

MINUTES August 24, 2011

The Annex Committee Meeting Room 261 George Ryder Rd

4:00 PM Work Session & Continued Hearings

Present: Chairperson DeeDee Holt, Vice Chair John Geiger, Steve Kuzma, Billie Bates, Carol Scott, Bob Lear, Paul Chamberlin, Associate Members Jackie Meaney and Stephanie Hamilton and Secretary Mary Fougere.

Absent: Conservation Agent Kristin Andres.

The Chair announced that the session was being recorded; when queried, nobody in the audience acknowledged they were recording.

414 Fox Hill Road, LaCroix, SE 10-2734: In a letter dated August 25, 2011, contractor Peter Polhemus asked that the Commission consider allowing the applicant to re-open the hearing on the proposal to demolish existing structures on the site and construct a new dwelling, detached garage and amenities at 414 Fox Hill Road.

At the request of the applicant's representative, William Riley, Esq., the hearing was closed on August 17, 2011. The Commission had asked for additional information at that time, however once the hearing was closed, no new information could be submitted.

The Commissioners felt that prior to the hearing, an on-site should be arranged. The applicant has re-staked the limit of work on the west side and flagged the trees that will be removed. Further questions to be discussed at the on-site should be directed to the Conservation Agent in order for her to compile a complete list of concerns.

It was moved and seconded to re-open the hearing after re-advertisement, further that the hearing will be scheduled for September 7. The vote was 5 in favor of the motion, 2 opposed.

Violation: 497 Orleans Road, Eastward Companies : Susan Ladue of Eastward Companies was present to ask for an Extension of the August 24 start date, as stipulated in the Enforcement Order, to August 25, 2011.

In an email memo dated August 24, 2011 to Ms Andres, Ms Ladue supplied a work protocol. The Commission was in receipt of the Clark Engineering LLC "Existing Conditions Plan", dated 6/22/2011.

Commissioner Chamberlin cautioned that there should be no other changes to the Enforcement Order other than the start date. Ms Ladue's protocol cites the finished height of the berm as 4-ft, however if 4-ft is higher than the flood plain and will change the original grade, additional fill will have to be removed. Fill in the flood plain is not permissible under the Wetlands Act and Wetlands Bylaw because additional fill can increase buildable upland. The EO stipulates that an "As built" plan must be submitted so that the Commission can verify the final grades.

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Discussion ensued regarding delaying the excavation and earth removal until after the impending storm event.

After the fill is removed, Ms Ladue will request an inspection from the Agent prior to planting the berm.

It was moved, seconded and unanimously voted to extend the start date of the work outlined in the EO from August 25 (after the impending storm) with a completion date of September 2.

Strong Island, Cashman: Contractor Ian O'Connell, representing Jay Cashman, submitted a "Strong Island Barge Operating Protocol" with photographs to the Commissioners for their review. He stated that the request to extend the length of time that the seasonal pier could stay in the water has been withdrawn.

The building permit has been issued. Mr O'Connell met with The Agent a couple weeks ago and agreed that a day could be planned when Commissioners, The Agent and the contractors could meet on the island and review the proposed work plus discuss other projects being planned for the island house area.

82, 104 & 108 Cranberry Lane (N Chatham) and Salt Marsh Way, Thomas J Donnelly & Marilyn P Donnelly, Trustees of the Thomas J Donnelly Massachusetts Gift Tax Annual Exclusion Trust, Under a Declaration of Trust dated April 5, 1995, Michael Donnelly-applicant, SE 10- The hearing was re-opened for receipt of a file number for approval of the Wetland Delineation at 82, 104 & 108 Cranberry Lane (N Chatham) and Salt Marsh Way. No one was present to represent the applicant. A file number has not been received; **it was moved, seconded and voted to continue the hearing to August 31, 2011.**

16 Love Lane, Bogardus/Drew, SE 10-2747: A draft Order of Conditions was reviewed. It was moved and seconded to approve the Ryder & Wilcox plan dated June 10, 2011 for the demolition of the existing dwelling, garage and shed and the construction of a new dwelling and a new septic system to service three dwellings at 16 Love Lane. The vote was 6 in favor of the motion with one abstention. Commissioner Lear abstained from the vote. **An Order of Conditions was signed.**

92 Indian Trail, Johansen, SE 10-2719: The hearing was closed on August 17, 2011. Due to the excessive amount of materials submitted to the Commission during the hearing process, the Commissioners felt that deliberations will be lengthy. It was agreed that the Commissioners will meet on August 31, 2011 to develop Findings and Special Conditions to be included in the Order of Conditions.

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Commissioner Kuzma had reservations about the project and asked that the Special Conditions be sent to him for his consideration.

560 Fox Hill Road, Lepard, SE 10-2741: A draft Order was reviewed. It was moved, seconded and unanimously voted to approve the bulkhead replacement project at 560 Fox Hill Road as shown on the Woods Hole Group plan dated 5/12/11 revised 8/12/11. **An Order of Conditions was signed .**

Approval of Minutes: The minutes of March 16, 2011, July 20, 2011 & August 10, 2011 were unanimously approved, as amended at the table.

87 Squanto Drive, Dousa, SE 10-2556: It was moved, seconded and unanimously voted to allow the applicant to file an Amendment Request for additional work under SE 10-2556, per the request of the applicant in a letter received August 23, 2011.

26 Captains Cove, Angelakis, SE 10-2745:The Zoning Board of Appeals had requested comment on the proposal at 26 Captains Cove Lane. A draft comment letter to the Zoning Board of Appeals was read. **It was moved, seconded and unanimously voted to approve the comment letter.**

87 Aunt Nabby's Lane, Lebovits, SE 10-2746: The Zoning Board of Appeals had requested comment on the proposal at 87 Aunt Nabby's Lane. A draft comment letter to the Zoning Board of Appeals was read. **It was moved, seconded and unanimously voted to approve the comment letter.**

The following projects were approved under an Administrative Review:

- **56 Black Duck Landing, Hansen: Deck extension. Unanimous**
- **154 Mill Creek Rd, McCausland: Removal of tree with rotted base. Unanimous**

Adjourn: It was moved, seconded and unanimously voted to adjourn the meeting at 5:27 PM.

Respectfully submitted,
Mary Fougere, Secretary