Erin C. Shupenis, Principal Clerk, Orleans Conservation Department