

Orleans Conservation Commission
Town Hall, Nauset Room
Work Meeting, Tuesday, May 27, 2014

PRESENT: Judith Bruce, Chair; Steve Phillips; Vice Chair; Bob Royce; James Trainor; Judy Brainerd; Rich Nadler, Associate; Jane Hussey, Associate; Kevin Galligan (Associate); John Jannell, Conservation Administrator.

ABSENT: Jim O'Brien.

For the purpose of today's hearing, Rich Nadler and Jane Hussey will be voting members.

8:30 a.m. Call to Order

Continuations

Last Heard 5/20/14 (JO1)

Cove Partners, LLC, 160 Tonset Road. by Ryder & Wilcox, Inc. Assessor's Map 27, Parcel 6. The proposed demolition of an existing 2 bedroom dwelling & shed, & replacement with a new single family dwelling, garage, septic system, utilities, grading, & hardscaping. Work will occur within 100' of a Coastal Bank. John Jannell announced that a request to continue the hearing to June 3rd had been received and the Commission could accommodate this request with a vote.

MOTION: A motion to continue the hearing to June 3rd was made by Bob Royce and seconded by Judy Brainerd.

VOTE: Unanimous

Revised Plan

Warren C. & Carol Marsh, 30 Tides End Lane. 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 has been revised to reduce the footprint of the house & reconfigure the deck 2' closer to the Top of the Coastal Bank. Work will occur on a Coastal Bank, in Land Subject to Coastal Storm Flowage, & within the Pleasant Bay A.C.E.C. David Lyttle of Ryder & Wilcox, Inc., was present. David Lyttle outlined the proposed changes to the site plan, and listed the changes associated with work within the 50, 75, and 100' buffer zones. David Lyttle stated that although the applicant had additional windows proposed with the new house design, they planned to use low emissivity glass. Bob Royce inquired about the original height of the building versus the proposed, and David Lyttle said that the original height from the top of the foundation to the ridge, of 26.4', would remain the same with the proposed building. Steve Phillips inquired about the Land Management Plan which had accompanied the initial hearing process, and while David Lyttle provided a brief overview of the Land Management Plan, also noted that the Land Management and Restoration Plans would be completed as conditioned in the Order.

MOTION: A motion to accept this Revised Plan was made by Bob Royce and seconded by Judy Brainerd.

VOTE: Unanimous.

Certificate of Compliance

Franklin & Kimberly Moss (2012), 46 Old Field Road. The request for a Certificate of Compliance for an Order of Conditions for proposed landscaping; the rebuilding of stairs & second floor deck attached to an existing single family dwelling; & mitigation plantings. David Lyttle of Ryder & Wilcox, Inc., was present. John Jannell explained that this was an Order of Conditions which had an area of mitigation planting that is required to survive 3 years prior to the issuance of a Certificate of Compliance, and that this condition had not yet been met. Additionally, there was an existing chain link fence on the property which had been extended on the Coastal Bank without the permission of the Conservation Commission, and therefore John Jannell did not recommend that the Commission issue the Certificate of Compliance at this time. Judith Bruce asked if the fence completely enclosed the area, and David Lyttle said no. David Lyttle commented that he would work with the Conservation Administrator to determine what needed to be done to rectify the new fence which had been installed, and inquired if the site otherwise looked good. John Jannell said that the plants looked good and that the building work had been completed per plan, but that the plantings needed their additional time, and that the fence extension had been installed without permission. David Lyttle pointed out that while the fence had been extended a few sections along the Coastal Bank, it remained open for critter passage.

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

VOTE: Unanimous.

Sheeps Pasture Point LLC (2008), 3 Sheeps Pasture Point. The request for a Certificate of Compliance for an Order of Conditions for the construction of 3 dormers, a balcony, renovations, reconfiguration of a driveway, & installation of drainage. John Jannell commented that a final report from Wilkinson Ecological Design was submitted in conjunction with the Certificate of Compliance request. John Jannell reported that a site visit was conducted, and demonstrated that the Order was in substantial compliance.

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

VOTE: Unanimous.

Administrative Reviews

Dennis J & Elizabeth Murphy, 11 Windy Hill Lane. The proposed replacement of an existing septic tank with a new septic tank. John Jannell explained that this was an existing septic tank to be replaced within existing lawn area, and that a down tree would also be cut and removed as part of this application. Judith Bruce confirmed that there would be no change to the leaching field as part of this application, and John Jannell reported that it was only the septic tank to be replaced as part of this application.

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

VOTE: Unanimous.

Bob Barry, 5 Little Marsh Lane. The proposed planting of 2 Blue Spruce and 5 Cherry laurels. Work to be done by John Fougere, Inc. John Jannell explained that some of these trees were to be located on and outside of the 100' buffer line to provide live screening of a property line.

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

VOTE: Unanimous.

Nancy & Neal McGrath, 3 Marshwind Lane. The after the fact clearing of an area and the proposed removal of invasive vines and planting of native trees and shrubs. Work to be done by Tom Strangfeld. John Jannell explained that the applicants had started to remove vines and plants within Conservation Commission jurisdiction, and after being told by a neighbor that they were working within jurisdiction, immediately stopped. John Jannell went over the resource area on site, and that the applicant would be removing the bush honeysuckle and replanting the area. An After the Fact fee had been taken in by the Conservation Department and that it was a small area of disturbance which now had a good planting plan.

MOTION: A motion to approve this after the fact application was made by Bob Royce and seconded by Jane Hussey.

VOTE: Unanimous.

Joshua Rosenboom, 28 Viking Road. The proposed removal of a leaning tree. John Jannell went over the site of the tree to be removed, noting that the applicant would be cutting and removing this wind damaged tree.

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

VOTE: Unanimous.

Betty Taggart, 14 Blueberry Lane. The proposed test holes for perk tests. John Jannell explained the applicant would have a mini excavator driving through the buffer zone in order to access the test hole site outside of Conservation Commission jurisdiction.

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

VOTE: Unanimous.

Other Member's Business

Administrator's Business

John Jannell announced that he and the Natural Resources Manager approved the location of a survey benchmark in the Cape Cod National Seashore to aid in a Marsh Elevation Survey. John Jannell noted that it was a ½" steel rod which was driven in at a

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stable depth, and was part of a network of survey benchmarks throughout the National Seashore. The benchmark is located in the salt marsh on Nauset Beach South.

The Commission discussed the site visits.

The meeting was adjourned at 8:54am.

Respectfully submitted,

Erin C. Shupenis, Principal Clerk, Orleans Conservation Commission