

Minutes of a Conservation Commission Meeting – 18 November 2020

Members present: Edward Vincent Jr. - Chairman, Geoff Kontje, Jeff Carlson, Bob Avakian, Christina Brown, Lil Province.

Absent: Stuart Lollis

Staff: Jane Varkonda, Lisa Morrison

SULLIVAN - 32 OCEAN VIEW AV NOI for the construction of a wall, driveway, etc. in the flood zone. Michael Bonner – applicant’s attorney, Eric Las – engineer, Tim Moriarty – abutters attorney, Caroline Reily & Bo Riely - abutters, Dylan Sanders, Noah Asimov – Gazette, William Sullivan – architect.

Because the town has not adopted the Mullin rule and both Brown and Kontje missed one meeting, it is not possible to reach a quorum. Province has recused herself from all the hearings and Stuart Lollis is unable to attend due to illness. Mr. Bonner said that there seems to be no choice but to withdraw the current application and refile. The NOI will be readvertised and renoticed for the Commission’s next meeting on 9 December 2020.

KATAMA FARM

The Trustees have asked to extend their exit date to December 15th. Brown asked the purpose of the extension. The agent replied that the Trustees want to keep an eye on the property. Kontje made a motion to extend the exit deadline to December 15th. Avakian seconded the motion. Unanimously approved by roll-call vote.

Agent reported that the Advisory Committee has put out a Request for Expressions of Interest in order to get a better idea of what people are proposing. The notice was put in the local papers and sent to the farm bureau. She said she will also be sending it to some farm publications. The deadline for responses was set for December 8th.

Documents related to the procurement process have been sent to town counsel. Updated soil samples have been received from Sam Hart.

Avakian commented that the meetings have been very productive and informative. He said that Andrew Woodruff’s presentation about regenerative farming was interesting. A consensus seems to be building among the committee members and Dr. Gilker that the land is more appropriate for grazing than for raising crops. Sheep farming was mentioned as a possibility.

Kontje encouraged the agent to get some outside help with the paperwork. Varkonda said that she would contact Marni Lipke. Avakian made a motion to authorize the hiring of a temporary note-taker. Kontje seconded the motion. Unanimously approved by roll-call vote.

Carlson was concerned that the agricultural use may not be economically viable without help from the camp.

There was discussion about whether or not money could be transferred from the Land Acquisition Fund into the Property Maintenance Fund. Assistant agreed to do some preliminary research and consult with town counsel.

Varkonda said the committee was discussing a second well and planting a cover crop. She noted that it appeared the Trustees had applied just about half of the required amount of lime on the fields. The committee is hoping that when the farm is turned over to someone, the soils would be in good enough shape that the farmer could hit the ground running, rather than spending time augmenting the soil.

Kontje asked if any mapping of the aquifer had been done on the farm. He mentioned that several years back such a study had been done over on Chappy. The agent said she was not aware of any current mapping, but would speak with Doug Cooper. Vincent said that he recalled there was a fresh water lens under the salt water in Katama.

WARRANT ARTICLES - Commission voted unanimously to request \$20,000 for the Property Maintenance Fund and \$20,000 for the Land Acquisition Fund.

ORDERS OF CONDITIONS - Conditions for Kidder, Waterman, and Lee were approved by roll-call vote.

JOBS NECK FARM TRUST – NOI to construct detached office within 300-foot Ponds District. Tory Fletcher was present for the applicant as were Brian Casey and Josh Kochin. Project involves the construction of a 30' by 50.2' detached office. Fletcher said that the house was not designed for the current situation. There are few private spaces for working-from-home. Fletcher explained that the structure is not as large as it sounds: one-third is a screened porch; only the central portion will be office space. The entire structure will be cedar with dark red trim.

Kontje asked if the board of health had reviewed the proposal. Brian Casey said that he has not yet been in touch with the board of health but noted that there is only a ½ bath in the structure.

Fletcher noted that the property is moth habitat and the project has been reviewed and approved by NHESP. [There are letters in the file from Everose Schluter and Thomas French.] Fletcher commented that while no formal landscaping is proposed, existing vegetation will be removed in mats and replaced in a process known as 'chunking.'

The building will be serviced by a separate well. A new septic tank as well as an unutilized leach field have already been installed as part of a previous project. A small stone shed will house the HVAC equipment.

Carlson asked how many trees will need to be removed. Casey replied that there are approximately 7 trees within the building's footprint that will need to be removed. Some additional trees that are too close to the structure will likely also be removed. No view is proposed and no additional trees between the office and the water will be removed and water.

Fletcher showed photographs of the current site, which is managed for moth habitat and mowed every three years. No changes are planned.

Kontje suggested that only those trees necessary for the actual construction be removed at this time. The applicant can return once the office is built and request that additional trees be removed.

Carlson made a motion to approve the project with standard conditions. He asked that all trees to be removed at this stage be noted on a revised plan. Avakian seconded the motion. Unanimously approved by roll-call vote.

OUTER BANKS NOMINEE TRUST (Hutchins) – 375 KATAMA ROAD. Doug Hoehn, Chuck Sullivan, Harry Garvey were all present for the applicant. Vincent asked why such a large building with what appeared to be a commercial kitchen was necessary. He asked if some kind of commercial venture was planned. He said he noted on the plan that there seemed to be two ranges and three separate bathrooms, as well as multiple dining areas.

Sullivan replied that Mr. Hutchins is involved with many nonprofit ventures and wishes to use the structure as an occasional event space for private functions. In addition, his son and daughter in-law have immune issues that require special diets. When they are in residence for the summer, they have a special cook who takes over the kitchen in the main house for most of the day, which makes it difficult for the rest of the family.

Hoehn said that the structure will be located on the site of an existing tennis court. The tennis court and associated small building will be removed. The notice is filed under the local bylaw only as it is within 100-feet of the 100-year storm. They are planning on tying in to the existing septic system.

The existing septic system was designed for 11 bedrooms. Hoehn said he does not believe that the property is on town water, but the applicants could tie in if they wished.

Sullivan said that no paved parking is planned and there is no intention of using the structure as sleeping space. He explained that the barn was salvaged from Shakespeare, Ontario. The structure is mainly one large room. He explained that the silo is accessed only from the outside: the first floor is a mudroom and the second floor is a dining area.

Kontje asked if the space will be conditioned space. Garvey said that the no heating or cooling is proposed in any part of the structure

Avakian asked if the structure would be visible from Katama Bay. Hoehn said that there may be a distant view of the building from across a pond.

Brown asked about the square footage. Hoehn replied that the main room is 40' by 60'. The height is H 28 feet 3 inches from mean natural grade. After some further discussion, Brown made a motion to continue the hearing to the next meeting, December 9th, and schedule a site visit. Province seconded the motion. Unanimously approved by roll-call vote. Brown asked that an outline of the building be shown on the ground and a story pole be provided as well.

MASON - SENGEKONTACKET. NOI to install seasonal pier and walkway (Continuation). Kara Shemeth was present for the applicant. Shemeth explained that the property is at the end of Earl Avenue. The shoreline drops off rapidly and it is very mucky, making it a tough place to access kayaks, especially for children and older people. The applicants would like to install a small seasonal pier and elevated walkway. Photos a similar walkway and pier were submitted. The pier would be attached to the walkway at one end and be secured by two steel pipes at the other end. The pipes would be the only part of the structure that would be in contact with the bottom of the pond. The total length of the walkway would be 20 feet and the pier is proposed at 16 feet. Both the pier and the walkway would be 4-feet wide. The walkway over the marsh would be secured with low-impact butterfly brackets.

A report from Doug Cooper indicated that there is between one and two feet of sandy fill in the pathway, which was placed there sometime in the distant past. Cooper said he did not believe that a longer walkway necessary in this site.

Kontje asked why the pier was proposed with pipes. Shemeth responded that they were less impactful than spiles and would also make it easier for the pier to be removed at the end of the season. The walkway will not be removed.

Varkonda noted that the Commission hasn't approved any piers in Sengekontacket, seasonal or not, in a very long while. The MAC has not commented on the project, as they were waiting for the Commission to complete its review.

Vincent asked how much more boating the Commission wished to encourage. He said he thought it would be helpful to hear from the Shellfish Committee.

Shemeth said that the pier is more than 100-feet from any eelgrass beds. She submitted an aerial photograph of other piers in the area. There are at least two nearby one on the Rosbeck property and another on the old Purdy property.

Vincent said he was very concerned that allowing this pier would set a precedent. If the Commission allowed it, all the property owners in the area would want one.

Avakian asked if jus the walkway could be permitted. Shemeth replied that it defeats the purpose as the walkway would be 4-feet above the pond at low tide. Brown asked if there was an inventory of piers in Sengekontacket.

The agent noted that the town's pier permitting guidelines do not mention Sengie.

After some further discussion, Kontje made a motion to continue the hearing to the next meeting, December 9th, in order to give Shemeth time to revise the walkway plan. Carlson seconded the motion. Unanimously approved by roll-call vote.

RANKOW - 31 SOUTH WATER STREET. NOI for the relocation of two pilings, the installation of three new pilings, and the addition of a landing. (Continuation.) Rankow reported that the MAC had reviewed the proposal and voted unanimously in favor of the project. Bruce McIntosh will send on a copy of the

minutes once they are completed. Rankow noted that both direct abutters, as well as the Zollos, had written in support of the project.

Carlson commented that it seemed pretty minimal. Kontje made a motion to approve the project with standard conditions. Carlson seconded the motion. Unanimously approved by roll-call vote.

There being no further business, the meeting adjourned at approximately 5:10 p.m.

Approved: _____