

Minutes of a Conservation Commission Meeting – 23 October 2019

Members present: Bob Avakian, Geoff Kontje, Lil Province, Jeff Carlson, Stuart Lollis

Absent: Peter Vincent, Chairman, Christina Brown

Staff: Jane Varkonda, Lisa Morrison

PUBLIC HEARINGS:

**Applicant: STANTON – 18 Bayside South**

**Proposal:** NOI for the construction, maintenance & licensing of pier extension, float, and two piles

**Representative:** Kara Shemeth of SBH

**Discussion:** MAC has informally approved the project. There is no eelgrass in the area and the pier will not be extending into the harbor out any further. A 24-ft by 5-ft extension perpendicular to the end of the pier will be added to make an 'el.' The 10-ft by 6-ft float will be located immediately adjacent to the pier, between two extensions.

**Action taken:** Province made a motion to issue an order of conditions. Avakian seconded the motion. Unanimously approved. Standard conditions.

**Applicant: CEJJC TRUST – 75 Cow Bay Road (O'Connell)**

**Proposal:** Local NOI for the construction of two one-story additions – totaling 275 sq. ft in the flood zone.

**Representative:** Gerry Conover

**Discussion:** Letter of approval from Cow Bay Corporation. Applicant to supply elevations of the addition for the file

**Action taken:** Province made a motion to issue an order of conditions. Avakian seconded the motion. Unanimously approved. Standard conditions.

**Applicant: SCOTT – 127 Chappaquiddick Road**

**Proposal:** Request for a determination of applicability for a 94 sq. ft. addition

**Representative:** Kara Shemeth, Mike Zadeh

**Discussion:** One story addition in a developed lawn

**Action taken:** Province made a motion to issue a negative determination #3. Lollis seconded the motion. Unanimously approved.

**Applicant: MV LAND BANK - NORTH NECK HIGHLANDS PRESERVE**

**Proposal:** Installation of two sets of replacement beach stairs

**Representative:** Ian Peach, Land Superintendant

**Discussion:** Both sets of stairs will be located on the Cape Poge Bay side. Currently there is no beach access. Stair will be made of aluminum, similar to one used by the Trustees. The modular design allows for adjustment - instead of rebuilding – in areas of rapid coastal erosion. Installation is less impactful on the bank. Helical anchors are not used in the installation – a

pipe is driven vertically down into the bank. There was some discussion about whether or not a powder coat should be applied to the aluminum to make it less obtrusive. Christ Kennedy of TTOR pointed out that in a marine environment, the aluminum quickly becomes gray – any paint will be sand blasted away. The board said they would take a look at the stairs at the Trustee’s property and at the Ryan property prior to deciding whether or not the stairs should be painted.

**Action taken:** Avakian made a motion to issue an order of conditions. Province seconded the motion. Unanimously approved subject to the Commission’s approval of a finish – if deemed necessary.

**Applicant: TRUSTEES OF RESERVATIONS – MYTOI - 51 Dike Bridge Road**

**Proposal:** Dredging of the Mytoi pond

**Representative:** Sam Hart, Chris Kennedy, Mark Fornier – chief arborist

**Discussion:** Only a small part of the pond will be dredged – the western portion of the pond is clogged with water lilies and dead vegetation. Average depth of 22” will be increased to 48” – approximately 136 cu yds of material will be removed from the pond. The dredged materials will then be dewatered and deposited back to the pond on the existing island. Work will be done by Steve Ewing, former Conservation Commissioner. Pond is approximately 9600 sq. ft. – dredged area approximately 1800 sq. ft. Access will be from an old forest road on an abutter’s property. There will be some pre-project work including transplanting or removing some vegetation, constructing the dewatering site, and creating some coffer dams.

**Action taken:** Avakian made a motion to issue an order of conditions. Lollis seconded the motion. Unanimously approved. Conditions to include: an expanded narrative with construction timeline, mapping of access route, development of a plant list to be approved by the Conservation Agent.

**Applicant: MAJORS COVE PROPERTY OWNERS ASSOCIATION**

**Proposal:** Amend order of conditions to permit vegetation to be cut to 3-feet.

**Representative:** Jackie Driscoll

**Discussion:** Vegetation adjacent to the kayak racks overlooking Sengekontacket Pond is currently at 6-feet. Applicant would like to cut it back to 3-feet to allow for improved views and perhaps delay cutting from every year to every other year to save the association money.

**Action taken:** Province made a motion to continue the hearing to the next meeting, November 13<sup>th</sup>, to allow time for a site visit. Carlson seconded the motion. Unanimously approved.

**Applicant: ANDERLE – 12 MILIKIN WAY**

**Proposal:** NOI to construct a replacement pier and boardwalk

**Representative:** George Sourati

**Discussion:** Site report: existing pier and walkway dilapidated. Makes sense to extend the pier out to the faired pier line as there is only 18” of water at the end of the existing pier. MAC expects to approve the pier at its next meeting.

**Action taken:** Avakian made a motion to approve the project as presented. Carlson seconded the motion. Unanimously approved pending formal MAC approval. Standard pier and boardwalk conditions.

**Applicant:** ATLANTIC SHORES ASSOCIATION - Atlantic Drive

**Proposal:** Request for a determination of applicability to prune and/or remove invasive vegetation

**Representative:** Ned Casey

**Discussion:** Poison ivy, bittersweet, Russian olive, honeysuckle, Virginia creeper, porcelain berry have overtaken the area. The homeowners would like to be able to cut it back once a year in the fall. No native vegetation will be removed.

**Action taken:** Province made a motion to issue a negative determination of applicability #3. Avakian seconded the motion. Unanimously approved. Conservation Agent to supervise the initial cutting, especially on the lot adjacent to the airport.

**Applicant:** 32 OCEAN VIEW AVENUE – SULLIVAN

**Proposal:** Request for a determination of applicability for work in the flood zone including: portion of the driveway, retaining wall, exterior garage stair, and revisions to the proposed septic system.

**Representative:** Architect Chuck Sullivan, and homeowner Dan Sullivan, Jason Brickman – contractor.

**Discussion:** 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. Agent has inspected the property and found everything to be in order. George Brush, attorney for the Reilys – who abut the property – objected to the filing of a determination and said that a notice of intent is required. The agent disagreed and said that she has spoken to DEP who agreed that a determination was appropriate in this case. Mr. Sullivan said that he would not be ‘facing’ the retaining wall as it is not visible from a public way.

**Action taken:** Avakian made a motion to issue a negative determination #2 saying that he did not believe any of the proposed activities would have a negative impact on the resources protected under the bylaw or under the act. Carlson seconded the motion. Unanimously approved with the condition that the plantings adjacent to the driveway be maintained and replanted, if necessary, after two growing seasons.

OTHER BUSINESS:

The Commissioners unanimously approved the pruning of the hedge at the Whale Tail Park as it is now over 10-feet wide.

The agent reminded members to submit their Open Space Plan questionnaires.

There being no further business, the meeting adjourned at 7:00 p.m.

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