

**Orleans Conservation Commission**  
**Town Hall, Nauset Room**  
**Work Meeting, Tuesday, August 26, 2014**

ORLEANS TOWN CLERK  
*C. May*  
'14 SEP 8 11:18AM

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

**ABSENT:** Jim O'Brien.

*For the purpose of today's hearing, Jane Hussey will be a voting member.*

8:30 a.m. Call to Order

**Continuations**

Last Heard 8/5/14 (JO1)

**Thomas & Teresa Healy, 36 Arey's Lane.** by East Cape Engineering, Inc. Assessor's Map 62, Parcel 48. The proposed removal of an existing garage & driveway, construction of a new garage, driveway, deck, pool, pool house, & perform vegetation improvements. Work will occur within 100' of the Edge of Wetland & Coastal Bank, & on a Coastal Bank, in Land Subject to Coastal Storm Flowage, & within the Pleasant Bay A.C.E.C. John Jannell announced that the engineer had requested that the hearing be continued to September 9, 2014, to provide the Commission with the necessary revised materials.

**MOTION:** A motion to continue the hearing to September 9<sup>th</sup> was made by Bob Royce and seconded by Judy Brainerd.

**VOTE:** Unanimous.

**Certificate of Compliance**

**James & Colleen Young (2005), 10 Towhee Lane.** The request for a Certificate of Compliance for an Order of Conditions for the construction of additions to an existing dwelling. John Jannell went over the file history for this project, explaining that a previous Certificate of Compliance request had been denied because the buffer zone needed additional plantings. Since that time, the applicants had completed the additional work, the property was now in substantial compliance, and the Commission could close out the Order.

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

**VOTE:** Unanimous.

**Administrative Review**

**Sarah Fisher, 29 Henson's Way.** The proposed removal of dead locust snags and bittersweet vines. Work to be done by applicant. John Jannell told the Commission that the applicants had received approval for this work last year, and wanted to continue to remove bittersweet from the existing trees.

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

**VOTE:** Unanimous.

**Rebecca & Douglas Fellows, 62 Captain Linnell Road.** The proposed removal of 8-10 dead trees threatening house. Work to be done by Azinger Landscape. John Jannell passed around photos of the site, noting that the resource area was Namskaket Creek where a lot of dead oak was present. John Jannell asked that the Commission hold the application so that he may speak with the homeowner and/or landscaper about some of the trees which had been flagged and should not be removed under this application. The Commission began discussing trees within their neighborhoods that had fallen victim to various pests, and the overall impacts. Judith Bruce suggested a list which gives the public general ideas about what trees would be best to replant for individual soil conditions. Judith Bruce felt that for the amount of trees proposed to be removed that the applicant should replant, and John Jannell said that he would reach out to the homeowner and/or landscaper and bring the application back in front of the Commission.

**Phillip Mullen, 148 Beach Road/5 High Street.** The proposed relocation of 3 cedar trees. Work to be done by HF Johnson Tree. John Jannell went over the existing site conditions, and passed around photos of the site. The Commission inquired about the motivation for the moving of the trees, and if this type of relocation was best for survivability. John Jannell had spoken with the homeowner, who said that HF Johnson Tree had successfully spaded a tree at the property earlier in the year, and that this relocation was to provide screening as well as enhance the present meadow on site. Kevin Galligan pointed out that although they could not condition an Administrative Review, he was concerned about the Blue Spruce adjacent to the trees to be relocated. John Jannell said that he could include a note in the file to provide a bread crumb, and Judith Bruce suggested it include something about the survivability of the trees. John Jannell reiterated that while they could not condition any approval, he would make a note on the filing.

**MOTION:** A motion to approve this work was made by Judy Brainerd and seconded by Jane Hussey.

**VOTE:** Unanimous.

**Phil Benton, 34 Twinings Lane.** The proposed reduction of all oak species in rear to 2-3'. Work to be done by Bartlett Tree Experts. Judith Bruce recalled that this was an annual request, and John Jannell confirmed that this was view pruning of a filtered view which had taken place since 2006.

**MOTION:** A motion to approve this Administrative Review was made by Steve Phillips and seconded by Jane Hussey.

**VOTE:** Unanimous.

**Kate Sullivan, 73 Barley Neck Road.** The proposed removal of 4 black locusts. Work to be done by Bartlett Tree Experts. John Jannell passed around photos of the site, and explained that these trees were not threatening the house, and were the only screening trees from the resource area. Judith Bruce suggested that the applicant may plant some trees in this area, and then come to the Commission after the new trees had become established to remove the 4 black locusts.

**MOTION:** A motion to deny this application was made by Jane Hussey and seconded by Judy Brainerd.

**VOTE:** Unanimous; application denied.

John Jannell noted that in the denial he would make the applicant aware of the Commission's desire for replanting and establishment of screening trees prior to the black locust removal.

**Jen Burton, 13 Quail Hill Road.** The proposed removal of 5 trees. Work to be done by Jimmy Reynolds. John Jannell noted that this and the following application were renewals for work which did not take place during the year-long approval of the Administrative Review. John Jannell noted that the applicant hopes to complete the work within the next year.

**MOTION:** A motion to approve this application was made by Jane Hussey and seconded by Steve Phillips.

**VOTE:** Unanimous.

**Jen Burton, 13 Quail Hill Road.** The proposed replacement of an existing deck. Work to be done by Brendan Parker. John Jannell explained that this was also previously approved and had expired. The applicant wishes to renew it to allow for the project to go forward this year. Kevin Galligan asked if there had been any changes to the proposal or the site, and John Jannell said no, the application was the same and no work has yet taken place.

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

**VOTE:** Unanimous.

### **Chairman's Business**

Approval of the Minutes from the Meeting on April 1, 2014.

These minutes were not available for Commission approval at this time.

Approval of the Minutes from the Meeting on August 12, 2014

**MOTION:** A motion to approve this set of minutes was made by Steve Phillips and seconded by Judy Brainerd.

**VOTE:** 6-0-1; Motion approved, Kevin Galligan abstained

### **Correspondence**

Orleans Charter Review Committee

Judith Bruce announced that the Orleans Charter Review Committee sent out a survey for the Conservation Commission members to fill out the appointed portion. Steve Phillips pointed out that there was a copy of the Charter on the website as well for anyone to review, and Judith Bruce said that everyone was encouraged to read the Charter and see if there was anything to change or raise for discussion. Kevin Galligan pointed out that the surveys needed to be completed by September 15<sup>th</sup>.

### **Other Member's Business**

Request to Expend up to \$400 from the Wetland Filing Fees account for Commissioner Training. John Jannell reported that these funds were for attendance of the Fall MACC conference as well as webinar trainings, and that if the Commission accommodated this

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with a vote, the Board of Selectmen would then vote on whether or not this was an appropriate expenditure.

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

**VOTE**: Unanimous.

### **Administrator's Business**

#### **Site Visits**

The Commission discussed the site visits.

The meeting was adjourned at 8:57

Respectfully submitted,

Erin C. Ellis, Principal Clerk, Orleans Conservation Department