

**Present:** Chairman Jay Putnam, Paul Chamberlin, Vice Chair DeeDee Holt, Robert Lear, Carol Scott, John Geiger, Billie Bates, Associate Member Patty Morrison, Conservation Agent Kristin Andres and Secretary Mary Fougere.

**Pcl RC1 Old Queen Anne Rd (Access via 225 Indian Hill Road North) Chatham Conservation Foundation, Inc, SE 10- 2632:** The hearing was re-opened for an Abbreviated Notice of Intent (ANOI) for the proposed removal of unpermitted rail tie steps and proposed re-vegetation of the disturbed area at Pcl RC1 Old Queen Anne Rd. A file number had been received from DEP; **it was moved, seconded and unanimously voted to close the hearing.**

**Pcl RC1 Old Queen Anne Rd (Access via 225 Indian Hill Road North) Chatham Conservation Foundation, Inc, SE 10- 2632:** It was moved, seconded and unanimously voted to approve the Conservation Foundation proposal to remove stairway installed illegally and re-vegetate the area as described. **An Order of Conditions was written.**

**156 Morris Island Road, 156 Morris Island Road Realty Trust, Richard Marks, SE 10-2623:** The hearing was re-opening of hearing for proposed two small additions to existing dwelling at 156 Morris Island road. The project had been approved by ZBA on April 8, 2010; **it was moved, seconded and unanimously voted to close the hearing.**

**156 Morris Island Road, 156 Morris Island Road Realty Trust, Richard Marks, SE 10-2623:** It was moved, seconded and unanimously voted to approve the Eldredge Surveying & Engineering LLC plan dated 2-17-2010 revised 2-19-2010 for the construction of two small additions. **An Order of Conditions was written.**

**55 Linnell Lane, Kindler, SE 10-2391:** Attorney Bill Riley and Matt Farrell of J M O' Reilly & Associates were present to request emergency beach nourishment at 55 Linnell Lane. Under SE 10-2391, the beach re-nourishment project was to add sand nourishment to the coastal beach to help protect the existing beach, abutting coastal dune, abutting salt marsh and ultimately several dwellings along Linnell Lane. Mr. Riley stated that the sands ( approximately 11,000 cu yds) added to the beach in the spring of 2009 were lost due to storms in winter 2009-2010. The applicants would like to re-build the beach, approximately 3,000 cu yds will be added.

The existing Order of Conditions prohibits work on the beach between April 1 & August 31. Mr. Riley had contacted Scott Melvin of the Division of Fisheries & Wildlife, Ms Andres and Seth Wilkinson through a series of emails regarding the proposal. In an email dated April 13, 2010 to Mr. Riley, Mr. Melvin expressed that emergency beach nourishment, as proposed, could occur at this site this spring without harming state listed shorebirds or their habitats as long as the following conditions are met:

- ▲ A site inspection must be held no more than 48 hours prior to start of work

- ▲ If Piping plover or tern nests are found, no nourishment work could occur until monitoring determines that the breeding activity has concluded for the season
- ▲ Beach nourishment must comply with the original Order of Conditions issued January 2, 2008

Ms Andres noted that Bob Prescott of Mass Audubon has completed the monitoring and did not see any signs of Plovers or Terns.

Mr. Riley stated that the Kindlers do not want to rebuild the beach to the extent that it had been done previously. The mobilization was an enormous effort during the first nourishment project. The plan involves getting dump trucks as close to the end of the revetment as possible, have them dump the sand, which will be spread on the beach by machine. Mats will be required in the Holmes driveway. The Commission questioned whether Mr. Farrell had determined the location of the eroded sands. It appeared that the end of the MacAdams walkway that had previously been wet is now filled in and dry. Mr. Farrell stated that most of the eroded sands went into the marsh area and to the southwest.

Photographs of the existing conditions will be provided. Once the work is completed, Mr. Farrell will provide photographs and monitoring reports.

**The vote was unanimous to allow the project to go forward as described.**

**225 & 275 Champlain Rd, Staniar/Champlain Rd Realty Tr, SE 10-2627:** It was moved, seconded and unanimously voted to approve the Ryder & Wilcox Inc plan dated 2/24/2010 for the walkway hardscape at 225 & 275 Champlain Road. **An Order of Conditions was written.**

**113 N Skyline Dr, Davern, SE 10-2632:** It was moved, seconded and unanimously voted to approve the Cape cod Engineering plan dated 2/1/2010 for the construction of an elevated stairway at 113 N Skyline Drive. The Commission stipulated that they made no determination on the location of the Inland Bank; the state Wetlands Protection Act delineates the Inland Bank differently than the local bylaw. **An Order of Conditions was written.**

**70 Queen Anne Rd, Queen Anne Inn, SE 10-2305:** It was moved, seconded and unanimously approved the Eldredge Surveying & Engineering LLC plan dated 10-29-09 for the reconfiguration of parking, the construction of a canopy carport and sidewalk reconstruction at 70 Queen Anne Road. **An Order of Conditions was written.**

**70 Queen Anne Rd, Queen Anne Inn, SE 10-2305:** A one-year Extension Order was signed for the Order of Conditions under SE 10-2305.

**Approval of Minutes:** The minutes of March 10, 2010 were unanimously approved as written.

**The following applications were reviewed in order to write comment to the ZBA:**

- \* 184 Mill Creek Rd, Gillis, SE 10-2567:
- \* 41 Lady Slipper Lane, McNulty:
- \* 384 Fox Hill Road, Holmes, SE 10-2628:

Commissioner Chamberlin had drafted comment letters and read them into the record.  
**The vote was unanimous for approval of the ZBA comment letters.**

A Certificates of Compliance was signed for completion of the project at 155 Cranberry Lane, Harry LeCours, CWP09-146N :

**Admin Review- The following application was unanimously approved under an Administrative Review:**

- \* **303 Forest Beach Rd, Everett-** Removal of old, creosote rail ties, replace in same footprint with non-leaching materials

**Strong Island:** Ms Andres stated that the power supply cable leading to Strong Island had been severed and is now repaired. The Chapter 91 license allows repairs as on-going maintenance.

**Strong Island, Cashman, SE 10-2516:** Ms Andres met with Attorney Bill Riley for an on-going discussion regarding the Special Conditions issued by the Commission for the construction of the new dwelling on Strong Island.

The Special Condition dealing with possible prop scour created by the barge when delivering supplies, and the resulting "Stop Work Order" should prop scour occur, has created some angst on the part of the applicant.

**Spraying of Utility lines:** NStar electric utility company is proposing to spray vegetation control along power lines within the utility easements through towns of the lower Cape, including Harwich and Chatham. The utility has a blanket permission to maintain the rights- of- way, in the past the companies used mechanical means (mowing)to control vegetation. . The Chatham lines go through an area north of Old Queen Anne Rd where there is a small vernal pool; Goose Pond area; And close to the Mill Pond and Ministers Bog over to Muddy Creek.

A public meeting is scheduled for April 15, 2010 at 7PM in the Selectmen's Meeting Room at 549 Main Street.

CPC/Land Bank Committee: In the warrant for Town Meeting coming up in May, there is an article seeking to abolish the Land Bank and create a modified CPA/Land Bank Committee. The proponents of the article cite the need to eliminate the 3% surcharge that could save money for homeowners on their real estate tax bills.

Ms Andres noted that the Chronicle newspaper had recently published an editorial in favor of the warrant article; the newspaper article was flawed with misinformation.

Commissioner Chamberlin noted that the original reason for the formation of Conservation Commissions was to find and finance land for Open Space protection.

The Commission agreed to write a Statement of Purpose from the Conservation Commission in support for the Land Bank.

**Reminder:** April 12, 2010 Eastward Ho! Meeting at 4 PM

**Adjourn:** It was moved, seconded and unanimously voted to adjourn the meeting at 6:05 PM.

Respectfully submitted,  
Mary Fougere, Secretary