

Minutes of a Conservation Commission Meeting – 23 October 2019

Members present: Peter Vincent, Christina Brown, Bob Avakian, Geoff Kontje, Lil Province, Jeff Carlson

Absent: Stuart Lollis

Staff: Jane Varkonda

PUBLIC HEARINGS:

Anderle – 12 Milikin Way Continued to the next meeting 23 October 2019 for site visit.

Atlantic Shores Association – Atlantic Avenue Continued to 23 October – agent unable to attend meeting.

Pinney – 77 North Neck Richard Knight was present to request an amendment to the order of conditions to allow the construction of an 8 by 6-foot deck at the base of a set of beach stairs. Knight explained that as the adjacent properties are armored the beach at the base of Pinney's stairs no longer receives any nourishment and has eroded away. Current and past photos of the site were circulated. Pinney would like to have a place where he can store kayaks and other gear without trespassing on his neighbor's property. The easement that Pinney has at the top of the bank is not wide enough to support a kayak rack. The proposed deck would be approximately 5-feet above the beach and would require a railing. Carlson made a motion to approve the request. Province seconded the motion. Unanimously approved.

32 Ocean View Avenue (Sullivan) Request for a determination of applicability to construct a driveway, retaining wall, exterior garage stair, revisions to the septic system, and associated landscaping. The limit of the 100-year flood zone was left of the original notice of intent filing so the applicant filed a request for a determination of applicability so that the Commission could review those portions of the project that are within 100-feet of the 100-year flood zone. Attorney George Brush was present for the Riley family, who are abutters to the project. No new retaining walls are planned and the garage has been reduced in height from two-stories to one-story.

Avakian asked that the exterior stairs be added to the garage. He said that it seemed that planting large trees on the property boundary would alleviate the Reily's concerns.

Attorney Brush said that his clients believed that a notice of intent should have been filed rather than a determination of applicability. The agent replied that a determination is adequate for this filing; the bulk of the project has already been reviewed and approved by the Commission. The agent did a site visit this past summer and found everything on site to be in order. After some more discussion, the Commission moved to continue the hearing to the next meeting – 23 October.

CONTINUATIONS:

AKACMV (Schlager) – Boldwater. Kristen Reimann was present for the applicant. A report of the site visit was given. NOI is for the installation of a swimming pool, the construction of a pool house, and related site improvements. Natural Heritage has signed off on the project. Pool is just outside the 100-foot zone, but will not be visible from the pond. Kontje made a motion to issue an order of conditions. Carlson seconded the motion. Unanimously approved. Conditions to include: special permit from the Planning Board, approval from the Boldwater ARC, as well as standard pool conditions.

REGAN - Addition an existing structure, Meshacket Wood Road. Hearing was continued so that the applicant's agent, Kara Shemeth, could research whether or not enhanced treatment systems were appropriate in seasonal dwellings. Ms. Shemeth said that her research indicated that seasonal use of enhanced systems was not effective. Avakian made a motion to issue and order of conditions for the project as presented. Province seconded the motion. Unanimously approved.

OTHER BUSINESS:

Phil Wallis, Steve Ewing, and Stever Aubrey – Chairman of the museum board were present to discuss the proposed term sheet – draft two. Ewing said that a year or so ago the Commission had committed to preserving the Cooke House and surrounding land from development. He said that he has urged the museum to work with the town. Vincent commented that the terms of the agreement so far do not seem to ensure adequate public use and access to warrant the town gift of \$250,000. He said that the Commission needs to be able to justify this expense on the town meeting floor or the town may decide to stop contributing to the Land Acquisition Fund.

Avakian said that what the latest draft agreement seems very different to what was originally presented to the Commission, which appears to have funneled down to museum uses only.

There was some discussion about the mechanics of the CR and how the development rights on the property would be extinguished.

Landscape architect Kris Horiuchi reviewed the plans with the board and plans to save the pagoda tree on the property. Nancy Vietor said that an historic garden was being planned. Brown suggested that a good use of the property would be a demonstration garden featuring native plants.

Vincent commented that a plaque of some sort acknowledging the gift from the town. He said that he would like to see a complete document that spells out the extent of public access and use of the property. Avakian said that the current document does not give much to the public.

There being no further business, the meeting adjourned at 7:15 p.m.

Approved: _____

(Drafted by Lisa Morrison based on notes taken by Jane Varkonda)