

Present: Chairman Jay Putnam, Vice Chair DeeDee Holt, John Geiger, Paul Chamberlin, Carol Scott, Billie Bates, Conservation Agent Kristin Andres and Secretary Mary Fougere.

Off Salt Marsh Way and Off Anne Blair's Road, Edgar/Sarah Ackerman, SE 10-2558: The hearing was re-opened for a Request to Amend existing Order under SE 10-2558 to include proposed expansion of the scope of invasive species removal work to include areas around vernal pool and proposed driveway alterations Off Salt Marsh Way and Off Anne Blair's Road. Jeff Thibodeau of Gregory Lombardi Design and Russell Holden of Ryder & Wilcox Inc represented the applicant. Mr. Thibodeau reviewed the revised R & W plan dated November 23, 2009 showing the proposed installation of a drainage system on the northeast corner of the driveway off Salt Marsh Way. He noted that the soil condition data was extrapolated from the septic design and that there were no additional test holes done.

The entire new driveway will be paved; the drainage calculations were based on the driveway being paved; they included the meadow area and the area up to the 49-ft contour. A design of the drainage components was submitted by Mr. Holden. Should changes become necessary in the drainage design, the Commission would accept an "as built" plan.

The Commission agreed that additional mitigation plantings will be necessary for this change; the Commission felt that the additional plantings should be put in the vernal pool area. The density of the plantings will be determined by consultation with Mr. Thibodeau and the Agent.

Strong Island, Jay Cashman-applicant, Chatham Conservation Foundation-owner, SE 10-2516: The hearing was re-opened for a Request to Amend existing permit under SE 10-2516 to include proposed demolition of the existing dwelling and construction of a new dwelling on a new footprint; the addition of 4 barge trips for transport of materials; proposed changes to the work protocol; hiring of environmental consultant and obtaining a survey of the ocean floor at Strong Island. At the applicant's request, **the hearing was continued to December 2, 2009.**

250 Kendrick Road, Alan/Joan Smith-owner, Robert B Burlin Trust-owner, Katherine Burlin & Mary Jane Hayden, Trustees, SE 10-2590: The hearing was re-opened for a Notice of Intent (NOI) for the proposed trimming of trees for view preservation at 250 Kendrick Road. Several Commissioners and the Agent met with arborist Ron Marzilli on-site on November 23, 2009. The 100-ft delineation from the resource area was not staked in the field and Commissioner Bates questioned whether there was another resource area adjacent to the property. Photographs were taken of all the areas that were discussed at that meeting.

The Commission agreed that the applicants are mixing a project for view enhancement with a much larger scope project involving land management in this application. There was agreement that the view from the Burlin family dwelling is quite expansive and although the applicant may wish to restore the view from the 1940's, current regulations and practice will not allow that. The Smiths had planted some evergreen trees since the last view pruning and tree maintenance project was completed a couple years ago. The trees have died and there is no plan to plant in this application. It was felt that if the Commission could approve a portion of the proposed work and agreed to permit the following:

- Trimming the large fir tree

- Pruning pines and oaks to the east
- Removal of dead pines (1 near the road and 1 tagged in the field) and removal of dead pine branches

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

52 Nickerson Lane, Stratford Wallace, SE 10- The hearing was re-opened for an NOI for the proposed demolition/removal of existing dwelling and proposed construction of new dwelling with associated utilities, decks, grading and new driveway at 52 Nickerson Lane. A file number had not been received from DEP; **the hearing was continued to December 2, 2009.**

Linnell Lane: Matt Farrell from J M O'Reilly & Associates Inc was present to address two concerns relative to the driveway project approved under SE 10-2413. There had been a slight amount of damage to Linnell Lane during a storm event in October. The damage was mostly in the area of the Doyle driveway where storm waters flooded the driveway entrance and moved some of the material out of the coir fiber wrapping. Additionally, the O'Reilly office had disclosed and reported their concern regarding the vertical face of the COIR envelope. Although the top of the envelopes have been successfully nourished and vegetated, the bottom and vertical portions of the envelopes are exposed. Further, these areas will be maintained until the COIR material degrades to the point that the envelopes break open and fail. This action will potentially result in the siltation of the adjacent wetland resource area with the fill material.

Mr. Farrell provided a narrative and diagrams detailing the proposed work to secure and maintain the rolls under the current Order of Conditions. The idea of the proposed work is to allow the coir material to become a root mass to hold the slope and avoid a catastrophic failure.

Commissioner Bates observed that the marsh appears to be migrating landward and that a culvert may become necessary in the future.

The Commission agreed to accept the proposal noting that the Agent will review the status of the work area periodically.

24 & 30 Bridge St, Hen Coop Point/Vose, SE 10-2569: It was moved, seconded and voted to approve the Clark Engineering LLC plan dated July 14, 2009 revised September 23, 2009 and the Phil Cheney Landscape Mitigation plan dated August 2009 for the proposed demolition and reconstruction of a single family home. **An Order of Conditions was written.**

85 Capri Lane, Lenihan, SE 10-2584: It was moved, seconded and voted to approve the Ryder & Wilcox Inc plan dated October 5, 2009 revised October 27, 2009 for the removal of the existing dwelling & shed and construction of a new dwelling on an enlarged footprint at 85 Capri Lane. **An Order of Condition was written.**

Off Salt Marsh Way, etc, Ackermann, SE 10-2558-It was moved, seconded and voted to approve the Ryder & Wilcox Inc plan dated November 11, 2009 revised November 23, 2009 for the Amendment request under SE 10-2558. Ryder & Wilcox will submit a revised plan for the file reflecting the discussion of today. **Additional Special Conditions were written.**

Approval of Minutes: The minutes of October 7, 2009 and October 21, 2009 were approved as amended at the table.

Zoning Board of Appeals Comment letters were written for the following properties:
75 Squanto Drive, Gorman, SE 10-2592
797 Old Queen Anne Road, Davis, SE 10-2588

37 Chatharbor Lane, Cramer, SE 10-2548- A previous letter sent to the ZBA was reviewed, minor changes made and approved

Conservation Commission Consultant Summary: Assistant Conservation Agent Lara Slifka had compiled information collected from various Cape towns regarding the use of consultants to review applications. The Commission has been considering guidelines on the use of consultants and was also interested in the process of how other towns select consultants and the financing of same.

The Commissioners discussed the following regarding hiring of consultants:

- Currently there are no guidelines; the local bylaw allows hiring of consultants at the expense of the applicant
- The few times that the Commission has used a consultant has been beneficial; the Commission tends to allow homeowners more slack in the application project than professionals
- The hiring of a consultant and the timing of same would be better handled if procedurally, the applicants were required to submit completed, fully documented applications prior to the hearing date. It may behoove the Commission to establish a checklist for the application process and make the checklist part of the regulations. The DEP mandates that an application is complete when the proper fees are paid, they do not have a detailed checklist
- The scope of the projects can determine whether a professional consultant is necessary for the Commission to review all aspects of the application. The Commission has two-on-going projects which required Special hearings, only one of which the Commission hired a consultant for. MACC recommends that Commissions use consultants

The following projects were approved under the Administrative Review process:

30 Avalon Point Rd, Tim Kent Landscaping: Removal of three pines

The following projects were not approved under Administrative review:

30 Avalon Point Rd, Tim Kent Landscaping: Removal of dead pine, planting on the coastal bank; this property is within the ACEC and the scope of the work requires the filing of a Request for Determination of Applicability

36 Windmill Lane, Tim Kent Landscaping: Removal of pines; project is in the flood plain and will require the filing of a Request for Determination of Applicability

Special Meeting Reminder: November 30, 2009 meeting at 4 PM in The Selectmen's meeting room, re: Eastward Ho. Consultant John Ramsey will be present.

Reminder: Strong Island ----Next hearing regarding the Order of Conditions will be at 2 PM on December 2, 2009

Conservation Conversations: The most recent newspaper article addressed the removal of invasive plants; Commissioner Scot noted that this was a timely topic and noted that the Boston Globe and the Cape Cod Times both had articles on the same subject recently.

Adjournment: It was moved, seconded and voted to adjourn the meeting at 6:30 PM.

Respectfully submitted,
Mary Fougere, Secretary