

Orleans Conservation Commission
Town Hall, Nauset Room
Work Meeting, Tuesday, November 26, 2013

J. D. Kelly, Asst
14 AUG 6 8:50AM

PRESENT: Judith Bruce, Chair; Steve Phillips, Vice-Chair; Bob Royce; James Trainor; Judy Brainerd; Jim O'Brien; Rich Nadler, Associate; Jane Hussey; Associate; John Jannell, Conservation Administrator.

ABSENT: Kevin Galligan, Associate.

8:30 a.m. Call to Order

For the purpose of this hearing, Jane Hussey will be a voting member.

Continuations

Last Heard 11/5/13

Cynthia A. Kawie, 36 Gibson Road. by Ryder & Wilcox, Inc. Assessor's Map 19, Parcel 22. The proposed construction of a screen porch on an existing deck; proposed extension of a deck; installation of an outdoor rinse area; & removal & replacement of existing stairs on a Coastal Bank. Work will occur within 100' of a Coastal Bank, & on a Coastal Bank & on Land Subject to Coastal Storm Flowage. Stephanie Sequin of Ryder & Wilcox, Inc., was present.

Stephanie Sequin went over the proposed changed to the site plan, and Judith Bruce inquired if the gate proposed at the top of the access oath had space underneath for critters to pass. Stephanie Sequin said yes, and also reported that the applicant was willing to remove the English Ivy and Knotweed, which could be incorporated as conditions of any Order issued. Judith Bruce said that the owner could consider either a drywell or crushed stone for runoff, and asked that the owner consider a rain garden.

MOTION: A motion to close the hearing was made by Steve Phillips and seconded by Jim O'Brien.

VOTE: Unanimous.

MOTION: A motion to approve the site plan dated 11-21-13, with the condition that the English Ivy and Knotweed be removed, as well as a rain garden considered, was made by Steve Phillips and seconded by James Trainor.

VOTE: Unanimous.

Last Heard 11/12/13 (SP1, JO1)

Elizabeth Ann Sanders Irrevocable Trust of April 9, 1999, & Charles A. Sanders, 3 South Little Bay Road. by East Cape Engineering, Inc. Assessor's Map 82, Parcel 6. The proposed stabilization of a Coastal Bank. Work will occur on a Coastal Bank, Land Subject to Coastal Storm Flowage, & the Pleasant Bay A.C.E.C. Tim Brady of East Cape Engineering was present. Tim Brady requested to continue the hearing to December 17th, since he was still speaking with the owners and thought that they would be downsizing the proposed work.

MOTION: A motion to continue the hearing to December 17th was made by Bob Royce and seconded by Judy Brainerd.

VOTE: Unanimous.

Last Heard 11/12/13 (SP1, JO1)

Jean & Thomas Russell, 74 & 75 Viking Road. by East Cape Engineering, Inc. Assessor's Map 63, Parcel 54, & Assessor's Map 70, Parcel 31. The proposed nourishment and stabilization of a Coastal Bank. Work will occur on a Coastal Bank, Coastal Beach, Land Subject to Coastal Storm Flowage, & in the Pleasant Bay A.C.E.C. Tim Brady went over the revised site plan, including reading into record the planting narrative from Cape Organics, and explained that a letter from NHESP had been received stating that no work was to be done between June 1st-July 31st. Tim Brady was concerned about the time of year restriction, and Judith Bruce suggested that there may be some species of concern present on site. Judith Bruce inquired about the trees to be removed, and Tim Brady said that the trees on the right of the bank were going to be flush cut. Tim Brady pointed out that the sediment transport maps did not show it going directly into the locus, and on the plan a note had been made to review it annually. Judith Bruce pointed out that the Commission would be looking for matching sand and for the fiber rolls to remain covered. Tim Brady asked that the Order of Conditions recognize that the stairway be recognized as having existed should replacement be considered in the future, and noted that the owners have agreed to use organic fertilizer for shrubs and plants. Tim Brady noted that the accessway where the plastic peanuts would be covered and planted to restore any damage from the proposed work. Judith Bruce inquired if the machinery was to damage the path, then could the peanuts be removed, and Tim Brady did not anticipate any damage to the path, since the machine would only be making one trip up and one trip down. Steve Phillips asked about the area to be traversed, and if there was an anticipated start date for construction. Tim Brady estimated 100', and was not sure about the start date. Tim Brady commented that there was continued erosion on site, and Judith Bruce suggested berming the path. Tim Brady replied that something other than berming would need to be done, and Steve Phillips inquired about any additional changes made to the plan. Tim Brady noted that there was a note about the existing stairs to be removed, as well as replacing the 4 white pines, and Steve Phillips asked if the nourishment with clean sand was a matching grain size. Tim Brady said this was a typical Coastal Bank, and did not see the need to sift the sand. John Jannell reiterated his conversation with Tim Brady regarding the construction protocol, noting that the Commission now had a Bank Restoration Protocol and Planting Specifics. John Jannell suggested that since Greg Berman recommended coverage of the fiber rolls, the Commission could use that as trigger to determine nourishment during the annual inspection.

MOTION: A motion to close the hearing was made by James Trainor and seconded by Jim O'Brien.

VOTE: Unanimous.

MOTION: A motion to approve the site plan dated 11-20-13, with the conditions that the existing stairs to be removed be allowed to be replaced in the future, the Construction Conditions be included, nourishment would be required if during the annual inspection the fiber rolls were exposed was made by Steve Phillips and seconded by Jim O'Brien.

VOTE: Unanimous.

Last Heard 11/19/13 (SP1, RN1, KG1)

Charles Silbert, Viking Road. by Coastal Engineering Company, Inc. Assessor Map 70, Parcel N/A. Proposed roadway improvement & construction of a stormwater management system on Viking Road. Work will occur within 100' of the Top of a Coastal Bank & within the Pleasant Bay A.C.E.C. Tarja McGrail of Coastal Engineering Company, Inc., was present. Tarja McGrail recalled that the Commission was waiting on the issuance of a DEP number, and Judith Bruce inquired if a second rain garden had been considered for the site. Tarja McGrail explained that based on the grades in the area, what was proposed was best for the site. Judith Bruce asked if there would be any trees removed on the bog side, and Tarja McGrail noted that one small oak tree located outside of the 100' buffer zone was to be removed. Tarja McGrail suggested that a catch basin could be shifted so that the tree was not removed, and Judith Bruce noted that while it was outside of jurisdiction, that she could have a meeting on-site with John Jannell. Tarja McGrail agreed to that condition, and John Jannell said it appeared that they could expand to no trees were to be removed within jurisdiction if the basin was moved to save the oak. Tarja McGrail was comfortable with that condition, and Steve Phillips inquired about a construction protocol. Tarja McGrail explained that one had been submitted with the Notice of Intent, and John Jannell confirmed its receipt, which included a condition that tree protection would be provided if needed once the Limit of Work was installed.

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

VOTE: Unanimous.

MOTION: A motion to approve the site plan dated 11-4-13, with the conditions that it include the Construction Protocol, and that no trees were to be removed within jurisdiction, was made by Steve Phillips and seconded by Judy Brainerd.

VOTE: Unanimous.

Last Heard 11/19/13 (SP1, RN1, KG1)

Warren C. & Carol Marsh, 30 Tides End Lane. by Ryder & Wilcox, Inc. Assessor's Map 43, Parcel 28. The proposed removal of an existing dwelling; construction of a new dwelling; upgrading of a septic system; connection to utilities; removal of existing paved driveway; construction of a new gravel driveway; grading; landscaping; & the removal of invasive plants & trees & the planting of native plants. Work will occur on a Coastal Bank, in Land Subject to Coastal Storm Flowage, & within the Pleasant Bay A.C.E.C. Russ Holden of Ryder & Wilcox, Inc. and Jen Exner of Wilkinson Ecological Design were present. Russ Holden went over the previous hearing findings, and noted that the hearing had been continued to remove the pruning of the lower area on the planting plan and of the horse chestnut. Judith Bruce recalled that the Commission had asked for additional canopy species, and suggested a condition that after the invasive work had been completed, that additional canopy species may be required. Jen Exner inquired if this could be done on site with the Conservation Administrator, and Judith Bruce thought that the Conservation Administrator could go out on site to observe the invasive plant removal, as well as a need for canopy replacement. Jen Exner pointed out that the trees to be removed did not have any canopy left on them, and Steve Phillips inquired about the amount of fill to be used for the recontouring on site. Russ Holden explained that there would be some filling by the garage area to level it off, but

that it would be about ½" change. John Jannell commented that a DEP number had been issued, and the Commission could act on this application as well as include the special condition suggested.

MOTION: A motion to close the hearing was made by James Trainor and seconded by Jim O'Brien.

VOTE: Unanimous.

MOTION: A motion to approve the Site Plan dated 10-29-13, Land Management Plan dated 11-21-13, as well as a special condition that after the invasive species have been removed, that the canopy species be assessed for replacement, was made by Steve Phillips and seconded by James Trainor.

VOTE: Unanimous.

Certificate of Compliance

Michael & Denise Bernatchez (2007), 30 Beach Plum Lane. The request for a Certificate of Compliance for an Order of Conditions for the removal of an existing house and outbuildings; the construction of a new dwelling with an attached garage; grading; and the pumping and filling of an existing septic system. John Jannell reported that this work was in substantial compliance and the Commission could issue this Certificate.

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

VOTE: Unanimous.

Carol McCullough (2007), 63 Briar Spring Road. The request for a Certificate of Compliance for an Order of Conditions for the construction of a new dwelling onto an existing footprint and construction of dug-in timber steps on an existing path on a Coastal Bank. John Jannell recommended that the Commission turn down this application at this time, since the planting work had just been completed, and that the plantings needed time to be established. John Jannell stated that he had spoken with the owner, who was aware of his recommendation to keep the Order open until the plantings had been established.

MOTION: A motion to approve this Certificate of Compliance issuance was made by Bob Royce and seconded by Judy Brainerd.

VOTE: 0-7-0; Motion denied.

Revised Materials

De-watering Protocol: The Whole Clam LLC, 5 Route 6A. The Approved renovation of the existing restaurant, construction of a new septic system & stormwater management facility, rebuilding of a retaining wall, & landscaping under DEP # SE 54-2212 requires a dewatered perk test to be performed. Work will occur within 100' of Land Subject to Flooding. *James Trainor recused himself; Rich Nadler, for the purpose of this hearing, will be a voting member.* Matthew Eddy of Baxter & Nye and Chris Our of Robert B. Our Company were present. John Jannell explained the history of the permitting process for this site, including the need for a perk test to satisfy the Orleans and Eastham Health Departments. John Jannell noted that dewatering needed to be completed to satisfy state regulations, and the construction team was present to go over the details of this process. Matthew Eddy and Chris Our went over the proposed work

protocol associated with this work, noting that the water would be discharged into Town Cove, filtered through a barrier prior to going into Town Cove. Chris Our explained that this process had been done in Provincetown as well as Martha's Vineyard, and Judith Bruce asked if there would be a concern over the abrupt change in salinity. Chris Our explained that the water was deferred so that it would spread out evenly and clean from the ground and Judith Bruce asked if the water was being directed by a hose as opposed to down the roadways. Chris Our said that the water would discharge onto the boat ramp, but that when they initially start the work, they verify that the water going into Town Cove is clean. Chris Our explained that this was a safety feature for the work, and Rich Nadler inquired how the water was tested prior to being discharged. Chris Our noted that it was a visual inspection of the water, and Rich Nadler inquired if this water to be pumped into Town Cove was located where the previous septic system had been for this site. Matthew Eddy said the dewatering would be located on the other side of the property, well below the previous existing septic system. Steve Phillips asked if they were lowering the existing water levels to make the perk, and Chris Our commented that the septic system had to be above clean water per DEP requirements, and that they had to perk to see the sand to conduct the perk. Judith Bruce inquired if Brian Dudley from DEP was aware of the discharge site into Town Cove, and Matthew Eddy said that while they had looked to find a way to avoid the dewatering, they had to test the soil on site in place. Steve Phillips inquired if there was to be a problem with the system how it would be addressed, and Chris Our stated that while he had never had a problem with this system, there was a switch which would stop the dewatering. Steve Phillips commented that this work would flush into Town Cove whatever remained on the ramp, and asked if the ramp could be assessed prior to the work being done. Matthew Eddy suggested that they could coordinate with John Jannell, the DPW, and Dawson Farber, and Judith Bruce suggested cleaning the ramp prior to work commencing on site. Rich Nadler inquired why a more detailed test of the water was not going to be done, and Matthew Eddy explained that this would be similar water to an irrigation well, and that the water there is clean water. Rich Nadler asked what the depth to groundwater was on site, and Matthew Eddy said around elevation 4 or 5, but there was also perched water and a tidal influence which brought it down to -9'. Matthew Eddy noted that they were also looking at previous borings, and Chris Our said that once they got down to the location of the test area, it would take a short period of time to conduct the test, followed by back-filling the site. Rich Nadler asked about the volume of water that would be going into Town Cove, and Matthew Eddy said that this would be difficult to identify. Chris Our concurred with Matthew Eddy, and Rich Nadler asked if there was a point in which the applicants would stop dewatering. Matthew Eddy said that they wanted to minimize their impact and get the test done quickly, and that this type of dewatering process had been done frequently. Chris Our said that they did not stop until they were able to conduct the test, but that they wanted to limit their impact to the area. John Jannell explained that the applicants had been asked to provide comment letters from DMF as well as Dawson Farber about this work, and Matthew Eddy said that DMF should be getting back to their office on Monday. John Jannell noted that the applicants would work with the Natural Resources Director to make sure that the Town was not held responsible for any damage to the boat ramp, and that this work would require a road cut permit which in turn needed DPW approval.

MOTION: A motion to approve this work subject to DMF approval, permission to use the Town boat ramp, and the approval of a road opening by DPW was made by Bob Royce and seconded by Judy Brainerd.

VOTE: Unanimous.

Administrative Reviews

Robert & Phyllis Rothberg, 16 Blake Lane. The proposed pruning of shrubs in a view easement. Work to be done by Frank White of Black Duck Landscaping. John Jannell announced that this was view pruning work which had been done previously under this type of filing.

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

VOTE: Unanimous.

Jim O'Brien left at 9:32am; Rich Nadler became a voting member for the remainder of the hearing.

Arthur Graham, 8 Winslow Drive. The proposed cleaning out of area to pond, leaves brush, removal of 2-3 dead trees, and the cutting of shrubs. John Jannell explained that this application had been since revised to remove 3 black locusts and 1 standing dead pitch pine. Judith Bruce confirmed that there would be no cleaning out of the brush, and John Jannell said that was correct.

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

VOTE: Unanimous.

Chris Wolf, 17 Honeysuckle Road. The proposed replacement of a deck. Work to be done by Luke Nowack of Cornerstone Dynamics LLC. John Jannell commented that this was an elevated deck outside of the 75' buffer zone to be replaced.

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

VOTE: Unanimous.

Kathleen Lennox, 37 S. Orleans Road. The proposed removal of 4 trees and trimming of 1 tree. Work to be done by Cape Tree. John Jannell explained that these were trees on either side of the house which had outgrown their location, and the property was otherwise well vegetated.

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

VOTE: Unanimous.

Dr. Charles Calkins & Marianne Grady-Calkins, 25 High Tide Lane. The proposed after the fact removal of brush and debris, addition of loam, and installation of 2 trees. John Jannell explained that he spoke with the applicant who had the debris pile removed and had brought in additional loam to build up a berm. John Jannell asked that the buried locust timbers be removed, the disturbed areas be planted with native shrubs, and that no additional work take place. Steve

Phillips inquired about the motivation to do the work, and John Jannell said that the applicants stated they were cleaning up their yard. Judith Bruce inquired about the purpose of the berm, and John Jannell noted it was an earthen berm which did not meet Conservation Commission standards. Steve Phillips was concerned that the removal of the locust timbers was additional work on site, and wanted to see it completed. Steve Phillips inquired about fines as well as postponing the approval until this work could be completed, and Judith Bruce noted that this Administrative Review did not follow a traditional After the Fact filing. Judith Bruce asked if a revised application should be submitted, and John Jannell said that it had been clear to the applicants what needed to be done. Rich Nadler questioned the trees which had been planted, and John Jannell clarified that they were Leyland cypress. James Trainor commented that if the Commission had gone out on site, they would've asked the applicant to remove the brush and debris, and therefore felt that no fee was warranted. Judith Bruce was not sure how to proceed, and John Jannell pointed out that the non-native trees planted would not survive next to the Marsh. Steve Phillips felt the application should be denied, and Judith Bruce suggested that the applicant return with a revised application. John Jannell asked that the Commission hold the application so that he may speak further with them about the replanting effort as well as the removal of the brush and debris.

Chairman's Business

Approval of the Minutes from the Meeting on July 2, 2013.

Erin Shupenis announced that these minutes were not available at this time.

Approval of the Minutes from the Meeting on October 22, 2013

MOTION: A motion to approve these minutes was made by Steve Phillips and seconded by Jane Hussey.

VOTE: Unanimous.

Other Member's Business

Larry Minear: Marine and Freshwater Quality Task Force Rental Brochure
Larry Minear and Carolyn Kennedy of the Marine and Freshwater Quality Task Force were present. Larry Minear went over the process for the development of the rental brochure, stating that the hope was the production would take place to make it available in the spring. Judith Bruce noted that while it was a good idea, modifications to the brochure should be made to redirect it towards appreciation of the resources within the Town of Orleans. Judith Bruce noted that renters would not be doing yard work as renters of a property, and Larry Minear noted that there was a separate brochure for renters for owners. Judy Brainerd concurred with Judith Bruce, stating that there was no need to bring up renters mowing a lawn, and that the brochure should be modified to have bullet points as opposed to long sentences. Jane Hussey suggested including information about not flushing items, and Rich Nadler suggested a punch list format. James Trainor commended the extensive direction, suggesting that homeowners could leave these in their homes for their renters. Rich Nadler inquired about the distribution, and Larry Minear suggested such locations as Town Hall, Real Estate Agencies, and Information Kiosks. The Commission suggesting making it electronic so that the Friends of Pleasant Bay may use it, as well as the Cape Abilities Welcome Buckets, could have it available for renters. Judith Bruce suggested having a volunteer work with

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Larry Minear and Carolyn Kennedy on development, and John Jannell asked that the Commission wait to vote to support this project until a budget could be provided including what the applicant would seek from the Commission. Bob Royce suggested as a member of the Marine and Freshwater Quality Task Force, said he would work with the applicants, and Jane Hussey volunteered to help edit the brochure as well. Judith Bruce asked that they return with a budget once this brochure was worked on, and thanked the applicants for their time.

Holiday Schedule – Vote to Cancel 12-24-13 Meeting

MOTION: A motion to cancel the December 24, 2013 meeting was made by Judy Brainerd and seconded by James Trainor.

VOTE: Unanimous.

Administrator's Business

- **Sea Call Farm Conservation Property**
 - Execute Annual License Agreement with Sea Call Supporters
 - Vote to fund window repair
 - Vote to fund chimney lining and stove installation
 - Vote to fund wood stove purchase subject to receipt of gift for said purchase by the Sea Call Supporters

John Jannell explained that every year in November the Conservation Commission executed an agreement with the Sea Call Supporters, and that this year there had been a caretaker agreement established, thus resulting in the modification of the Annual License Agreement. John Jannell went over the changes to the agreement, and Judith Bruce inquired about the Conservation Commission's responsibilities to cover expenses on the buildings versus the Sea Call Supporters. John Jannell explained that the Sea Call Supporters were no longer able to care for the building, and that this is one of two properties which the Conservation Commission owns a building. James Trainor inquired about who paid for the insurance on the building, and John Jannell stated that the Town of Orleans self-insures the building. John Jannell asked if there were any questions regarding the license agreement, and Steve Phillips inquired if the projects such as the rebuilding of the garage door and the repainting should have target dates for completion so that they were done in a timely manner. John Jannell stated that a list from the supporters was generally generated on an annual basis, and that they would have a year to complete it under the agreement. Jane Hussey inquired about additional ways to generate revenue for the property such as wedding rentals, and John Jannell explained that there was an account where the rental funds were collected and capped at \$10,000, and in turn to be used for the maintenance of the building. Steve Phillips commented that the Community Preservation Committee Funds (CPC) were separate, and John Jannell noted that the restoration of the Meadow had been funded by the CPC.

MOTION: A motion to sign the Sea Call Supporters annual agreement was made by Bob Royce and seconded by Judy Brainerd.

VOTE: Unanimous.

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MOTION: A motion to repair the windows was made by Judy Brainerd and seconded by Bob Royce.

VOTE: Unanimous.

John stated that the Sea Call Supporters were willing to purchase a wood stove for the building to supplement the oil heating system and that he was looking for a vote of support to fund the chimney lining. John Jannell explained that this was an added heat source for the building. Judith Bruce inquired if the caretaker would be able to use locust trees on site for fuel, and John Jannell said yes and explained that the chimney liner was to make it Fire Code compliance per Captain Felt's inspection. The Commission inquired about the age of the building as well as whether or not the chimney needed cleaning or waterproofing. Judith Bruce estimated the house to be built in the 1930's. John Jannell explained that there had been an estimate to clean the flu which did not exceed the \$200 threshold that required Conservation Commission approval, and that no leaks had been detected. John Jannell commented that they were trying to create a livable building to be used in the long term. The house was ineligible for blown in insulation due to the homasote walls, and that this additional heat would be for the cold winter months. Bob Royce asked that the work be code compliant.

MOTION: A motion to approve the funding for the chimney and the stove was made by Steve Phillips and seconded by Jane Hussey.

VOTE: 4-0-1; Motion approve, James Trainor abstained, Bob Royce not present in the room during the final vote.

John Jannell announced that the expenditure to pump the septic system at Sea Call Farm, which had not been done since 1993, would be brought in front of the Commission at the following meeting. John Jannell stated that the Sea Call Supporters were pleased with how Sea Call Farm was looking, and Judith Bruce thought that it was good that housing was able to be provided to a Town Employee.

- **Putnam Farm Conservation Property**

- discuss status of Land Management projects
- vote to support access from Rock Harbor Road and to request of the County Commissioners an easement and rights to design and construct access.

John Jannell went over the materials circulated to the Commission, going over the Land Management Plan as well as the work done by AmeriCorps Cape Cod. John Jannell discussed the current access for the property, and the proposed construction access to be pursued with the County Commissioners if the Conservation Commission was in support. Judith Bruce inquired if it would be possible to locate the road further away from the resource areas as opposed to keeping the existing way, and John Jannell commented that they were trying to limit the amount of cut and fill to be completed. Rich Nadler inquired about the potential use for the property, and Steve Phillips thought that if the property was leased for farming that it would be used frequently. Jane Hussey felt that there would be a limited number of people using the property, and Steve Phillips asked if it was a popular location for dog walkers. John Jannell was not sure, and Rich Nadler felt that building a road would make it a more popular site. Steve Phillips inquired if NStar had made any comments on the proposed

roadway since they had an easement over it, and John Jannell said that Town Counsel had looked over the document, and that NStar had a lease over County property. John Jannell noted that if they were successful in getting this approved on the County level, Town and County Counsel would be working together on it. Rich Nadler inquired if this would tie into the road next to it, and John Jannell asked if he meant the bike path. Judith Bruce pointed out that access to the bridge was not possible unless crossing through a wetland, and Jane Hussey questioned if a site visit of the property could be scheduled. James Trainor inquired about the action needed to be taken today, and John Jannell asked that the Commission provide a vote of support to request the Selectmen's support of this proposed work. John Jannell pointed out that if support from the Selectmen's office was received, the next step would be for John Jannell to approach the County. David Dunford, Selectmen liaison for the Conservation Commission, asked if the access would be from Rock Harbor Road, and where users would park their vehicles. James Trainor pointed out that there was some parking spaces on the farm, and John Jannell said that although they did not have an improved parking stall area, if they were able to bring in this dedicated access, the next step would be to approve a 6-stall parking area.

MOTION: A motion to provide a vote of support to request that the Selectmen send a letter requesting this dedicated access to Putman Farm was made by Judy Brainerd and seconded by Bob Royce.

VOTE: Unanimous.

- **Crystal Lake Conservation Area**

- Tree pruning for safety and deadwood (Town of Orleans and Bartlett)

John Jannell announced that deadwood and safety pruning was being done by Dan Connolley, Tree Warden for the Town of Orleans, in conjunction with Bartlett Tree Experts, and that this work would largely take place during the winter months.

- **24 Beach Road DEP Appeal**

- Agents report RE: DEP On-Site held 11/20/13

John Jannell reported on the on-site at 24 Beach Road with DEP, and Judith Bruce inquired if a report would be issued. John Jannell stated that DEP would either be issuing a Superseding Order of Conditions (SOOC) or a Denial, and Rich Nadler inquired if DEP was looking for something within the Order of Conditions (OOC) issued. John Jannell explained that DEP was conducting a review of the current Order of Conditions after a member of the public had filed for a SOOC with the Barnstable Superior Court System. John Jannell explained that if a SOOC was issued, the applicant would go forward with two OOC's on their property, which, when closed out at the termination of the work, would require two Certificate of Compliance requests.

Correspondence

Memo from Marine and Fresh Water Quality Task Force RE: Boland Pond run-off.

John Jannell announced that no discussion was necessary for this letter, but that it was just circulated for the Commission's benefit.

The Commission discussed the site visits.

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The meeting was adjourned at 10:38am.

Respectfully submitted,

Erin C. Shupenis, Principal Clerk, Orleans Conservation Department