Approved

Wellfleet Conservation Commission

Meeting Minutes

October 17, 2018

Town Hall Meeting Room

Attendees: Barbara Brennessel, Lauren McKean, John Cumbler, Deborah Freeman, Michael Fisher and John Portnoy, Conservation Agent, Hillary Greenberg-Lemos and Christine Bates, Committee Secretary

**4:00 - Business Meeting** & Conservation Agent's Report

Mail / Discussion

John Cumbler questioned if parking was allowed at a private residence within some wetlands located on Main Street (across the street from the library). Approximately 20 cars were parked during the Oyster Fest. Agent Greenberg-Lemos will send a letter to the owner of the property stating there is a vernal pool on the property and this would be a violation.

Maria Jester – 15 Main Street Salty Duck Studio. At the request of the Commissioners, Maria Jester came to the meeting to explain the use of two tents on the property. The two tents were taken down. Ms. Jester stated one tent was used as a sale tent and the other for her studio equipment. She stated she had the tents on the grass and was not aware of the regulations and didn’t feel there was any damage. Barbara Brennessel gave her an overview of the regulations and the potential damage caused by activity in the buffer zone. There was discussion regarding educating the public because most of the owners do not know the regulations, as well as contractors, landscapers, and real estate people. John Cumbler suggested contacting the Wellfleet Chamber of Commerce.

CPC List: All Commissioners received a revised list of CPC goals from Michael Fisher.

**Revised needs list:**

1. Preserve threatened resources especially in ACEC land.

2. Protect regional water supply/aquifer.

3. Protect regional wetlands and bordering areas.

4. Protect shell fishing/wildlife habitat.

5. Preserve special and unique vegetation.

6. Provide links with existing conservation land for wildlife corridors.

7. Protect from development and for limited and appropriate public access land near ocean, bay and ponds.

8. Seek land for passive recreation.

9. Continue to educate the population regarding the benefits of conservation, and the relationship between excessive growth and ground water quality, waste disposal, harbor health, natural resources and town character.

**List Showing changes**

1. Preserve threatened resources especially in ACEC land.

2. Protect regional water supply/aquifer.

3. Protect regional wetlands and bordering areas.

4. Protect shell fishing/wildlife habitat.

5. Preserve special and unique vegetation.

6. Provide links with existing conservation land for wildlife corridors.

~~7. Create/enhance scenic vistas/roadway views.~~

8. Protect from development and for *limited and appropriate* public access land near ocean, bay and ponds.

9. Seek land for passive recreation.

10. Continue to educate the population regarding the benefits of conservation, and the relationship between excessive growth and ground water quality, waste disposal, harbor health, natural resources and town character.

Lauren McLean moved to recommend the revised list to the CPC; seconded by John Portnoy; passed

6-0.

Jurisdictional Opinions:

Barry Smith, 180 Kendrick Ave, add 30 yards of top soil to plant grass. Lauren McKean moved to approve the Jurisdictional Opinion with the condition that no fertilizer is to be used; seconded by Michael Fisher; passed 6-0.

40 Hiawatha Rd., Map 40 Parcel 76, refurbish existing driveway with native stone. John Cumbler was concerned about gravel washing into the road and from there into the wetland at Jeremiah’s Gutter. Barbara Brennessel recommended using clamshells/oyster shells. The Commission does not recommend T-Base, i.e. crushed asphalt. The job will be completed by a contractor and Agent Greenberg-Lemos would like to see the contract before approval of the Jurisdictional Opinion will be issued.

43 E. Commercial St., remove one maple tree and one sapling, top a black locust tree, remove a limb from another black locust tree. The Commission recommended removing the black locust tree instead of topping it and requested mitigating by planting two 5 gallon bayberry plants. John Portnoy moved to approve the Jurisdictional Opinion; seconded by Barbara Brennessel; passed 6-0.

65 Holbrook Ave, (Crocket) cleaning up and trimming a Willow Tree to a height of 25 feet for a view. Lauren McKean moved to continue to enable the Commission to make a site visit; seconded by Michael Fisher; passed 6-0.

Temporary structures on ponds: (tents, temporary structures). John Portnoy stated he had noted several temporary structures in the past and the Commission needs a consistent policy regarding tents and portable gazebos. Agent Greenberg-Lemos stated she would like to have an inventory and assessment of any observed damage. Barbara Brennessel suggested that when we discuss docks and piers we could also include temporary structures. John Cumbler expressed concern with events on private property within buffer zones (for example, a wedding with several people). Docks and piers are scheduled for the Nov.7 business meeting.

**Meeting Minutes:**

**Sept. 5, 2018:** John Cumber moved to approve the amended meeting minutes; seconded by Deborah Freeman; passed 6-0**.**

**Sept. 19, 2018:** Deborah Freeman moved to approve the amended meeting minutes; seconded by Lauren McKean; passed 6-0.

**Oct. 3, 2018:** Barbara Brennessel moved to approve the amended meeting minutes; seconded John Portnoy; passed 5-0.

**Public Hearings 5:00 pm**

**Henrickson,** Pleasant Point Rd., Map 35-1, Parcels 113 and 210, Certificate of Compliance. Agent Greenberg-Lemos state the order of conditions is from 1976. There has been some beach nourishment and future nourishment is planned. There is a current filing regarding the nourishment. John Portnoy moved to approve the Certificate of Compliance; seconded by Lauren McKean; passed 6-0. Agent Greenberg-Lemos stated that she wanted a condition that nourishment will take place if needed before the permitted bulkhead is reconstructed.

**Sarazin,** 15 Springline Dr., Map 29, Parcel 258, RDA, remove and replace deck, add staircase (Cont’d) Contractor Bob Bacon submitted a new plan for the stairs and landing. He stated the stairs will be placed in the center, with four posts. The deck will remain the same size. The Conservation Department has delineated a 10-ft buffer landward of the wetland, within which no activity was to take place. John Cumbler identified the RDA as a Negative 3; seconded by Lauren McKean; passed 6-0.

**Town of Wellfleet,** Lt. Island Bridge, NOI, Bridge repairs. Jay Norton stated that no work will be performed in the salt marsh. The super structure is fine and work will be performed on the pilings. There will be no new disturbance for stockpiling or a work zone. Jay Norton will look at alternative rot-resistant materials. Lauren McKean moved to continue to 11/7/18; seconded by Barbara Brennessel; passed 6-0.

**Cronin,** 66 Lecount Hollow Rd., Map 30, Parcel 8, NOI, demolish and rebuild cottage and retaining wall, revegetate disturbed area. Lauren and Jack Cronin came to the table. The current cottage is located in a low-lying area where these is a problem of mold and rot. . They propose to rebuild the cottage just to the left. The current wooden walls are in contact with the ground and is not to code. An existing pile of brush within the buffer zone will be removed. There will be a full basement under the cottage. No fill will be going into the buffer zone. The retaining wall will be removed, using the area for access for machinery, then rebuilt. Natural Heritage had not responded. John Cumbler moved to approve the NOI; seconded by John Portnoy; conditioned on receipt of NHESP approval.. Lauren McKean moved to continue to the 11/7/18 meeting for signature; seconded by John Portnoy; passed 7-0.

**Allen,** 38 Sea Oaks Way, Lot 13, Plan 16475-E, NOI, prune underbrush and view obstruction (Cont’d) At the request of the applicant, Lauren McKean moved to continue to November 7, 2018; seconded by Deborah Freeman; passed 6-0.

Lauren McKean moved to adjourn at 5:40 pm; seconded John Cumbler; passed 6-0.

Respectfully submitted,

Christine Bates, Committee Secretary