

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

66 Indian Trail, Joseph Barella: Ms Andres had appeared in court on March 11, 2008 with Town Counsel Bruce Gilmore in an effort to settle the criminal complaint against Mr Barella for the unauthorized cutting of vegetation in the wetland resource area.

The fines were assessed at \$3,000.00 by Judge Welch; additionally, Mr Barella has already paid several thousand dollars for the restoration of the area and Attorney fees.

Ms Andres noted that Mr Brown and his attorney were also in court responding to the criminal complaint from the Chatham Police. Matthew Bober, Esquire represented Mr Brown.

Town Counsel has instructed Ms Andres to begin issuing tickets to Mr Brown on a daily basis in preparation for the possibility that the planting ,directed under the Enforcement Order, does not begin.

Tern Island , Massachusetts Audubon Society, SE 10-2309: Bob Prescott from Massachusetts Audubon at the Wellfleet Bay Wildlife Sanctuary was present to review the report regarding Wildlife Management on Tern Island. The Order of Conditions dated March 7, 2007 required the annual reports, and photographs were provided as well. Mr Prescott noted that Chatham is an important area for several varieties of coastal nesting birds. He felt that plovers and terns will need protection for a very long time since predator skunk and coyote populations are quite high on the Cape.

The Tern Island Summary included the following:

- ❖ Beach grass thinning was completed on the south and southwest side of the island to create new nesting areas for the Least Tern colony. Beach grass was partially thinned on top of the island to accommodate Common Terns. The work was completed by Americorps, Forestry and Audubon personnel. The number of Least terns tripled from last year to 300 birds, and nesting was initiated earlier than last year.
- ❖ Solar powered electric fencing was erected around the tern colony perimeter
- ❖ There were two Piping Plover chicks that fledged (compared to none in 2006)
- ❖ A solar powered “Tern Cam” was installed allowing remote monitoring of the site by staff
- ❖ There was concern that a large cedar tree on the island may be a suitable owl roost, however the Audubon personnel cannot find evidence that owl predation is problematic

695 Fox Hill Road, Sussman: Mary Ellen Wynn was present to review the Planting plan she presented in February for unauthorized cutting of trees on her property. She understood that the Commission did not approve of the plant varieties she had selected. After some discussion, the Chairman stated that the policy of the Commission is to require native plant species for violations and mitigation plantings. The Cape Cod Cooperative Extension Service has a list available of native species plants for Coastal Environments; the Secondary list from the Extension Service contains ornamentals that do well in coastal environments and are meant for landscaped areas.

Ms Wynn will re-consider her selections and use the Cooperative Extension list of native trees and shrubs for her plant choices.

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. Although Chatham DPW Director Dan Tobin has not resolved the question of the fence requiring a Special Permit , the Commission was satisfied that they could fashion an Order of Conditions to include the invasive species removal and the fence installation, if permitted.

It was moved, seconded and voted to close the hearing.

80 Stage Harbor Road, Town of Chatham: It was moved, seconded and voted to approve the Sketch Plan dated February 20, 2008 and final plant list as amended. **An Order of Conditions was written.**

34 Diane Drive, Philip Reid/ Barbara Buffa, SE 10-2328: The hearing was re-opened for a proposed Request to Amend an existing Order under Se 10-2328 to include construction of a travertine patio and walkway to the rear of the house at 34 Diane Drive. Brandon Sackett of Architects Studio was present to review the revised landscape plan he had provided. The applicant would like to do the planting sometime in April.

Additional mitigation has been provided on the northern property line. The new patio will be 260 sq ft of new, permanent disturbance in the resource area. Mr. Sackett has provided 775 sq ft of mitigation plantings. Discussion ensued regarding the location of the plantings on the northwest side of the lot. The property boundary curves and the plants appear on the plan to be off the property on the private, paper roadway. Commissioner Scott noted that there is a well-traveled pathway in the road layout and that the plants should be kept on the owners property.

It was moved, seconded and voted to close the hearing.

34 Diane Drive, Reed/Buffa, SE 10-2328: It was moved, seconded and voted to approve the landscape plan “Patio Design-Mitigation Planting Plan” stamped “Received March-

10,2008” for the completion of work at 34 Diane Drive. **An Order of Conditions was written.**

17 Sky Way, Hunter Family Trust, Richard/Susan Hunter, SE 10-2404: The hearing was re-opened for a Notice of Intent (NOI) for the proposed construction of an elevated timber stairway to provide access to White Pond at 17 Sky Way. The proposal was approved by the ZBA on March 6, 2008; **it was moved, seconded and voted to close the hearing.**

17 Sky Way, Hunter, SE 10-2404: It was moved, seconded and voted to accept the Ryder & Wilcox, Inc plan dated December 11, 2007 revised January 10, 2008 for the Elevated walkway with mitigation plantings. The Commission agreed that prior to construction, a detailed sketch of the mitigation plantings will be necessary. **An Order of Conditions was written.**

72 Sea Mist Lane, BBW, LLC, SE 10-2409: It was moved, seconded and voted to accept the Ryder & Wilcox, Inc plan dated July 6, 2005 revised August 19, 2005 for tree removal & trimming. Commissioner Jay Putnam was recused from the hearing. **An Order of Conditions was written.**

94 Juniper Lane West, Gil Wilson, SE 10-2402: It was moved, seconded and voted to approve the site plan for Gilbert Wilson/Margaret E Wilson Grey dated October 2, 2007 revised February 2, 2008 for the re-location of a dock in Taylor’s Pond. **An Order of Conditions was written.**

Approval of Minutes: The minutes of February 13, 2008 were approved as amended at the table.

108 Cotchpinicut Rd, Fogelman: The Zoning Board had requested comment on the proposal at 108 Cotchpinicut Rd. The Commission has reviewed the Coastal Engineering Company Inc plan dated October 1, 2007 proposing two small additions on the north east and south east sides of an existing three bedroom cottage/garage at the above address. The proposed addition would increase the building footprint by 67 sq ft.

All proposed work is within the outer 50-ft Adjacent Upland Resource Area (AURA) to a Coastal Bank fronting Pleasant Bay in areas which are currently disturbed and will not require the removal of vegetation.

The Commission has determined that this minor increase in building footprint more than 50-ft from the top of the coastal bank will have insignificant impact on the coastal bank and its AURA, and has approved the project under a Request for Determination of Applicability (RDA).

108 Queen Anne Rd, Smith: The Zoning Board of Appeals had requested comment on the proposal at 108 Queen Anne Rd. The Commission has reviewed the Eldredge Surveying and Engineering LLC plan dated February 9, 2008 for the proposed re-construction and expansion of a second story deck on the south side of an existing dwelling at the above address.

The proposed work is within the 50ft No-Disturb Zone (NDZ) to the top of a Coastal Bank fronting the Oyster Pond. Because the slightly widened deck extends from the second floor of the dwelling, the only impact on the ground will be the installation of new hand-dug sono tubes for the deck supports.

The Commission found that the deck expansion, since it south facing, would not shade the underlying vegetation and would therefore have no impact to the NDZ. The project was approved by the Commission under a Request for Determination of Applicability (RDA).

18 Patterson Road, Stronawski, SE 10-: A Certificate of Compliance was signed.

597 Orleans Road, Howe/Hardy: Local landscaper Mark Welch will be removing the existing asphalt driveway and putting down a shell surface in the existing driveway footprint at 597 Orleans Rd. the house is between the proposed work and the wetland resource area.

The proposal was approved under an Administrative Review ; no additional filing would be necessary.

83 Holway Street, Cullinane: The Commission had reviewed and approved an application for additions and a deck under a Notice of Intent. All of the work except the construction of the deck has been abandoned. The Commission approved the deck construction under an Administrative Review ; an Order of Conditions will not be necessary.

58 Oyster Bluff, Cape Caretakers: The applicant would like to remove a dead pine from a coastal bank. The Commission approved the work under an Administrative review with the understanding that Ms Andres would write a letter explaining the need for a wetlands permit when trimming the coastal bank on the property.

Adjournment: It was moved, seconded and voted to adjourn the meeting at 5:45 PM.

Respectfully submitted,
Mary Fougere, Secretary