

Orleans Conservation Commission
Town Hall, Skaket Room
Work Meeting, Tuesday, April 23, 2013

PRESENT: Judith Bruce, Chairwoman; Steve Phillips, Vice-Chairman; Bob Royce; James Trainor; Jamie Balliett; Jim O'Brien Judy Brainerd; Nancy O'Mara, Associate; Philips Marshall, Associate; John Jannell, Conservation Administrator.

ABSENT: Philips Marshall, Associate.

8:30 a.m. Call to Order

Please note: the minutes reflect the order in which each filings were addressed, and is different than the published Agenda. This change was to accommodate the applicants for the proposed projects.

Continuations

Last Heard 2/19/13 (JO1)

William N. Kubsch, 9 Lewis Road. by FELCO Inc. Assessor's Map 36, Parcel 156. The proposed replacement of wooden piles for an existing licensed dock. Work will occur within Land Subject to Coastal Storm Flowage, Land Under Water, Land Containing Shellfish, Salt Marsh, & the Pleasant Bay A.C.E.C. Dave Lajoie of FELCO, Inc. explained that at this time the applicant wanted to only replace the pilings for the existing licensed dock, and would keep the remaining components as is at this time. John Jannell stated the Commission can issue a Negative Determination for the proposed work, and noted that the applicant had been made aware that he could work with the Conservation Commission to elevate his dock under the existing license at a later time with an NOI. Judith Bruce was hopeful that the applicant would return at a later time to raise the height of the licensed dock.

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

VOTE: Unanimous

MOTION: A motion to issue a Negative Determination was made by Steve Phillips and seconded by Judy Brainerd.

VOTE: Unanimous.

Administrative Reviews

Louise Ayer, 22 Horseshoe Lane. The proposed removal of privet, honeysuckle, poison ivy, green brier, and 5 trees. Work to be done by AMA Excavation. Betsy Furtney of Land Line Design explained that this would be only for the removal of invasive plants and dead limbs to determine how to site a house, and the applicant would return once a proposed house location was determined with another type of filing. Betsy Furtney said another filing for soft erosion control was also forthcoming. John Jannell felt the invasive removal was well marked in the field, and that the applicant was aware that the additional proposed work would require a Notice of Intent filing. The proposed trees to be removed, 2 pitch pines and 3 black cherries, were to be removed to benefit the mature grove.

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

VOTE: Unanimous.

Les Kalish, 83 Main Street. The proposed removal of trees, replanting with native species, and construction of a stone wall. Work to be done by Matt Carroll and applicant. Betsy Furtney explained that in 2004 Jenny Wood had noted there was a wet area on site, and at that time a delineation had not been completed. The site itself was comprised of old farmland, resulting in numerous invasives on site. James Trainor asked how many trees were to be removed, and Betsy Furtney estimated that prior to her being hired the excavator had removed between 12-24 trees. John Jannell pointed out that the excavator was unaware of the existing site conditions, and upon encountering the wet area, stopped all work. John Jannell said the area was not a wetland by State definition and there was no wetland vegetation present, but under the local regulations it could be considered Isolated Land Subject to Flooding. John Jannell estimated about 12 Sycamore Maple and Black Locusts had been removed, and the homeowner was proposing a minimum of 10-12 more trees to be replanted in addition to planting groundcover and shrubs. Judith Bruce recalled the site had been devoid of groundcover with an exception of English Ivy, and Betsy Furtney confirmed this. John Jannell noted that the site did not have a delineation of record, and there would not be one on record should this Administrative Review be approved. James Trainor inquired about the stone wall, and John Jannell explained that it was located about 70-75 away of the ILSF and it should not alter the ILSF. Betsy Furtney said the rocks for this wall were part of an old foundation, and Judith Bruce asked if mortar would be used. Betsy Furtney thought they would lift the big pieces with a machine and stack them, and Steve Phillips asked if any fill or regrading would be done. John Jannell pointed out that there would be grading on the house side of the wall, and Betsy Furtney thought that grading work had already been done.

MOTION: A motion to approve this Administrative Review was made by Steve Phillips and seconded by Jim O'Brien.

VOTE: Unanimous.

Len Short, 59 Herring Brook Way. The proposed removal of a leaning tree. Work to be done by Mayflower Point Association. John Jannell stated that the association had one pitch pine with rot in the base leaning into another, and Judith Bruce asked if this work was on the association path. John Jannell clarified that this tree was located on their beach, and their path remained well vegetated.

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

VOTE: Unanimous.

Karen Dumont, 86 Tonset Road. The proposed removal of dead and downed trees, removal of vines from trees, and the pruning and brushing of the top of the bank to 3'. Work to be done by S&L Tree Services. John Jannell explained that the site was located next to Sea Call Farm, and the brushing of the top of the bank was in fact bittersweet already less than 3' in height. Judith Bruce asked if the property had

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suffered scour damage due to the winter and spring storm events. John Jannell said there was a 2' fresh scarp line, and the proposed work was for mostly fallen locusts. John Jannell recommended that only the locusts be removed and the logs and brush be taken away.

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

VOTE: Unanimous.

Mary Beth Manion, 2 Greymoor Way. The proposed removal of 2 pine trees. Work to be done by S&L Tree Services. John Jannell said that this was for the removal of two pines damaged by recent storm events 12' from the edge of the house.

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

VOTE: Unanimous.

Phillip W. Fair, 14 Megs Lane. The proposed removal of 3 pine trees and clean-up of downed branches. Work to be done by A to Z Treez. John Jannell stated that this work was the result of recent storm damage.

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

VOTE: Unanimous.

Marcia Galazzi, 24 Tom's Hollow Lane. The proposed annual nourishment of potholes with clean gravel and stone mix. Work to be done by Paul Daniels. John Jannell explained that this was an annual request for work on an existing roadway through vernal pool habitat, and had been successfully completed in the past.

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

VOTE: Unanimous.

Curtis Villamizar, 46 Lake Drive. The proposed removal of pine tree next to garage. Work to be done by applicant. John Jannell reported that this work was due to storm damage.

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

VOTE: Unanimous.

James & Barbara Nichols, 259 Route 6A. The proposed filling of two existing cesspools. John Jannell reported that this work was for the pumping and filling of two cesspools, and that the replacement system would be located entirely outside of Conservation Commission jurisdiction.

MOTION: A motion to approve this work was made by Bob Royce and seconded by Jim O'Brien.

VOTE: Unanimous.

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Chairman's Business

Approval of the Minutes from the Meeting on March 5, 2013

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

VOTE: Unanimous.

Other Member's Business

Administrator's Business

The Commission discussed the site visits.

The meeting was adjourned at 8:50am.

Respectfully submitted,

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