

Present: Commissioners Paul Chamberlin, Jay Putnam, Carol Scott, Corinne Johnson, John Geiger, Billie Bates, Barbara Waters(Skelley), Associate Members DeeDee Holt and Peter Donovan, Conservation Agent Kristin Andres and Secretary Mary Fougere.

Absent: Associate Keith Hutchings

The following hearings were continued at the request of the applicants as follows:

- ☑ **94 (Lot 7A) Uncle Albert's Drive, Schumacher, SE 10-2396:** Continued to January 21, 2009
- ☑ **Shore Road & Claflin Landing, Chatham Bars Inn/CBI PC LLC, SE 10-2452:** Continued to February 18, 2009
- ☑ **Lot 1 Mill Hill Road, Jepsen, SE 10-2518:** Continued to January 21, 2009
- ☑ **43 Holway Street, Habib, SE 10-2249:** Continued to February 18, 2009
- ☑ **125 Stage Harbor Road, Gregory, SE 10-2486:** Continued to February 18, 2009
- ☑ **Pcl R5 Uncle Albert's Drive, Byrne-Ford Associates, SE 10-2514:** Continued to January 21, 2009
- ☑ **30 Bridge Street, Vose/Hen Coop Point Trust, SE 10-2487:** Continued to February 4, 2009

18 Indian Trail, John/Lisa Strain, SE 10-2502:The hearing was re-opened for an Notice of Intent (NOI) for the proposed remodeling of an existing single-family dwelling to include the construction of a garage/connector addition and replacement of exterior windows; proposed driveway re-configuration at 18 Indian Trail. **The application was withdrawn from ZBA; the Conservation application was continued indefinitely.**

150 Stage Island Road, DMD Properties LLC, SE 10-2167: The hearing was opened for a Request to Amend Existing Order under SE 10-2167 to include the removal of the existing building via a 40-ft x 100-ft barge which drafts 1.5 ft of water and to flush cut existing pilings below existing grade at 150 Stage Island Road. David Doherty of E Melson Webster and president of the Chatham Conservation Foundation Inc, and Robert Cummings of EMS Services represented the applicants.

Mr. Cummings stated that Sterling Equipment will be the contractor removing the building. His understanding is that they will rig the building for moving, cut the pilings that support the building; the barge will be brought in on an in-coming tide and a200 ton crane will lift the building onto the barge. The barge should bottom out on the front edge only for about 20-30 minutes;

the work should take less than an hour and there are no plans to store the barge/building inside Chatham Harbors.

The Commission expressed concern regarding prop scouring. Mr. Cummings stated that more soundings will be completed in the harbor to indicate the parameters where the barge can operate. The Commission questioned where the access to Stage Harbor would be and verified that the barge would not remain in Chatham Waters once the building is moved to it.

The hearing was continued to January 21, 2009 for receipt of the following:

- ◆ A written narrative and work protocol from Mr. Cummings
- ◆ Comment from the Harbormaster
- ◆ Verification whether old rail tracks are still in the waters

The Commission reminded the applicants that all informational materials should be received at least one week prior to the meeting so that the Commissioners have time to review.

64 Far End Lane, Deep End Property Inc-owner, c/o Christopher W Rogers, Grubb & Ellis Co, SE 10-2517: The hearing was opened for a Notice of Intent (NOI) for the proposed re-location of an existing boathouse; proposed driveway improvements and proposed beach nourishment at 64 Far End Lane. David Lyttle of Ryder & Wilcox, Inc and William Riley, Esquire represented the applicant: Mr. Lyttle returned the abutter notification cards. Commissioner Johnson was recused from the hearing. Mr. Lyttle stated that since he had completed the plan that the Commissioners had in hand, there has been an increased tide range affecting the Rogers-Koch property. This will necessitate a change in the proposal for the grade elevations of the driveway; the grade elevations will probably be closer to those proposed for the Linnell Lane project.

The tidal changes will also necessitate a change in the elevated height of the boathouse, however Mr. Lyttle will do some more surveying. The goal of the project is to elevate the grade in the drive for access to the house and to raise the boathouse. It was noted that a wrack line can be seen on the east side of the boathouse; from the audience Mrs. Rogers-Koch, stated that the high water mark on the boathouse does not remain in place long for observation purposes because it gets washed off by rain. The current parking area over the septic system does not flood.

Letters of support from the following abutters were read into the record:

- ◆ Letter dated Dec 29, 2008 from Anne Foster
- ◆ Email dated Jan 6, 2009 from ARG Realty Trust, Amelia Guise

- ◆ Letter dated Jan 6, 2009 from Lee B Fuller

Mr. Lyttle asked that the hearing be continued to January 21, 2009 to allow more time to gather the complete information listed above and likely submit a revised plan.

335 Old Queen Anne Road, Barbara/Stuart Holden-applicants, Barbara Holden-owner, SE 10-: The hearing was opened for an NOI for the proposed removal of existing septic system and proposed installation of a new septic system at 335 Old Queen Anne Road. Stephanie Sequin of Ryder & Wilcox represented the applicant and returned the abutter notification cards. The site plan shows the location of the Conservancy District Contour and the 100-ft setback to the edge of Emery Pond. It was noted that the 18-ft contour appears in the field to be the approximate edge of the wetland; there is a sloped area above the 18-ft contour, indicating an inland bank. After some discussion, it was agreed that the Commission would accept the resource delineation for the purposes of the septic upgrade but delineation of the Inland Bank would have to be re-evaluated if a development project were proposed in the future. Ms Sequin will provide a revised plan for the file with a note to this effect.

The septic upgrade proposal calls for a polyethylene septic tank and a pump chamber. The leaching portion of the system is in the front of the house, near the roadway. A large tree near the shed will be damaged by the excavation and will probably be removed. The Commission questioned whether the applicant would plant a replacement tree somewhere on the site as mitigation for the removal of the large tree.

The excavation area will be extensive and the limit of work is expansive in order to retain excavated materials. The entire No-Disturb Zone (NDZ) is filled with permanent disturbance and the creation of the beach by the previous owner, was unpermitted.

A comment letter dated January 2, 2009 , from the Division of Fisheries & Wildlife, NHESP was read into the record.

The proposal will be heard by the Chatham Board of Health (BOH) on January 12, 2009; the proposal will require several variances from the BOH.

The Conservation hearing was continued to January 21, 2009

282 Stage Island Road, John/Pamela Farrell, SE 10-2512: The hearing was re-opened for an NOI for the proposed removal of existing dwelling, proposed

construction of new dwelling with connection to existing septic system; proposed grading and landscaping and proposed construction of elevated timber steps at 282 Stage Island Rd. Stephanie Sequin of Ryder & Wilcox Inc represented the applicant. She provided the following information requested at the previous hearing:

- ◆ The details for the stairs will be submitted by Ms Sequin
- ◆ The kayak storage rack has been brought down and removed seasonally

The proposal is scheduled on ZBA agenda for Jan 22, 2009; Ms Sequin noted that the stairs and kayak rack were inadvertently left out of the ZBA application, but they should remain part of the Conservation filing and the ConsCom's comment letter to ZBA. Should the applicant go forward with the stairway leading to the salt marsh, a new ZBA filing will be submitted if necessary.

The Commission discussed the Landscape Plan provided by Phil Cheney. It appeared that there will be a large amount of grading and substantial loss of native trees. The plan shows tree replacement.

The Conservation hearing was continued to February 4, 2009.

282 Stage Island Road, Farrell, SE 10-2512: The Zoning Board of Appeals (ZBA) had requested comment on the project. The Chair read the following drafted comments. The Commission has reviewed the Ryder & Wilcox plan dated November 11, 2008 for the proposed demolition of an existing 1598 sq ft dwelling and the construction of a new 2125 sq ft dwelling in approximately the same location at 282 Stage Island Road. Also proposed are elevated timber stairs and a kayak storage structure.

All proposed work is within the 100-ft Adjacent Upland Resource Area (AURA) to the top of a coastal bank delineated as the 100-year Flood Zone at elevation 10-ft. The project represents a total increase in building and hard-scape coverage of 730 sq ft, 170 sq ft of which is in the No-Disturb Zone. The construction area is already altered, but a number of native trees will be removed.

The applicant has submitted a landscape plan (Philip Cheney, dated November 17, 2008) showing a variety of new hard-scape features and a substantial area of new, native shrub plantings to the south and east of the proposed dwelling. These mitigation planting areas are contiguous with existing native vegetation and will be allowed to naturalize in perpetuity.

The Commission finds that the proposed mitigation is adequate to offset the additional lot coverage and that this project can be conditioned to minimize adverse impact to the coastal bank and its AURA.

The Commission approved of the comments.

Strong Island, Jay Cashman-applicant, Chatham Conservation Foundation-owner, SE 10-2519: The hearing was re-opened for an NOI for the proposed seasonal pier construction at Strong Island. Bob Cummings of EMS Services and William Riley, Esquire represented the applicant. Mr. Cummings provided the Commission with a stamped and signed plan for the proposal. It was noted that the Commission will need a written zoning determination from the Chief Zoning Officer, Kevin McDonald. **The hearing was continued to February 4, 2009.**

Strong Island, Jay Cashman-applicant, Chatham Conservation Foundation Inc-owner, SE 10-: The hearing was re-opened for an NOI for the proposed house renovations including reconstruction of existing dwelling, addition of second story and deck; proposed cleanup of waste area; proposed improvement of existing access across beach; proposed meadow restoration at east end of island and proposed trail maintenance activities at Strong Island. The Commission and the representatives agreed to arrange an on-site visit to view the staked location of the proposed structure and revised plans are to be submitted prior to on-site. **The hearing was continued to February 4, 2009.**

Lot 2 Crows Pond Rd, Crows Pond LLC, SE 10-2202: An Extension Order was signed for Lot 2 Crows Pond Rd for the construction of a dwelling and utilities at SE 10-2202

Lots 4 & 5 Crows Pond, Japowicz, SE 10-: The Planning Board had requested comment on the revised plan for a driveway at Lots 4 & 5 Crow's Pond Road. The Chair read the following drafted comments. The Commission initially reviewed the Clark Engineering LLC plan dated August 27, 2008 and the newly revised plan dated November 24, 2008 showing a revised slope and re-grading for a driveway to serve two building lots.

Only the extreme eastern and western ends of the driveway are within the Commission's jurisdiction and no change is shown at the eastern end. At the western end where the driveway meets Crows Pond Road, the only change shown is a storm drain rather than a trench drain, connected to drywells.

The Commission has no objection to this minor change provided that the finished drive surface slopes toward the drain in order to capture and contain storm water run-off on the property.

The Commission approved of the comments.

Lot 10 Palmer Drive, Hoyle, SE 10- A Certificate of Compliance was signed for the completion of the construction of a dwelling at Lot 10 Palmer Drive.

Annual Report: The Commission voted unanimously to approve the annual report as written and have Ms Andres submit to the Selectmen.

Off Marshview Rd, Taylor: The Commission approved the trimming of a stand of sassafras for view enhancement at the island house associated with 82 Marshview Road under an Administrative Review filing. . The house is occupied seasonally. No additional filing will be necessary at this time.

101 Seapine Road, Pelletier: There is an open Order of Conditions for construction and renovations to an existing dwelling. It has become apparent that the driveway cannot be a pervious surface as stipulated in the Order due to steepness of the grade. The applicant proposes a brick paver surface with the addition of a mortar base for the pavers.

Also proposed under this Administrative Review is the removal of beetle-infested pine trees as shown in photographs supplied with the application. The Commission would like to see the applicant re-plant trees on the lot after the removal of the pines.

The Commission approved the proposed work (6 voted in favor, 1 abstained) with the understanding that the applicant would re-plant trees.

581 Riverview Drive, Casey: As a result of a violation, the applicant was required to remove debris that had been thrown over the bank to Muddy Creek. Once the cleanup was completed, the applicant had been told she would need to submit a site plan showing property boundaries, the location of the Conservation Foundation property with respect to hers and the wetlands protection jurisdiction.

The applicant has submitted an Administrative Review to mow vegetation for view enhancement, much of which was scrub oak. Although a photograph of the site was submitted along with a topographic overview, the applicant did not provide a site plan showing property bounds or the Commission's jurisdiction.

The Commission agreed that the work could not proceed under an Administrative Review.

Adjournment: It was moved, seconded and voted to adjourn the meeting at 8:15 PM.

Respectfully submitted,
Mary Fougere, Secretary