

Present : Chairman Jay Putnam, Vice Chair DeeDee Holt, Carol Scott, Billie Bates, John Geiger, Paul Chamberlin, Conservation Agent Kristin Andres, Assistant Conservation Agent Lara Slifka, and Secretary Mary Fougere.

64 Far End Lane, Koch: David Lyttle of Ryder & Wilcox represented the applicant in response to a violation of the existing Order of Conditions issued for re-location of the boathouse and grading at 64 Far End Lane.

Mr Lyttle reported that contractor John Martin had returned the grades to what the Commission had originally requested in the Order on July 20, 2009. An area underneath the boathouse was inaccessible and Mr Lyttle asked that that area be allowed to remain as is, since it is an area that floods and will eventually erode to the required grade anyway. Ms Andres had been on-site to observe the finished grading.

It was moved, seconded and voted to approve the repairs and to allow the area under the boathouse to remain as is.

135 Lime Hill Road, Westlake: David Lyttle of Ryder & Wilcox represented the applicant in response to a violation of the existing Order of Conditions. The property owners has paved their driveway, which was to remain pervious.

Mr Lyttle reported that after completing several test holes, there were no suitable soils for the installation of drainage to contain storm-water run-off from the house. Water was encountered at 15-ft with clay below and silty loam/sand above. As an alternative to the original proposal made by Mr Lyttle that suitable stormwater drainage structures be installed, he suggested the applicants complete mitigation plantings along the edge of the wetland.

Since the lot used to have the whole length of the hard-pack gravel driveway for water to percolate, the Commission agreed that a smaller leaching pit could be installed above the water table. Additionally, since the water is now channeled via a pipe across the lawn area where it eventually ends up in the wetland, mitigation plantings along Lime Hill Road and along the driveway would enhance the viability of the wetland across the street.

The proposal was continued to August 12, 2009 for receipt of a plan from Mr Lyttle.

Mill Creek Estuary Channel, Town of Chatham-owner, Director of Coastal Resources-applicant, SE 10-2557: The hearing was re-opened for a Notice of Intent (NOI) for the proposed dredging of Mill Creek channel; proposed habitat restoration and proposed beach nourishment at Mill Creek Estuary Channel. Coastal Resources Director, Ted Keon, represented the applicant. He stated that Scott Melvin from NHESP and Peter Markunas, engineer for the project from Woods Hole Group, have recently conversed regarding various aspects of the proposal, especially in reference to wildlife habitat. A comment letter from NHESP Scott Melvin will be forthcoming.

In an effort to expedite the project, Ms Andres, Mr Markunas and Mr Keon will draft an Order of Conditions for Commissioners to review.

The hearing was continued to August 5, 2009 for receipt of comment from NHESP, MR Melvin.

211 Vineyard Avenue, Aghajanian, SE 10-2240 Amendment: It was moved, seconded and voted to approve the Philip L Cheney Landscape plan for the Aghajanian residence dated June 11, 2009.
Additional Special Conditions were written.

Off Salt Marsh Way, Ackerman, SE 10-2558: It was moved, seconded and voted to approve the Ryder & Wilcox plan (colorized) dated June 9, 2009 and the Gregory Lombardi Design landscape plan L3.01 dated

July 7, 2009 for the demolition and reconstruction project off Salt Marsh Way/off Anne Blair's Road. **An Order of Conditions was written.**

51 Old Queen Anne Road, Audibert, SE 10-2553: It was moved, seconded and voted to approve the Dan A Speakman plan dated June 21, 2009 revised July 6, 2009 for the proposal at 51 Old Queen Anne Road. **An Order of Conditions was written.**

Hardings Beach, Ridgevale, etc, Town of Chatham, SE 10-2560: It was moved, seconded and voted to approve the Site Photo Indices(showing areas of proposed work) and the Series of Photos showing existing Conditions for the beach raking project at the above addresses. **An Order of Conditions was written.**

4 PortView Road, Piper Realty, SE 10-2539: It was moved, seconded and voted to approve the Clark Engineering LLC plan dated September 26, 2007 revised May 18, 2009 for the project at 4 Port View Road. **An Order of Conditions was written.**

Strong Island Road, Cashman, SE 10-2519: The Commission reviewed draft conditions for the proposed pier as shown on the EMS plan dated December 16, 2008 revised April 10, 2009. Discussion ensued regarding the focus of the application as an amnesty filing. The concensus regarding this approach was that it was nothing more than a bureaucratic approach to get a pier approved.

The Commission also agreed that a new pier could be approved in a more appropriate location for the resource areas.

It was moved, seconded and unanimously voted to deny the pier as proposed:

- * **The Commission would deny the proposal considering that it ended on a barrier beach and did not meet the performance standards for barrier beaches**
- * **The applicant had not provided adequate proof that the proposed pier met the requirements for an Amnesty License**
- * **The Commission might look favorably at pier in an appropriate alternative location**
- * **The Commission would urge the applicant to present a plan showing the pier in an alternate location and apply for a Variance under zoning**

Approval of Minutes: The minutes of May 27, 2009 and June 2, 2009 were approved as amended at the table. The minutes of July 8, 2009 were approved as written; Commissioners John Geiger and Bille Bates abstained from the vote.

54 Barcliff Avenue Ext, Town of Chatham, SE 10-2559: The Zoning Board of Appeals had requested comment on the proposal for the North Jog. The following letter was read into the record:

The Commission has reviewed the Vine Associates Inc plan dated June 2009 for the following improvements to the docking capacity at the North Jog of the Chatham Fish Pier:

- a) Removal of two (2) existing floats on the North side of the northern-most pier, the re-alignment of remaining floats and the installation of four (4) new floats as depicted on sheet 2 of the plan
- b) Installation of a timber platform and gangway to the new float system where current access is by ladder only
- c) Installation of a stairway down from the platform to the beach to facilitate along-shore access for the public

Impacted resource areas include Coastal beach, Land Under the Ocean and Land Containing Shellfish. There are also mapped eelgrass beds north of the project area. The only work proposed on the Coastal beach is the installation of support structures for the platform and stairs which would have minimal impact on the beach. Because the area of proposed float work has been previously dredged and is currently heavily used by commercial and recreational vessels, it is not viable habitat for shellfish or eelgrass.

As this area is an active commercial harbor and a permitted dredge site, the Commission has determined that the addition of 544 sq ft of float area will not have additional adverse impact on the underlying resource areas, and finds that this project can be so conditioned.

Certificates of Compliance were signed for the following projects:

255 Champlain Rd, Staniar, SE 10-2213
69 Morris Island Rd, Clark, SE 10-2308
69 Morris Island Road, Clark SE 10-1937
88 Happy Valley Road, Cooper/Sharma, SE 10-2188 & SE 10-2188A

57 Lakeshore Drive, Witzgall: Homeowner would like to remove a large pine and a damaged oak in close proximity to the dwelling. The proposal was approved under an Administrative Review; no further application is required.

324 Shore Road, CBI: The applicant would like to complete additional plantings and install a fiber roll for erosion control on the slope between two properties. A partial site plan was submitted showing the area of proposed work. The Commission approved the work under an Administrative Review; no additional filing is necessary.

338 Seapine Road, Cook: The applicant would like to trim bittersweet and dead wood from trees and remove one dead tree at 338 Seapine Road. The Commission approved the work under an Administrative Review providing that the contractor review the extent of the proposal with the Conservation Agent prior to the commencement of work.

77 Oyster Pond Furlong, Piece: Contractor David Burnie will begin the installation of a Title 5 septic system; only a small portion of the work is within the Riverfront area (stream across Oyster Pond Furlong). An application for an addition and septic work had been submitted several months ago; Due to changes in the plans for the addition the application was continued indefinitely.

The Commission agreed that the work could proceed under an Administrative Review under Clark Engineering Sewage Disposal Plan dated April 23, 2008. The contractor intends to save the large trees shown on the plan.

236 Stage Neck Road, Hough: The applicant would like to remove one large pine from an eroding slope, concern from the homeowner that it will fall and uproot , causing more erosion of the bank. . A Photograph of the tree was circulated.

The Commission voted to approve the work with a 5 in favor and 1-opposed vote provided that the work is completed in the fall and the contractor discuss the work protocol with the Agent prior to commencement of work.

192 Goose Pond Road, Funnell: The applicant would like to remove 2-4 small dead pines , one is close to the house, the others are leaning toward the house. Photographs of the trees and a locus map were provided. The Commission approved the work under an Administrative Review, no additional filing is necessary.

North Beach, Hammatt camp: Commissioner Geiger questioned whether the camp owner Bill Hammatt, had responded to the letter dated July 10, 2009 sent to him by Ms Andres requiring that a Notice of Intent be filed for work already completed at Lot 4 North Beach.

The Conservation office had received the filing by the July 14, 2009 deadline and the Commissioners will review the Notice of Intent at its August 5, 2009 meeting.

Executive Session: Commissioner Geiger motioned to enter into executive session for purposes of discussing personnel and further, to adjourn the meeting from executive session without returning to the regular meeting. The motion was seconded.

By individual poll, the vote was unanimous to enter into executive session at 5:55 PM.

Respectfully submitted,
Mary Fougere, Secretary