

Orleans Conservation Commission
Town Hall, Skaket Room
Work Meeting, Tuesday, May 22, 2012

'12 JUN 6 4:24PM ✓
Dorley, Asst
ORLEANS TOWN CLERK

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

ABSENT: Adrienne Pfluger.

8:30 a.m. Call to Order

Continuations

Last Heard 4/17/12 (AP1)

Forrester & Linda Quinn, 4 Overland Way. by Ryder & Wilcox, Inc. Assessor's Map 39, Parcel 16. Proposed restoration plan for operations that have encroached onto town property. Work has occurred within 100' of the Edge of Wetland and the Cape Cod Bay A.C.E.C. Stephanie Sequin of Ryder & Wilcox, Inc. and Forrester Quinn, applicant, were present. Stephanie Sequin presented the revised plan for restoration and use of the site. Stephanie Sequin initially noted that due to a discussion with Mark Budnick of the Orleans Highway Department the location of the catch basins would be modified to move them out of the 25' buffer and into the proposed/existing parking area. Judith Bruce asked if this would result in the removal of the outfall pipe going into the wetland. Stephanie Sequin said no, as there was a significant amount of clay in the area. Forrester Quinn said that Mark Budnick has a vacuum truck which can clean out the catch basin on Overland Way and capture more water before it enters the outfall system. Forrester Quinn suggested improvements to the Town drainage such as a settling basin be installed off of the town catch basin, with a leaching pit at the top, thus allowing the liquids to leach out before it reaches the outfall pipe. Steve Phillips asked where this could be located, and Forrester Quinn said the existing parking area which was town property, locating it close to the 50' buffer line and draining it east. Judith Bruce asked if this would drain into Namskaket Marsh, and John Jannell clarified that it is hydrologically connected. Judith Bruce suggested planting plants which could take up the nutrients, and she felt it was important that the town maintain the right to improve the drainage if water quality funds become available. Forrester Quinn mentioned that a metal top would be installed on the Quinn property which drained to the manhole in the street. Steve Phillips recalled at the previous hearing a discussion of the area near the utility pole on the north side by the town property for water to collect. Forrester Quinn explained that he had spoken with Mark Budnick about creating a swale with plants, but that Mark Budnick was not keen on the idea. Judith Bruce felt that if it was designed carefully it would work properly. Steve Phillips asked if the catch basin attached to settling basins was sufficient drainage, and if more was necessary. Forrester Quinn felt more was not needed at this time; the system presently took the drainage from Overland Way successfully, and if it was better re-routed, could take the town drainage well. James Trainor asked if any test holes were done, and Forrester Quinn said minor tests were done which showed a peat situation. Jamie Balliett asked about the area between the 50 and 100' buffer, and if the top area on the plan would be replanted.

Forrester Quinn explained that screened loam and raw sand are stored there outside of the 50' buffer, and the upper area would be left alone. Judith Bruce discussed that this plan was being reviewed as a 1st step and a formal restoration plan should ultimately follow. Judith Bruce asked that the applicant determine what portion of the town owned land would be leased by Forrester Quinn, and then return with a more detailed planting plan to ensure the resource areas were protected. Stephanie Sequin explained that the first plan was to redistribute and restore the area within the 50' buffer zone, and then provide more detail after determining from the Board of Selectman what the lease would entail. The Commission discussed the best plan of action, and John Jannell suggested authorizing the Chair to write a letter stating recommended conditions and showing support for the Site layout if it is acceptable by the Commission. The Board of Selectman will be the next to review what is being proposed on the Town property. John Jannell reminded the Commission that the applicant had filed voluntarily and no Order is being issued to perform work at this time. Forrester Quinn reiterated that he would like to refine the plan once the Board of Selectman had determined the area which could be leased.

MOTION: A motion to authorize the Chairwoman to send a letter to the Board of Selectman endorsing the proposed May 17, 2012 plan was made by James Trainor and seconded by Jim O'Brien.

VOTE:

Last Heard 5/1/12 (JB1)

Lawrence P. & Anne P. Gaine, 6 Marshwind Lane. by Ryder & Wilcox, Inc.

Assessor's Map 31, Parcel 14. The after the fact construction of a larger dwelling than previously approved and the after the fact clearing of a path in a Salt Marsh. Work occurred within 50' of a ditch, on a Salt Marsh, on Land Subject to Coastal Storm Flowage, and in the Inner Cape Cod Bay A.C.E.C. *(Prior to the commencement of the hearing, Judith Bruce signed an affidavit citing she had reviewed previous testimony and read the approved minutes from the previous hearing, thus allowing her to be a voting member for this hearing.)* John Jannell reported a letter had been received asking for the hearing to be continued to June 5, 2012, to make final modifications to the site plan.

MOTION: A motion to continue the hearing to June 5, 2012, was made by Jamie Balliett and seconded by Jim O'Brien.

VOTE: Unanimous

Certificate of Compliance

John Laurino (2008), 27 Blue Heron Way. The request for a Certificate of Compliance for an Order of Conditions for the restoration of a Coastal Bank. John Jannell reported that this Order of Conditions was issued as a reaction to the removal of two trees within Conservation Commission jurisdiction, and there were no special conditions to be met for the Order. Judith Bruce confirmed that the issuance of the Certificate of Compliance did not give an approval for a future view corridor, and that any additional work would have to be filed for accordingly. John Jannell said this was correct, and the site plan did not indicate a corridor.

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

VOTE: unanimous

Administrative Reviews

Joanne Broderick, 11 Seaside Drive. The proposed moving of 3 existing rhododendrons and the removal of shrub honeysuckle and replacement with 23 shrubs. Work will occur within 100' of the Edge of Wetland and Vernal Pool. Work to be done by Blue Flax Design. John Jannell reported this project was the result of the applicant's desire to increase the amount of native plantings within their yard.

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

VOTE: Unanimous

Chairman's Business

Approval of the Minutes from the Meeting on May 1, 2012.

MOTION: A motion to approve the minutes from May 1, 2012, was made by Jamie Balliett and seconded by Bob Royce.

VOTE: 5-0-1; Judith Bruce Abstained.

Approval of the Minutes from the Meeting on May 15, 2012.

MOTION: A motion to approve the minutes from May 15, 2012, was made by Bob Royce and seconded by Jim O'Brien.

VOTE: 4-0-2; Steve Phillips and Jamie Balliett abstained.

Other Member's Business

Administrator's Business

John Jannell reported that the meeting to discuss the Town Filing fees would be scheduled for June 12, 2012, pending a full Commission. The comparison of town filing fees would be re-circulated for the Commission.

Judith Bruce reminded the Commission that next week would be a 5th Tuesday and therefore no meeting.

Site Visits

The Commission discussed the site visits.

The meeting was adjourned at 9:06

Respectfully submitted,

Erin C. Shupenis, Principal Clerk, Orleans Conservation Department