

A quorum was present. Those in attendance included Paul Chamberlin, Eric Hilbert, Carol Scott, Richard Woodward, Nat Mason, Jay Putnam, Associate Members Billie Bates, Joseph Manteiga and Ira Seldin, Conservation Agent Kristin Andres and Secretary Mary Fougere. Commissioner Corinne Johnson was absent.

**103 Wapoos Trail, M Brown:** In response to an Enforcement Order, Mark Brown was present to review the restoration plan formulated by Craig Brown of Seacoast Landscaping. Eric Hilbert was recused from the hearing. Mark Brown stated that he had obtained several estimates and had selected Seacoast Landscaping to perform the restoration planting. The estimate included the size and type of trees and shrubs to be planted, a watering system proposal and a maintenance program to guarantee the viability of the trees for one year. Two and ½” caliper trees were listed on the estimate.

Ms Andres had consulted with Bartlett Tree Experts to obtain prices for 8-10 ft cedars and 3-1/2 -4” caliper oaks, including the monitoring 3-4 times annually for three years ; the estimate she received was for approximately \$9,000.00. The Commission noted that there is a substantial cost difference between the Seacoast Landscaping estimate and the Bartlett Tree Expert pricing. The Commission felt that Mark Brown will have to obtain additional information from Craig Brown to assure the Commission that the Seacoast estimate will address the concerns of planting adequate, good quality plant materials and the monitoring for an adequate period of time for same. The Commission would like the following information:

- ◆ A resume from Craig Brown
- ◆ A letter of approval from Doyle George
- ◆ Inclusion of a three year monitoring program in the bid
- ◆ Details of the irrigation plan specifying the location and installation of drip lines
- ◆ Specifics on the plant material to be used, the Commission expects that the cedars will be east coast-grown and the oaks will be 3-1/2 -4” caliper; this larger caliper trees will probably require the use of machinery
- ◆ The mulch specified on the estimate should be pine needles

The Commission agreed that the deadline for planting the trees and shrubs will be April 15, 2008. It is difficult for the Commission to determine the amount for a performance bond without an adequate estimate on which to base the figures.

It was moved, seconded and voted to issue a fine in the amount of \$2400.00, based on 8 trees that were removed @\$300.00 per tree. Ms Andres stated that there is a criminal case pending as well, initiated by the Chatham Police Department.

**The hearing was continued to March 5, 2008; the Commission will begin the meeting at 6:30 to discuss this proposal.**

**4:30 PM-9 Kingsbury Way, Leibowitz, SE 10-2343:** Dana Schock was present with a landscape plan for the Leibowitz property at the above address. Special Conditions #1 under C) Drainage & Re-Vegetation requires that the Commission review the final landscape plan prior to commencement of work. Only a corner of the property is within the 100-ft AURA to the flood plain (top of bank is across the street); the rest of the lot is within 100-ft of the wetland to the north of the property. One hundred ninety-three sq ft (193 sq ft) of mitigation planting has been provided in the original proposal. Those mitigation plantings along the northern lot line will be allowed to naturalize.

Mr Schock reviewed his colorized plan that showed hardscape areas in orange. The proposed brick walks and brick terrace will be dry-laid. The lawn areas are the same as what was already on-site before construction. The driveway will be pervious; the original one was paved.

The Commission felt that the applicant should provide additional mitigation plantings for the hard-scaped areas shown in orange. Mr Schock stated that he could add plantings to the area along the existing fence and reduce some lawn area in the back and add plantings to the already-described area to the north.

There will be no underground irrigation in the No-Disturb Zone; temporary drip lines will be used for the initial plantings.

**80 Stage Harbor Road, Town of Chatham-owner, Town of Chatham Park & Recreation Department-applicant, SE 10-2135:** The hearing was re-opened for a proposed request to amend an existing Order of Conditions under SE 10-2135 to include planting and landscaping at 80 Stage Harbor Road. Barbara Cotnam was present to review the latest plant list dated February 27, 2008. She stressed that the proposed plant varieties have been taken from the Primary and Secondary lists of Trees and Shrubs for Coastal Environments. The Wild Indigo has been removed from the list.

After some discussion, the Commission felt that the perennial list could be approved as well as the plant list. Mulch and organic material can be used at planting time.

There was a question whether or not the proposed split rail fence would require a Special Permit from the Zoning Board of Appeals. Additionally, the removal of invasives, including Knotweed and Autumn Olive, can be included in this filing. Ms Cotnam had already obtained an estimate from Seth Wilkinson for the use of chemicals for the removal of the Knotweed.

**The hearing was continued to March 12, 2008, at which time Mr Tobin will be available to discuss the need for a Special Permit and to discuss the method of invasive species eradication at a public hearing.**

**83 Holway St, Cullinane, SE 10-10-2231 and 81 Holway St, Whelan, SE 10-2230:** The Commission denied the Amendment requests at the hearing on February 20, 2008

because the scope of the project was substantially different than what was approved under the original permit. The findings of the Commission will be issued with the denial document.

**325 Fox Hill Rd, Chatham Yacht Club, SE 10-2412:** It was moved, seconded and voted to approve the Coastal Engineering Company C3.1.1 plan dated January 21, 2008. Commissioner Scott was recused from the hearing. **An Order of Conditions was written.**

**Sears Rd to 212 Sears, Keyspan, SE 10-2410:** It was moved, seconded and voted to approve the Coastal Engineering Company plan C2.3.1 dated January 18, 2008. **An Order of Conditions was written.**

**25 Skippers Way, Seibert, SE 10-2386:** It was moved, seconded and voted to accept the Clark Engineering LLC site plan dated October 4, 2007. **An Order of Conditions was written.**

**Approval of Minutes:** The minutes of January 16, 2008 and February 6, 2008 were approved as amended at the table.

**17 Sky Way, Hunter, SE 10-2404:** The Zoning Board of Appeals (ZBA) had requested comment on the proposal. The Commission has reviewed the Ryder & Wilcox, Inc plan dated December 11, 2007 for a proposed elevated stairway over an Inland Bank to the shores of White Pond at the above address.

The proposed timber stairway and landings will follow an existing pathway /gully down the bank and will be installed on 4" x 6" posts to be dug in by hand. Two large pitch pine trees will need to be removed and the applicant has agreed to mitigate this loss by planting native shrubs in areas of the bank which have very little to any under-story vegetation.

The Commission finds that this project is likely to prevent soil erosion along the currently used steep path and that the project can be conditioned to avoid adverse impact to the Inland Bank.

**149 Deep Hole Road, Terry, SE 10-:** The ZBA had requested comment on the proposal at 149 Deep Hole Rd. The Commission has reviewed the Clark Engineering LLC plan dated November 10, 2006 last revised May 16, 2007 for the proposed demolition of two cottages and the construction of a four bedroom dwelling with garage and deck on an altered and enlarged footprint. The proposal also includes the installation of a new Title 5 septic system and the construction of a new guesthouse within the footprint of the existing one-bedroom cottage that will be connected to the main dwelling by an open deck.

The project is within 100 feet of a Salt Marsh, Coastal Bank, Isolated Vegetated Wetland and 100-year Coastal Flood Zone delineated at elevation 10.0ft. The project proposes to increase the current footprint by 780 sq ft with 364 sq ft of new incursion in the 50 foot setback from the Conservancy District which is considered the No Disturb Zone under the local wetlands protection regulations. The area to be disturbed is currently vegetated with native shrubs, large pine trees and oaks.

The protection of naturalized buffers is important to wildlife and water quality. The wetlands affected by this project site drain into Red River Marsh. The proposed increased incursion into the No Disturb Zone comes within 9 feet of the Flood Plain Contour (el 10.0 ft). An earlier design presented to the Commission proposed a slight decrease within the setback to the Conservancy District, but the plan was revised in order to site the septic system components away from the Isolated Wetland. The Commission will be considering the overall intensity of the proposed increased development on the site and weighing whether adequate mitigation can be provided.

Construction access has been proposed off of Deep Hole Rd which the Commission will make as a requirement of the project. The development of the fulltime driveway access from Fairview Avenue is of concern to the Commission. The proposed driveway comes within 20 feet of the Isolated Wetland which likely serves as vernal pool habitat. Stormwater run-off and overall improvements to the driveway have been proposed by the applicant in the new plan revision. The Commission believes that the applicant will be able to design and construct improvements to this driveway that will protect the Isolated Wetland and that it can condition the project to protect the pertaining interests.

**77 Champlain Road, Woodward:** The ZBA had requested comment on the proposal at 77 Champlain Rd. The Commission has reviewed the As-Built Plot plan dated December 7, 2004 for the construction of a second story dormer on the southerly side of the dwelling at the above address.

The existing dwelling and construction of the dormer is in the outer Adjacent Upland Resource Area (AURA) to the top of the coastal bank on the southern side of the property. Under the repetitive petition, there are no proposed changes to the footprint of the existing dwelling.

The Commission believes that there will be no additional adverse impact to the coastal bank.

**16 Cranberry Lane, Crane, SE 10-:** The ZBA had requested a comment on the proposal at 16 Cranberry Lane. The Commission has reviewed the Ryder & Wilcox plan dated November 30, 2007 revised January 22, 2008 for the proposed demolition of an existing breezeway and garage and the construction of an addition to the existing dwelling at the above address. Also proposed are the removal of an existing paved driveway, the

construction of a new pervious-surface driveway and the installation of a new septic system.

Nearly all the proposed work is within 100-ft of a vegetated wetland to the west which is separated from the building site by a paved road(Cranberry Lane). The only work proposed within the 50-ft No-Disturb Zone (NDZ) to the wetland is a portion of the new driveway and some site re-grading which will result in the loss of approximately two trees.

Although the building footprint is proposed to double in size, the work will take place in already disturbed areas and will not result in the loss of significant native vegetation. The Commission is expecting to receive a landscape plan showing doubling of the building footprint and what measures will be used to confine the driveway storm run-off on the site.

The Commission has determined that this project can be conditioned to minimize adverse impact to the wetland and its adjacent upland resource area.

**Barn Hill Landing Drainage, Town of Chatham, SE 10- 2024:** An Extension permit was signed for the parking and drainage work at Barn Hill Landing.

**74 Chatharbor ln, Beaton, SE 10-1668:** A Certificate of Compliance was signed.

**Lot 66 Winterhome Rd, Farber, SE 10-1707:** A Certificate of Compliance was signed.

**105 Woodcarver Knoll, Walthers, SE 10-1928:** A Certificate of Compliance was signed.

**39 Cranberry Ln, Byrne, SE 10-2226:** A Certificate of Compliance was signed.

**Reminder:** The Contractor Forum will be held on February 28, 2008. Assistant Conservation Agent James Gallagher will present a short power-point presentation with Questions and Answers to follow.

**Reminder, 72 Sea Mist Lane :** An On-site meeting will be held on March 5, 2008 at 10AM.

**Adjournment :** It was moved, seconded and voted to adjourn the meeting at 6:20 PM.

**Respectfully submitted,**  
**Mary Fougere, Secretary**