

Announcement: Open Meeting Law Revisions dated June 2010 requires that the Chair announce that the session is being recorded.

Present: Acting Chair DeeDee Holt, John Geiger, Paul Chamberlin, Carol Scott, Billie Bates, Bob Lear, Associate Member Patty Morrison, Conservation Agent Kristin Andres and Secretary Mary Fougere.

No one was absent.

John Gilpin Lane, Charwich Realty Ventures LLC: At the applicant's request, the discussion regarding the violation was continued to July 28, 2010.

363 Old Comers Rd, Farfaglia: It was reported to the Conservation office that a wooden walkway had been constructed behind the house leading to the pond at 363 Old Comers Rd. According to the site plan dated May 12, 2003 prepared by Clark Engineering LLC, the entire back yard is within the jurisdiction of the Commission. The walkway required the Commission's approval. The area also falls within Priority and Estimated Habitat as mapped by the MA Division of Fisheries & Wildlife Natural Heritage and Endangered Species Program.

Contractor David Cook and the applicants were present in response to the violation. Mr. Cook had installed the walkway over the existing lawn at the same time as he built a stairway off the deck. He was not aware that a Wetlands Permit was required.

Ms Andres was on site on July 14 and observed that a large portion of the walkway was within the 50-ft No-Disturb Zone to the top of the Inland Bank. **The Commission voted unanimously that an after –the-fact filing was necessary and required the property owners to file a Notice of Intent by August 3, 2010.**

154 Champlain Road, Mahoney: William Litchfield, Esq. and J Thaddeus Eldredge of Eldredge Surveying & Engineering LLC were present to present new information regarding the location of the coastal bank at 154 Champlain Rd. The applicant had filed a Request for Determination of Applicability (RDA) for the proposed removal of trees at the above address. The Commission denied the request and asked that the applicant file a Notice of Intent. (NOI)

Mr. Eldredge had supplied the Commission with a revised plan, stamped by J Thaddeus Eldredge, reflecting the location of the coastal bank as delineated after a ground survey. The original plan had sited the top of bank using aerial topography. The location of the top of the bank changes the Commission's area of jurisdiction by a few feet. The large oak tree is now outside the jurisdiction.

It was moved, seconded and unanimously voted to approve the revised site plan, dated July 14, 2010 and to approve the removal of the oak tree.

91 Moonpenny Lane, J Michael/Kathleen Schell-applicants, David//Jeanne Daniel-owners, SE 10-2648: The hearing was re-opened for a Notice of Intent for receipt of a file number from DEP for proposed creation of a pathway within Moonpenny Lane for access to Oyster River at 91 Moonpenny Lane. No one represented the applicant. The project had been approved by ZBA on July 8, 2010 and a file number had been received from DEP. **It was moved, seconded and unanimously voted to close the hearing.**

91 Moonpenny Lane, Schell-applicants, Daniels-owners, SE 10-2648: It was moved, seconded and unanimously voted to approve the Ryder & Wilcox Inc plan dated June 14, 2010 for the creation of a pathway within Moonpenny Lane. Commissioner Chamberlin felt that it should be noted in the Findings portion of the permit that the Commission encourages shared pathways. **An Order of Conditions was written.**

161 Landing Lane, Richard A Frazee & Marcy JT Smith-owner/applicants and John R & Priscilla A Frazee Trusts-owners, SE 10-2649: The hearing was re-opened for an NOI for receipt of file number from DEP, revised site plans & information for the proposed construction of a boardwalk and a proposed planting of native species at 161 Landing Lane. William Litchfield, Esq. represented the applicant. David Lyttle of Ryder & Wilcox Inc had sent revised plans which contained the following changes to the site plan:

- Steps are now proposed at the end of the boardwalk to provide long shore public access; a ramp is already in place
- The seasonal pier & float shall be stored in an off site location
- The existing pier storage site shall be vegetated by Wilkinson Ecological Design
- The lawn area seaward of the 10-ft contour shall be mowed monthly; the Commission thought that the applicant had agreed to cease mowing below the 10-ft contour; verification is needed

After some discussion on the points, the Commission agreed that Mr. Wilkinson still needed to supply the Commission with proposed trigger points for removal of the wrack. The applicant must verify that the sprinkler heads in the No-Disturb zone will be disconnected.

The proposal is scheduled to be heard by the ZBA on July 22, 2010; **the hearing Conservation hearing was continued to August 4, 2010.**

384 Fox Hill Road, Holmes Nominee Real Estate Trust, Robert Boynton, SE 10-2628: Re-opening of hearing for proposed elevated timber stairway at 384 Fox Hill Rd, Assessors Map 11M parcel 1. **At the applicant's request, the project was withdrawn from consideration**

The following sets of minutes were unanimously approved as amended at the table:

March 24, 2010

April 12, 2010 (Commissioners Scott and Lear abstained from the vote)

June 2, 2010

June 16, 2010 (Commissioner Geiger abstained from the vote)

June 23, 2010 (Commissioner Chamberlin abstained from the vote)

The following projects were approved under an Administrative Review:

74 Harbor View, Pearson: Removal of dead, red pine in lawn area

76 Marshview Rd, Chittick: Selective pruning for view enhancement; will trim approximately 2-ft of new growth; contractor to notify Agent when work will begin

155-169 Indian Hill Road, Dineen/Schumann: Removal of dead pines

393 Barn Hill Rd, Richards: "Mole" trenching for installation of utility lines; contractor to notify Agent when work will begin

909 Old Queen Anne Rd, Roper: Minor view pruning, no topping of trees; work to be completed by Arborist Jeff Craig

75 Squanto Drive, Gorman, SE 10-2592: The Commission reviewed a request by the homeowner to amend an existing Order to include additions to the proposed deck at 75 Squanto Drive. Bill Riley, Esquire represented the applicant. He stated that the ZBA had required the applicant to turn the garage so that the doors are not as visible to the street. In doing so, there is an access problem on the northern side of the new garage. This could be remedied by adding access stairs.

The Commission voted unanimously (7-0) to review the proposed changes under an Amendment Request with a new site plan reflecting the changes.

797 Old Queen Anne, Davis, SE 10-2588: The Commission reviewed a request by the homeowner to amend an existing Order to include the removal off dead pines at the above address.

After some discussion and review of photographs, the Commission approved the proposed work under an Administrative Review. No further filing will be necessary.

75 Holway St, Barsamian, SE 10-: The Commission reviewed a request by the homeowner to amend an existing Order to include a proposed new deck.

The Commission voted unanimously (7-0) to review the proposed changes under an Amendment Request with a new site plan reflecting the changes.

Certificates of Compliance were signed for the completion of projects at:
4 Harborview Rd, Morrill, SE 10-231
442 Old Harbor Road, Reilly, SE 10-2546

Monomoy Island, Monomoy National Wildlife Refuge, US Fish & Wildlife Service, SE 10-: After a meeting on July 3, 2010 with members of the US Fish & Wildlife Service, Ms Andres was surprised to discover that the work protocol for mobilization of equipment and materials involved the use of a 60-ft barge onto the beach that would be left in place for approximately 9 months. Additionally, the "Mobilization Essay" noted that two pilings will be required for the installation of a steel, grated walkway from the barge to shore. The access roadway is on the ridge of a dune because the existing road is mucky and unsatisfactory for travel.

Discussion ensued regarding the size and type of machinery to be used, roadway width, MESA Review, necessary permits for the installation of piers, etc. Ms Andres would submit a list of questions to Mr. Brownlie.

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

Respectfully submitted,
Mary Fougere