

## Minutes of a Conservation Commission – 26 June 2019

Members present: Peter Vincent, Christina Brown, Geoffrey Kontje, Stuart Lollis, Jeffrey Carlson, Lil Province

Absent: Bob Avakian

Staff: Jane Varkonda, Lisa Morrison

### **Public Hearings:**

SALEWSKI - NOI to maintain & repair licensed pier, Beach Street. Kara Shemeth of SBH representing applicant. Shemeth explained that the pier is fully licensed but the applicant needs a local order of conditions to repair and maintain. No work is currently planned. Province made a motion to approve the project as presented. Brown seconded the motion. The following conditions apply: If lights are added to the pier, applicant must return to the Commission for approval; any repairs must be made of untreated lumber; no white caps are permitted on pilings; and additional standard pier conditions. Unanimously approved.

MORRISON - RD to construct a single-family residence, pool, pool house/detached bedroom. Kara Shemeth was present for the applicants, Maggie & Alex Morrison, who were also in attendance. This is the former Oliver property where the house was torn down. Beetle Swamp is across the street.

Agent noted that it appears that the Water Department is dumping water into the swamp. Agent will talk with the department as this is an unacceptable practice.

Pool water will be drained into a drywell. Property will be serviced by town water. Province made a motion to issue a negative determination. Carlson seconded the motion. Unanimously approved. Conditions: no herbicides, etc. Approval from Homeowners Association is also required.

RYAN - Request for an amendment to Order of Conditions to install cedar drift fence at toe of the coastal bank. Judith Villa from Working Earth was present for the applicant. Villa noted that this would be the same type of fence that was installed at the Burgin and Jacquet properties. (Photos circulated) They would like

to begin work in the fall. The work will be done by Clover Fencing out of Falmouth. The fence is installed in a zigzag pattern and will be installed by hand. No heavy machinery will be required. Materials will be carried down to the beach via the existing stairway. Province made a motion to approve the amendment. Lollis seconded the motion. Unanimously approved. Construction and timing protocol to be submitted prior to commencement of the project.

MV LAND BANK - Request for an amendment to Order of Conditions to install an elevated boardwalk at Nora's Meadow. Ian Peach, Land Superintendent, was present for the Land Bank. Permit for the boardwalk was issued in 2007, but since then the hydrogeologic conditions have changed. The boardwalk was initially proposed at 8 to 12 inches above the pin foundation pier – they are now asking for 16 to 24 inches to handle seasonal flooding. The boardwalk will remain 4-foot wide with ½ inch spacing between planks. Kontje made a motion to approve the project as presented. Carlson seconded. Unanimously approved.

REED - NOI to construct a single-family dwelling and related site improvements, South Water Street. Doug Hoehn and Patrick Ahearn were present for the applicants, Mr & Mrs DeFeo, who were also present. Hoehn explained that the house was approved several years ago but never built. The house is primarily the same except for some tweaks that resulted from a recent HDC meeting. This new dwelling is located up towards South Water Street, but it is partially within the flood plain. A view easement was part of the original order of conditions, but it was never recorded because the house was never built. The new owners of the property will record the easement prior to any construction.

The easement is a 9-foot strip that leaves a view of the harbor. Construction is planned for the fall.

The assistant commented that she believed a permit from the ZBA will be required as the original special permit has lapsed. Ahearn disagreed.

Province made a motion to approve the project as presented subject to the usual conditions and including the easement. Carlson seconded the motion.

Unanimously approved. Applicant to submit a landscape plan prior to receiving a certificate of occupancy.

**Continuations:**

FLOMAR - NOI to construct additions to an existing residence, install a pool, upgrade septic, and associated site work – Turkeyland Cove. Reid Silva and architect Jessica Snare were present for the applicant. Former Marquand property. Part of the existing house is to remain; portions will be demolished and replaced with new construction - including a new garage and driveway.

The applicant is also proposing two view channels: one 14 degrees and the other 16 degrees. Channels will be finessed after the house is built. The agent noted that she didn't think much needed to be done to the eastern view channel. Existing path may be maintained.

A report of the site visit was given. Several Commissioners commented on the large trees right by the edge of the pond and how unusual it was to see such large trees by the pond.

Ms. Snare said that it is likely that the large cedar by the deck will need to be removed in order to build the additions. She said that the applicants hope to keep as many of the old trees as possible and will explore the possibility of transplanting.

Snare said that there will be some changes of grade – primarily to eliminate the underground garage and install the pool.

Snare submitted several hand-drawn rendering of the house from the pond. She said that the roof of the house will not be visible from pond.

Vincent commented that the Commission generally does not issue an order of conditions when there is a violation. In addition to the illegal pier that was discussed at the initial meeting, the site visit revealed several other infractions: an informal revetment of small stones lining the bank, the mat at the end of a pathway, and a pile of brush that was left in the water. These infractions and the pier must be removed prior to constructing house.

The applicant should plot the paths final location and the location and design of any kayak racks they may wish to apply for.

The agent also commented that the existing lawn goes right up to the waters' edge. She noted that the Ponds District regulations limit lawns to a total of 2500 sq. ft. and not within 100 feet of the water. She said that while preexisting, a 25-foot buffer of native shrubs should be planted between the edge of the lawn and the pond. Province commented that because of the large trees, the area is so shaded that shrubs are unlikely to survive and suggested that a stone border of some kind may work. Applicant is to develop a plan to preserve and enhance a natural buffer of some kind between the edge of the lawn and the pond as part of a landscape plan. No herbicides, pesticides, etc., condition to be included as well.

Carlson made a motion to approve the project as presented with the above enumerated conditions. Province seconded the motion. Unanimously approved.

There being no further business the meeting was adjourned at approximately 6:30 p.m.

Approved: \_\_\_\_\_