

Minutes of a Conservation Commission Meeting – 15 January 2014

Members present: Peter Vincent – Chairman, Stuart Lollis, Bob Avakian, Jeff Carlson

Absent: Christina Brown, Edo Potter, Lil Province

Staff: Lisa Morrison

CHAPPY HOUSE LLC (Riley). Replace and extend wooden walkway, off Litchfield Road. Richard Barbini representing applicant. A photo was circulated, showing the walkway that had been damaged in a recent storm. Mr. Barbini also circulated an example of a boardwalk built by Steve Ewing using cedar posts and pressure-treated lumber. Remnants of the old walkway will be removed, and the walkway will be extended by 20-feet landward. Post will rest on bricks or concrete block, bracketed to pipes that extend into the ground 3 to 4 feet. Trudy Carter was concerned that the work not be done during bird nesting season. Barbini noted that Mass Heritage had already signed off on the project and noted that Mr. Ewing, a former long-time member of the Commission, would not do the work during nesting season. Lollis made a motion to approve the project as presented. Carlson seconded the motion. Unanimously approved.

DeSALVO Request for a determination to expand two-story deck, screen in lower portion and add fireplace. Mark Lucier present for the applicant. Deck will be located about 100-feet from Sheriff's Pond. Some excavation will be necessary to install a four-foot frost wall, four-feet below grade. Wall will be about 10-inches wide with brick facing.

Eddie Blake noted that the whole area is a bird sanctuary, and that mating season begins in February. She said that construction noise will scare the birds away and prevent them from nesting.

Mr. Lucier said that he will begin the work as soon as possible. Avakian made a motion to issue a negative determination of applicability with the understanding that the work will be done prior to the nesting season, i.e., up to the end of February. Silt fence will be placed between the work and the pond. Lollis seconded the motion. Unanimously approved.

SCHEFFER Roy and Jeremy Scheffer. Requests for determinations for aquaculture projects to be located in Middle Flats, off Eel Pond. Mr. Scheffer has already been through the Selectmen and the Shellfish Departments. The project involves using cages to grow oysters. No rafts are involved and the cages will be located 15-feet deep to withstand storms. The cages will be

located approximately ¾ a mile off the beach. He noted that he has a similar operation going in Katama Bay. Everything is underwater except for some marking buoys. He said he may ask for a mooring so they can tie a boat up. After a brief discussion, the board voted unanimously to issue negative determinations.

Continuations:

ROLLS NOI to construct single-family 4000 s.f. dwelling and clearing of vegetation for views, Boldwater. Joanne Gosser representing applicant. A report of the site visit was given. Natural Heritage has asked that the applicant file the 'limit of work area' with the registry. House is approximately 500 feet back from the edge of the pond. Applicant is proposing to do some limited clearing of scrub in order to see an existing grove of trees from the house. They are also proposing to do some cutting and pruning within the view channel to enhance the views of an emergent pond near the house. The applicant is proposing to abandon the second view channel that was approved in an earlier application. The proposed view channel would be about 75 feet wide near the scrub and about 150 feet at the pond edge. After some discussion, it was agreed that work in the proposed view channel would be done in stages. Lollis made a motion to approve the project as presented with standard conditions relating to outdoor lighting and formal landscape plan. Applicant may prune a section of the scrub brush near the small pond, as shown on the plan, and clear out scrub to provide a view of the grove from the house. Unanimously approved.

CARLUCCI Remove existing dwelling, construct new dwelling, garage, pool & cabana, off Faulkner Drive. Norman Rankow and Richard Barbini were present for the applicant. A report of the site visit was given. Barbini noted that the utilities that serve the existing pier need to be updated. They are also asking to put in new conduit by means of directional drilling from the house. Commission agreed to amend the request to include that work in the notice of intent with the understanding that no additional lighting is permitted on the pier without prior approval from the Commission. Barbini reiterated that the new construction would be further back from the resource area than the existing home. A letter in support of the project from abutters Melrod and Hutchins via their attorney was read. Robbie Hutchinson of Donaroma's is in the process of working up a landscape plan for the Commission's approval. Avakian asked that the trees that exist between the house and the water be put on the plan. It is understood that trees within 10-feet of the proposed new footprint will have to come down. Avakian made a motion to approve the project as presented with standard conditions. Lollis seconded the motion. Unanimously approved.

WUERTH Request for a determination of applicability to repair underground cable and install marine pedestal at Green Hollow. Rob Young, the agent, was unable to attend. The board approved the compromise to install the marine pedestal without lights but did not like the

design of the proposed adjunct light. They asked that an alternative fixture that is fully shielded to shine downwards only be substituted. The board voted to issue a negative determination as soon as a cut sheet of the alternative fixture was submitted.

FOLLIARD Norman Rankow present to request for an emergency permit to remove an abandoned 1000-gallon oil tank that was discovered during preliminary excavation. The site has been hand excavated and the oil pumped out under the supervision of the fire chief. They are asking permission to remove the tank using a machine. Fire chief will supervise the removal of the tank, and then examine the soils to see if there have been any oil leaks. Lollis asked if the tank could not simply be cleaned out and filled with sand. Mr. Rankow said he did not think that was legal. The Commission was concerned about the effect of the excavation on the historic Pagoda tree and recommended that Mr. Rankow hire an arborist to ensure the health of the tree during any excavation. Avakian made a motion to issue the emergency certificate. Carlson seconded the motion. Unanimously approved.

MEMORIAL BENCH Roger Becker has been working with the CIA and the Beautification Committee to come up with a plan for some benches on Chappy Point. A request from Lori Stephenson some months ago to put up a bench to honor her mother, Carol McGovern, had prompted this effort. Plan was reviewed and approved by the Commission, with the condition that the bench near the bike racks be placed in such a way so as not to impede access to the beach.

WACKS James Greer and Jeff Kontje were present to request an emergency permit to place more sand bags at the base of the coastal bank, partially demolish a 36 x 28-foot section of the house, and relocate the access road. Mr. Greer said that the road has already been coordinated with Chris Kennedy of TTOR on a temporary basis. A formal easement will be pursued down the road, if necessary.

Mr. Greer said that the original sandbags are still in place and in tact. The bags have not moved, but the beach has. Only 80 to 100 were ever put in place. Mr. Greer said it was way to small an effort: they need to armor the bank up to the highest tide line. Mr. Wacks understands that it is a temporary measure, not a long term solution. He is buying time in hopes that he will be able to salvage some of the house. Bags will be filled on site and moved to the bank by bobcat.

Mr. Kontje said that Mr. Wacks is intending to salvage as much of the building materials and foundation as possible and then stabilize the remaining structure. The propane tanks have already been removed and the new access cleared. The roadway is approximately 100-feet long, 15-feet wide. Four pitch pines were removed for the road. Now has viable vehicular access. Mr. Kontje will oversee the demolition and salvage. Mr. Kontje said that the bank is

currently holding at 21-feet. If it gets much closer, the demolition will begin. He is monitoring the site to make sure that demolition window does not close. Lollis made a motion to approve the emergency permit with the understanding that Mr. Wacks is proceeding at his own risk.

SCHIFTER A letter from George Sourati requesting release of the escrow funds relating to the erosion control project was read. The request was tabled for discussion at a future meeting in order to determine if town counsel set up two separate escrow funds, one for the erosion project and one for the restoration, and to ensure that a thorough inspection was done. Assistant will also speak with Chris Kennedy of the TTOR to see if there are any outstanding issues.

There being no further business, the meeting adjourned at 6:45 p.m.

Approved: _____