

## Minutes of a Conservation Commission Meeting – 28 October 2015

Members present: Peter Vincent – Chairman, Geoffrey Kontje, Jeff Carlson, Stuart Lollis, Christina Brown, Lil Province, Bob Avakian

Staff: Jane Varkonda, Lisa Morrison

### PUBLIC HEARINGS:

**Water Department.** Request for a determination of applicability re: site preparation at the Lily Pond well pumping station. [Province abstaining – as she is a member of the Sheriff's Meadow board - the property is leased from Sheriff's Meadow]. Bill Chapman, superintendent, made the presentation. This project is will only be necessary if it is determined that the well needs to be cleaned. The cleaning will necessitate some pruning, and the trucking in of between 5 to 6 cubic yards of gravel. The gravel is needed to stabilize the site for the staging of the cleaning rig. At the end of the work, the gravel will be removed and the site restored.

Discs will surge in well for 30 hours or so – to clean the screens. Discharge will be taken to wastewater plant. Muriatic acid is used in the cleaning process, but is contained completely in the well itself. The well column is approximately 120-feet deep, and about 65 gallons of muriatic acid will be used.

Brown asked if there was a contour map. The agent replied that it was not required as the gravel will be removed once the project is complete. Kristen Fauteux was concerned that disturbing the soil when the gravel is removed would enable weeds to grow. It was suggested that a tarp of some kind be put down prior to placing the gravel.

Brown made a motion to issue a negative determination of applicability with the above condition. Kontje seconded the motion. Unanimously approved.

**Marx.** NOI to install a stone revetment, North Neck Road. Richard Barbini was present for the applicant. House was built in 1973. Applicants came in about 18 months ago and were denied. They then hired SBH to explore the history of erosion in the area. Barbini submitted a plan showing some substantial erosion, 50% of which occurred just in the last year. Mr. Barbini said that he and his clients explored other options, such as coir logs, but he does not believe that such a solution would work in this area. All the work will be staged from the waterside and the applicants will speak to the Filleys' about using their road. Photos of the recent storm damage were submitted.

Barbini noted that the primary reasons for the previous denial was that the applicant did not prove that the erosion was endangering the house. Lollis commented that circumstances have changed: the recent erosion appears to be heading right for the house. The design of this

bulkhead is also somewhat different from the earlier design: it is shorter and thinner and does not but up to the neighboring property. Mr. Barbini said in his opinion this is the only solution other than doing nothing. Currently there is between 75 and 80 feet between the front of the house and the bank.

Materials will be barged in if access can't be worked out with the Filleys. Kontje noted that, one by one, all the properties in this area are being armored. He said he wished there could be more of a global solution, such as an artificial reef. Continued to the next meeting, November 18<sup>th</sup>, for a site visit.

**Purvis.** Pool and related structures, Swan Neck. Reid Silva present for the applicant. Former Paul Lodi lot. Applicant has received a special permit from the Planning Board. Mr. Silva said that groundwater was found at about 8-feet. They are planning to use a salt-based filter system. The water level will be pump down by 6 to 12 inches in the winter. They will use either a leaching pit or a trench. After some further discussion, the Commission voted to continue the hearing to November 18<sup>th</sup> for a site visit. Mr. Silva to submit cross-section and a plan for dealing with the pumped out water.

**Parker.** Moffet Way. Request to amend order of conditions previously issued to Cheryl Cook. Reid Silva present for the applicant. The property formerly belonged to LaCroix and contains an existing camp. The new owners want to save an existing oak on the property and don't want to disturb its root system. They would like to relocate the septic system to the original permitted location and do some minor grading so they can have a deck with no railing. The original order was issued in 2011, and then amended. A plan to save the tree was drawn up by a certified arborist at Beetlebung Tree, who suggested the relocation. Carlson cautioned that the feeder roots of the tree should not be covered, even by just 6-inches. Silva said he would adjust the contour lines. Geoff Kontje noted that the garage location had also been moved. Silva noted that it was moved to a previously approved building area. No changes were made to the design or location of the main house. After some further discussion, Avakian made a motion to approve the amendment. Province seconded the motion. Unanimously approved.

#### CONTINUATIONS

**Reagan.** The Boulevard. George Sourati representing the Reagans, who were also present. Request to amend the application to construct a garage and relocate the retaining wall. A report of the site visit was given. The Reagans are looking to create a flat area in front of the house, which was staked on site and to construct a two-car garage – thereby expanding the previously approved development envelope. The site visit indicated that some extensive cutting of the shrubbery in front of the house has been done, as well as some filling in the proposed garage area. John Reagan explained that he moved some topsoil which was

generated during the construction process. However the soil was placed outside the approved development area. The Reagans are asking for a 3100 s.f. increase in the development envelope. Mr. Reagan said that the brush cutting in front of the house was done in order to access and mark the existing trees. He said that the work had been approved by the agent. The agent said that she had approved the brushcutting of a path to the various trees, not the brushcutting of the whole area.

The Commission commented that the original approval for this lot was very difficult to get. The Commission said that they would like to see a restoration plan for any cutting not done in the approved view channels. The Commission said that it was not in favor of expanding the building zone to this extent and suggested that the applicant revise the application and make the garage smaller and bring in retaining wall closer to the house. No amendments will be issued until the violations are corrected. Agent noted that the permit covering the cutting of view channels is no longer valid because certificate of compliance was issued prior to the Reagans' purchase. Continued to 18 November.

ACKCMV NOI to construct garage, guesthouse, and associated landscaping, Boldwater. [Former Thomas property.] Reid Silva representing applicant. A visit to the property uncovered a newly built, unpermitted kayak rack. Mr. Silva said that the rack will be removed and reapplied for in a different location where it will not be visible from the pond.

The Boldwater Architectural Review Committee has approved the project. Silva will forward a letter for the file. No one on the board had any concerns regarding the guest house or the associated landscaping. Carlson made a motion to approve the project as presented. Province seconded the motion. Unanimously approved with standard conditions.

**Colvin.** Request for a determination of applicability to construct a garage, Manaca Hill. Bruce MacNelly was present for the applicant, Dr. Colvin, who was also present. Attorney George Davis was present for abutters Susan and Dan Plaine. [Lollis, Province, and Kontje abstained from the proceedings and left the room] Project has been approved by the Planning Board as it is a nonconforming lot. All work meets required setbacks.

Garage will be a 25 x 32 one story structure with a hip roof. A landscaping plan has been developed to address the concerns of the Plaines and the Fortenboughs. New plantings will provide screening for Fortenboughs and a view corridor for the Plaines. Trees will not exceed the height of garage, i.e. 14 feet. Some trees will be removed for construction. The Colvins have owned the property since the 80s. After a brief discussion, the Commission issued a negative determination of applicability.

OTHER BUSINESS:

Copies of the proposed MVC DRI checklist were distributed for review.

Katama Farm. At 6:45 p.m. the Commission voted unanimously by roll call vote to enter into executive session to discuss the leasing of real estate. At 7:00 p.m. the Commission voted to end their executive session.

At 7:05 the Commission voted to adjourn.

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

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Peter Vincent – Chairman, Geoffrey Kontje, Jeff Carlson, Stuart Lollis, Christina Brown, Lil Province, Bob Avakian

Vincent reported that the Farm Institute and the Trustees of Reservations have agreed that the Farm Institute will assign the current lease to the TTOR. The trustees are asking that the term of lease be 60 years and want some assurance that they can manage the property without undue influence – they are concerned about certain clauses in the present lease.

The Commission noted that among the requirements will be an updated management plan as there are rumors that the trustees would like to expand the store. Mr. Vincent said he was not sure whether or not the trustees were aware of the rent increase.

The Commission will await a letter and a farm plan from the Farm Institute prior to renegotiating and assigning the lease.