Approved

Wellfleet Conservation Commission

Meeting Minutes

November 7, 2018

Town Hall Meeting Room

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

Regrets: John Cumbler

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

Mark Borrelli – sediment movement along shorelines. He distributed literature identifying sand movement from Provincetown to Great Island derived from historical and recent surveys. There is a net loss of sand on the beach and a net gain further out. The study identified “nodes” along the ocean and bay shores from which sand moves either north or south. Because these nodal areas are always sources of sand for the shore on either side, they are ideal locations for beach nourishment, and the worst places to block the retreat of the coastal bank. There was discussion regarding the amount and timing of sand for beach renourishment. Mark stated an inlet will not form at The Gut due to the height of the dune and the low level of water.

Mail / Discussion

Agent Greenberg-Lemos stated she had a discussion with Joe Powers, Town Clerk, regarding quorums. The Commission must have 4 members voting to pass, and four votes to deny, an application.

Barbara Brennessel is attending “Managing Buffer Zones in MA” on Dec. 1.

Temporary structures on ponds; Piers and Docks: Barbara Brennessel believes that docks and especially rafts in the ponds damage pond bottoms and vegetation. . The Harbor Master has the authority to permit floats / rafts. Because the great ponds (> 10 acres) are publicly owned, private piers and rafts must be permitted. Agent Greenberg-Lemos will contact DEP-Lakeville (Mahala and Hill) for assistance. In addition, letters will be sent to property owners regarding the need to prevent damage by temporary structures, e.g. tents, lawn furniture, etc., on pond and wetland shorelines. Additional environmental protection information could be sent to home owners. Agent Greenberg-Lemos will put the prior brochure in the mail box at the office for Commissioners to pick up and review.

Jurisdictional Opinion:

Debra Lajoie: 125 Way 54, remove 2nd black pine. Jeremy Young represented the applicant,

stating he could cut the 2 trees at one time (one previously approved). Stumps are to ground down to just below the land surface. It is a very tight site so no mitigation planting is planned. Barbara Brennessel moved to approve the Jurisdictional Opinion; seconded by John Portnoy; passed 4-0 (not 5-0?).

65 Holbrook Ave, 20/170, view trimming for willow tree. An e-mail was read into the record from the future owners. They contacted an arborist for advice on trimming the willow tree. The Commissioners made another site visit. The Commission needs to know the width of the existing view easement so that it can assess the scope of the cutting. John Portnoy moved to continue to 12/05/18; seconded by Deborah Freeman; passed 5-0.

DLTA: A meeting will be scheduled to review the data. (possibly Tues, Nov. 20). Meeting must be posted. Agent Greenberg-Lemos will request that data be available via Drop Box.. The Commission felt some of the data provided was not applicable to Wellfleet.

**Public Hearings 5:00 pm**

**Town of Wellfleet,** Lt. Island Bridge, NOI, Bridge repairs (Cont’d). Paul Lindberg stated Natural Heritage correspondence was received, indicating no adverse effect on rare species. He stated it would be most beneficial to use CCA-treated timbers and Agent Greenberg Lemos concurred. Work would be performed during the winter months. John Portnoy moved to approve the NOI; seconded by Barbara Brennessel; passed 5-0. Supervisor: Barbara Brennessel

**Cronin,** 66 Lecount Hollow Rd., Map 30, Parcel 8, NOI, demolish and rebuild cottage and retaining wall, revegetate disturbed area (Cont’d). Natural Heritage correspondence was received. Barbara Brennessel moved to approve the NOI; seconded by Deborah Freeman; passed 5-0.

**Allen,** 38 Sea Oaks Way, Lot 13, Plan 16475-E, NOI, prune underbrush and view obstruction (Cont’d). Gordon Peabody represented the applicant and stated he felt a land management plan be put in place, since the owner of the property had not been notified of the view pruning by their abutter. He stated he wanted to ensure notification is provided to the Commission, the property owner, the abutters and the people performing the cutting. Gordon Peabody suggested planting bayberry and bear oak shrubs in bare spots for mitigation. Attorney Ben Zehnder represented the property owner and would like an opportunity to have his clients review the planting plan. Gordon Peabody will supply him a plan and come back. Agent Greenberg Lemos requested a detailed vista protocol with photographs which could be put in perpetuity. Deborah Freeman and Barbara Brennessel feel there should be a fine to the 3rd party who initiated the pruning without approval. John Portnoy moved to send a citation for a $200 fine; seconded by Deborah Freeman; passed 5-0. Barbara Brennessel moved to continue to December 5, 2018; seconded by Deborah Freeman; passed 5-0.

**Cooney,** 3 Kendrick Ave., Map 21, Parcel 112, Certificate of Compliance. It is unclear whether the work was completed. . Agent Greenberg-Lemos will request further information to determine what work was performed.

**MA Audubon Society,** 165 State Hwy, Map 46, Parcel 16, RDA, Maintenance of hiking trails. Tim Brady represented the applicant. The trail to be worked on is the All Person’s Trail. James Neilson, maintenance manager for MA Audubon, stated they need to resurface the trail which accommodates wheelchairs with crushed stone (schist) and perform some drainage work. Lauren McKean identified the RDA as a Negative 2; seconded by Michael Fisher; passed 5-0.

**Kanavos (Wellfleeter Condo’s),** 275 Kendrick Ave, Map 20, Parcel 32, RDA, Repair steel retaining wall. Jay Norton represented the applicant and stated the retaining wall required repair. There was discussion regarding the apparently heavy use of nitrogenous fertilizer on the lawn and potential pollution of the harbor. John Portnoy identified the RDA as a Negative 3; seconded by Deborah Freeman; passed 5-0 with the condition that future lawn fertilization is not allowed.

**Halleck/Hoeland, Trustees,** 1440 Chequesset Neck Rd., Map 18, Parcel 7, NOI, shorefront protection. (Cont’d) A request from the applicant, John Portnoy moved to continue to December 5; seconded by Deborah Freeman; passed 4-0.

**Manning,** 190 Holbrook Ave., Map 14, Parcel 159, NOI, new addition, septic upgrade and clearing of trees. Keith Fernandez of GFM Enterprises, Inc., Luke Manning and Paul Shay came to the table. A new septic system is required and the only location is in the back yard. Most of the work is outside of the 100’ buffer zone, and the Title 5 septic is outside of the buffer zone with isolated work between the 50’ and 100’ buffer zone. The Commission requested additional data for the site plan. Mr. Manning stated the addition would create a larger kitchen and provide a new updated utility room. Barbara Brennessel moved to approve the NOI, subject to a new plan; seconded by Deborah Freeman; passed 5-0. Supervisor: Agent

**WP165 LLC,** 165 Commercial St., Map 21, Parcel 118, NOI, create earthen berm. David Lajoie represented the applicant and provided an overview of the property and the area. The applicant would like to create a sand berm on the east side of the property to protect from storm overflow from Duck Creek. It would be approximately 3 feet tall and 150’ long. A

previous storm was within one inch of flowing over the bank. John Portnoy recommended building the berm closer to the dwelling, create openings in the existing berm, and let the bank erode naturally so that the fringing salt marsh can retreat inland with sea-level rise. Ms. Lemos suggested building a rock wall closer to the structure. The studio is on blocks. Portnoy stated that the Commission needs more information about what is to be protected from storm flooding. The Commission requested additional mitigations for the project. Lauren McKean moved to continue to 12/5/18; seconded by John Portnoy; passed 5-0.

Respectfully submitted,

Christine Bates, Committee Secretary