

**Present:** Chairman Jay Putnam, Paul Chamberlin, John Geiger, Carol Scott, Billie Bates, Dee Dee Holt, Conservation Agent Kristin Andres (5:00 PM ) and Secretary Mary Fougere.

**20 Shore Road, Richard/ Nell Pinkert :** The hearing was re-opened for a Request for Determination of Applicability (RDA) for the proposed elevating existing dwelling, proposed excavation for a foundation, proposed construction of an addition , installation of new septic system, proposed construction of new driveway & removal of old and proposed construction of trench drain at 20 Shore Road. Terry Eldredge of Eldredge Surveying & Engineering LLC represented the applicant. He circulated a colorized aerial photograph of the Shore Road/Watch Hill Way area with flood contour overlay and his narrative/presentation. As a result of the previous meeting, Ms Andres had submitted a list of unanswered questions to Mr. Eldredge prior to the hearing:

- ▲ Will the driveway be pervious--Mr. Eldredge stated that it would be pervious except for an apron
- ▲ Who owns the rabbit fence in the back yard
- ▲ How much of the new building and hard-scape are located in the AURA to the Flood Plain
- ▲ Is mitigation provided by the applicant

Mr. Eldredge stated that at the last public hearing for the RDA, the Commissioners noted that based on the FIRM (Flood Insurance Rate maps), a flood plain existed in close proximity to the subject property. He felt that there was a question as to how well the area of concern was mapped; a copy of Sheet 6 of the FIR work Map was brought to the table. The Chatham mapping of Flood plain is much more accurate according to Mr. Eldredge.

Mr. Eldredge proceeded with a detailed discussion regarding the manner in which Flood Plain is determined based on aerial topographical mapping. The results of his work indicate that the Flood Plain ends at Watch Hill Way.

**It was moved, seconded and voted for a Positive Determination. It was moved, seconded and voted to require the applicant to file a Notice of Intent (NOI) for the proposed work. There was a lot of work being proposed which the Commission will want to condition, which is not possible under an RDA. Additionally, the Commission questioned whether there were two wetland resource areas to consider, the Flood Plain and a wetland between the two properties which is very woody and wet. This wetland appears to have been reduced in size over time by lawn area, but nonetheless, the area is wet. Mr. Eldredge will review.**

The proposal is scheduled on ZBA agenda for September 24, 2009, the Commission agreed that although there are several issues to clarify with respect to the flood plain, the project will be condition able; there is no need to postpone the ZBA hearing for the Commission to gather more information.

**20 Shore Road, Pinkert:** The following comment letter to ZBA was read:

The Commission has reviewed the Eldredge Surveying & Engineering LLC plan dated July 22, 2009 for the proposed elevation of an existing dwelling on a new, full foundation, the addition of a garage and deck, the construction of a new 110 ft long pervious driveway with a trench drain, a retaining wall and the re-location of the septic tank at the above address.

The property is impacted by the following resource areas:

- ▲ A Bordering Vegetated Wetland (BVW) to the west (across Shore Road)
- ▲ A BVW to the east( which appears to have been filled and is maintained as lawn on the neighboring property )
- ▲ A Coastal Flood Zone (elevation 10.0 ft) along the east property line, which is not shown on the plan

The proposed addition, deck and part of the driveway are within the 50-ft No-Disturb Zone (NDZ) to the Flood Plain.

This property, as well as the abutting properties, are heavily developed home sites with very little native vegetation and minimal natural wildlife habitat. The proposed addition, deck and driveway will replace what is currently managed turf lawn. Nevertheless, the Commission is likely to require appropriate mitigation for the increased structural and hard-scope coverage within the Adjacent Upland Resource Area (AURA)

With the receipt of an appropriate mitigation plan from the applicant, the Commission believes this project can be conditioned to minimize additional adverse impact to the nearby resource areas.

**39 Countryside Drive, Sara Young, SE 10-2574:** The hearing was re-opened for a Notice of Intent (NOI) for the proposed Clearing of existing walkway to existing dock on Muddy Creek and proposed landscaping at 39 Countryside Drive. No one was present to represent the applicant. A file number had been received from DEP; **it was moved, seconded and voted to close the hearing.**

**39 Countryside Drive, Sara Young, SE 10-2574:** It was moved, seconded and voted to accept the Nobska Design Landscape plan dated August 28, 2009. **An Order of Conditions was written.**

**24 & 30 Bridge Street, Vose/Hen Coop Point Realty Trust, SE 10-2569:** The Zoning Board of Appeals (ZBA) had requested comment on the proposal at 24 & 30 Bridge. The following comment letter was read into the record:

The Commission has reviewed the Clark Engineering LLC plan dated July 14, 2009 revised August 18, 2009 for the proposed demolition of an existing dwelling and garage and the construction of a new dwelling, garage and deck on a new footprint at the above address.

Most of the subject property is within a Coastal Flood Zone at elevation 10.0 ft and all of the new construction is within the 100-ft Adjacent Upland Resource Area (AURA) to the Flood Plain contour. The upland portion of the property is substantially developed and there will be little, if any, disturbance of native vegetation.

The new dwelling is proposed to be further away from the resource area and the garage will be re-located outside the flood zone. The enlarged house, new deck and proposed driveway and parking area extensions represent a total of approximately 2,000 sq ft of increased buildings and hard-scape coverage in the AURA for which the applicant has proposed nearly 3,000 sq ft of mitigation plantings.

The Commission has determined that moving the house back from the flood plain, removing the garage from the flood plain and the re-planting of 3000 sq ft of disturbed area are sufficient mitigation for the for the proposed expanded building & hard-scape coverage on this property. The Commission found that this project can be conditioned to avoid all adverse impact to the adjacent resource areas.

**39 Eliphamets Lane, Dowd/Hrones:** The ZBA had requested comment on the proposed installation of an outdoor gas grill supported on sono tubes, as shown on the Ryder & Wilcox plan, at the above address. The Commission reviewed the comment letter they had sent to the ZBA for the screened porch and shed addition reviewed under a Request for Determination earlier in the year.

It was agreed to accept an "as built" plan when the work is completed including the location of the new grill and the mitigation plantings that the applicant had agreed to install. The applicant has agreed to add

an additional 10sq ft of mitigation for the grill area in addition to the mitigation agreed upon during the RDA process. It will be necessary for the applicant to provide a landscape sketch for the Agent to review.

**56 Stage Island Rd, Hester, SE 10-2561:** It was moved, seconded and voted to approve the Heather Wright Landscape Design plan dated May 20, 2009 for the creation of a 3-ft wide pathway in an existing right-of-way at 56 Stage Island Road. **An Order of Conditions was written.**

**42 Harbor View Lane, Sherin, SE 10-2459-Amended:** It was moved, seconded and voted to approve the Hawk Design, Inc plan dated September 9, 2009 for landscape changes and addition of a firepit and parking area at 42 Harbor View Lane. **Additional Special Conditions were written.**

**Pcl 4 North Beach, Hammatt et al, SE 10-2566:** It was moved, seconded and voted to approve the partial Eldredge Surveying & Engineering "Camp Re-location Plan" at Pcl 4 North Beach. **An Order of Conditions was written.**

It was noted that there is still a lot of non-composting building debris left on the beach and the deadline for it's removal has passed.

**North Beach, Town of Chatham & National Park Service, SE 10-2571:** It was moved and seconded to approve the aerial map with GIS points showing location of proposed road and Project description for North Beach. The vote was five Commissioners in favor, 1 opposed. **An Order of Conditions was written.**

**Approval of Minutes:** The minutes of July 1, 2009, September 1, 2009, September 2, 2009 and September 9, 2009 were approved as amended at the table.

**811 Fox Hill Road, Murray, North Chatham Landscape :** The applicant's have a permit to re-landscape and grade in order to make a more usable yard area at 811 Fox Hill Road. A large tree (Elm variety) is in declining health; the applicant would like to remove the Elm and re-plant a large tree elsewhere on the property.

**The Commission agreed that the work could proceed under an Administrative Review.**

**55 Linnell Lane, Kindler:** Photographs of the proposed work were circulated. The applicant would like to remove three dead lilac, and prune a couple oaks. The Commission felt that this work could proceed under the Administrative Review, but the removal of a large, linden tree would require filing an RDA.

**Reminder:** Ms Andres reminded the Commissioners to submit any questions they may have after hearing the consultants's reports on the Eastward Ho! filing.

**Adjournment:** It was moved, seconded and voted to adjourn the meeting at 6:00 PM.

Respectfully submitted,  
Mary Fougere, Secretary