

Chatham Conservation Commission
MINUTES November 2, 2011
The Annex 261 George Ryder Road
7:00 Hearings & Continued Hearings

Present: Chairperson DeeDee Holt, John Geiger, Paul Chamberlin, Billie Bates , Associate Stephanie Hamilton , Conservation Agent Kristin Andres and Secretary Mary Fougere.

Absent: Commissioners Steve Kuzma, Bob Lear, Carol Scott and Associate Member Jackie Meaney

The Chair announced that the meeting was being audiotaped; when queried, no one in the audience was audiotaping the meeting as well.

Town of Chatham, Town-wide & Morris Island Cut, SE 10-2759: The hearing was re-opened for receipt of a file number from DEP for the proposed Dredging & Disposal of dredged materials; proposed combination of 7 dredge sites and 17 dredge material disposal sites, Town-wide, including Morris Island cut. There was no one present to represent the applicant. The Agent stated that although a file number has been received, the Commission was still awaiting comment from the Shellfish Constable. Additionally, the Shellfish Advisory Council was meeting next week and this application was being discussed by them at that time.

It was moved, seconded and unanimously voted to continue the hearing to December 7, 2011 to allow the Shellfish Advisory Committee and the Shellfish Constable to review the project and offer comment.

7 Easy Street, Chatham Family Properties LLC, William Coon, SE 10-2750 :The hearing was re-opened for a Notice of Intent (NOI) for the proposed construction of screened porch and deck expansion onto an existing dwelling with proposed mitigation planting at 7 Easy Street. No one was present to represent the applicant. The project had been reviewed by the Zoning Board of Appeals (ZBA) on October 27, 2011.

It was moved, seconded and unanimously voted to continue the Conservation hearing to November 9, 2011 for receipt of the ZBA decision letter.

18712 North Beach, Alison Adams, SE 10-2756: The hearing was re-opened for An NOI for the proposed re-location of existing camp on same property at 18712 North Beach. J Thaddeus Eldredge of Eldredge Surveying & Engineering LLC represented the applicant. The Commissioners and the Associate Members had visited the site on October 6 or October 17, 2011.

Documents for referral:

- Series of undated photographs submitted by Mr Eldredge showing existing site conditions
- North Beach Camp Re-location outline submitted with the original NOI application

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- Comment letter from NHESP, dated October 17, 2011
- Camp Relocation Plan dated 9-12-2011
- All other documents submitted to file to date

Mr Eldredge stated that after the last storm on October 27, 2011, the flood water is now underneath the camp as shown in the photos he submitted. There are no proper pilings underneath the camp for adequate support, therefore the camp is in a precarious location. He was seeking suggestions from the Commission regarding the most suitable location for a move of the structure.

The proposed relocation shown on the site plan probably will not buy enough time, therefore two viable options would be to simply anchor the camp in its current location or re-locate the camp to another point not currently proposed. He stated that the NHESP comment letter was favorable to his original proposal, currently the camp is located far away from Plover habitat.

The logistics of the proposed move were discussed. There is an existing depression ("bowl") that would have to be negotiated by the movers to get the camp to the proposed location. Under the current proposal, the camp would be put up on cribbing and it would be necessary to build a bridge system to move the camp downhill and then uphill to get the camp up to the edge of the depression to its new site. Mr Eldredge stated that there is at least one mover who would move the deck with the camp. If the deck were not moved, it would be necessary to build a set of steps for access to the camp at its new location.

Commissioner Chamberlin asked if the camp could simply be moved into the "bowl" area; the area proposed for the new location is at the edge of a well vegetated dune. Other camps that had been re-located were placed in non-vegetated areas. Commissioner Geiger stated that he was reluctant to discuss the issuance of an Emergency Certification for removal of the camp, as offered by Mr Eldredge, and asked if this application could include a work protocol for the demolition and removal as an option to the move.

The Commission expressed concern that there was a lot of debris (propane tanks, wood, etc) that had built up under and around this camp. Whether the camp was moved or not, the debris must be cleaned up.

It was moved, seconded and unanimously voted to continue the hearing to November 9, 2011 for receipt of a work protocol for removal of the camp.

238 & 294 Cranberry Lane (N Chatham), 4 Winds Trust & 238 Cran Ln LLC and Foster Family Nominee Trust- owners, David Foster-Applicant, SE 10-2699: The hearing was re-opened for an Re-opening of hearing for proposed construction of stone revetment and related Bank stabilization measures at 238 & 294 Cranberry Lane. Bob

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Perry of Cape Cod Engineering , Inc represented the applicants. He acknowledged the length of time that the applications has been under review and stated that the applicants have decided to forego the revetment plans and proceed with sand fill/nourishment as suggested by the Commission.

Documents for Review:

- Topographic site plan dated October 11, 2011
- All other documents submitted to file to date

Per Mr Perry, the applicants would also like to include patio and stone wall repairs on the north and western side of the dwelling, extension of an existing post and rail fence an additional 30 ft at the top of the coastal bank and the installation of a decorative fence near the patio in this permit. Additionally, the original proposal included some re-grading on the eastern side of the house to get stormwater to flow in a westerly and southwesterly direction.

Sand fill is proposed below the top of the coastal bank as well as at the western edge of the boathouse. The sand will be sacrificial in nature and will allow the applicants to develop the erosion rate proof that may be necessary in the future. Currently, the applicant does not want to re-vegetate the area until he can see that the sand will last. The Agent stated that by planting beach grass plugs or native shrubbery above the fill will help the bank to stabilize faster. The applicant is willing to plant seed only at this time.

Discussion ensued regarding the weather related erosion at the top of the bank , especially during a northeast storm event. Erosion control matting would help this type of erosion.

It was moved, seconded and unanimously voted to close the hearing.

64 End Lane aka 64 Far End Lane, Deep End Property, Inc-owner, Christopher Rogers- applicant, SE 10- 2702: The hearing was re-opened for an NOI for the proposed installation of fiber rolls at end of stone revetment at 64 End Lane aka 64 Far End Lane. No one was present to represent the applicant. **It was moved, seconded and unanimously voted to continue the hearing to November 16, 2011.**

497 Orleans Road, Marsh, SE 10-2757: A draft Order of Conditions was reviewed. It was moved, seconded and unanimously voted to approve the Clark Engineering LLC plan dated 10/26/2011 for the proposed construction of a raised berm and planting at 497 Orleans Road. **An Order of Conditions was signed.**

87 Aunt Nabby's Lane, Lebovits, SE 10-2746: William Riley, Esq was present to discuss the Order of Conditions recently issued by the Commission. He acknowledged

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that the applicant's representatives had failed to address the desire of the applicant to maintain an existing wooden walkway on a permanent basis.

Documents for Review:

- Reduced size copies of Lombardi landscape plan dated June 16, 2011 revised Aug 10, 2011
- All other documents submitted to file to date

Mr Riley stated that although the Order addresses the seasonal removal of the walkway, the applicants had intended to keep it in place on a permanent basis. The reconstructed walkway in the existing path area will be the same width as currently exists, somewhat shorter in length. The walkway will set on grade and grasses and vegetation will be allowed to grow up through the decking material.

The Commission agreed that the seasonal removal of the walkway may cause more erosion potential by the disturbance to the vegetation. **It was moved, seconded and unanimously voted to strike the word "seasonal" from the Order of Conditions that refers to the walkway from the patio.**

Discussion re: Request for Proposal: Commissioner Geiger stated that for several months the Commission has expressed the need for revisions to the existing regulations. Some revisions may be minor, other sections of the local regulations may need more substantive review. He acknowledged that staff does not seem to have the time to devote to a comprehensive review of the regulations and that as a board, the Commission should vote to commit funds for this purpose. There are some funds that the Commission can use on a discretionary basis, while leaving monies intact for the hiring of consultants for special projects.

Commissioner Holt felt that it may be necessary to prioritize the areas of the regulations that need review more so than others prior to the committal of funds, so that any funds may be used more prudently.

Commissioner Chamberlin felt that before funds are committed, there should be a wider attendance by Commissioners. **It was moved, seconded and unanimously voted to continue the discussion to the work session on November 9, 2011.**

The following projects were **approved under an Administrative Review:**

- **657 Fox Hill Road, Coburn** : Planting on a coastal bank; removal of two dead cedars for access. **Unanimous approval.**
- **213 Seapine Rd, MacNaughton:** Second Story construction on the landward side of an existing dwelling. **Unanimous approval.**

213 Seapine Road, MacNaughton: The Zoning Board of Appeals (ZBA) had requested comment on the second-story proposed construction. There were no Environmental issues to be addressed; The Agent would comment to the ZBA.

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The following minutes were approved as amended at the table:

- May 25, 2011
- June 8, 2011
- June 22, 2011
- Oct 5, 2011
- Oct 19, 2011

646 Orleans Rd, Bearse, SE 10-24; A Certificate of Compliance was signed for SE 10-24 for the construction of a coastal stairway at 646 Orleans Road.

Reminder: Monday, Nov 21, 2011, 4pm meeting will be a work session; the regularly scheduled Wed. work session (Nov 23, 2011) will not be held.

Adjourn: It was moved, seconded and unanimously voted to adjourn the meeting at 9:40 PM.

Respectfully submitted,
Mary fougere, Secretary