

The Falmouth Conservation Commission
MEETING MINUTES - WEDNESDAY, JANUARY 16, 2019
Selectmen's Meeting Room, Falmouth Town Hall, 7:00 p.m.

Present: Mary Schumacher, Chair
Jamie Mathews, Vice-Chair
Betsy Gladfelter
Maurie Harlow-Hawkes
Steve Patton
Mark Gurnee, Alternate
Kevin O'Brien, Alternate
Peter Walsh, Alternate
Jennifer McKay, Administrator
Brendan Lynch, Agent

Absent: Courtney Bird, Kristin Alexander

Ms. Schumacher opened the meeting at 7:00 p.m.

VOTE MINUTES

10/31/2018

Mr. Mathews: Move to adopt the minutes as corrected.
Ms. Harlow-Hawkes: Second.
Ms. Schumacher: Unanimous, so moved.

12/12/2018

Ms. Gladfelter: Move to adopt the minutes as written.
Ms. Harlow-Hawkes: Second.
Ms. Schumacher: Unanimous, so moved.

1/9/2019

Ms. Gladfelter: Move to adopt the minutes as corrected.
Ms. Harlow-Hawkes: Second.
Ms. Schumacher: Unanimous, so moved.

REQUEST FOR A CONTINUANCE UNDER A DETERMINATION OF APPLICABILITY

John Noonan, 17 Meadow Neck Road, East Falmouth, MA – For permission to vista prune according to FWR 10.18(10)(b).

Mr. Lynch: The applicant has requested a continuance until January 30, 2019.

Ms. Gladfelter: At the request of the applicant I move to continue the hearing until January 30, 2019.
Ms. Harlow-Hawkes: Second.
Ms. Schumacher: Unanimous, so moved.

Donna Sbardella, 38 Deer Run Lane, North Falmouth, MA – For permission to expand existing deck, construct an addition over existing porch, install mitigation plantings for after-the-fact approval of unpermitted patio.

Mr. Lynch: The applicant has requested a continuance until February 6, 2019.

Ms. Harlow-Hawkes: At the request of the applicant I move to continue the hearing until February 6, 2019.

Ms. Gladfelter: Second.

Ms. Schumacher: Unanimous, so moved.

REQUESTS FOR DETERMINATION OF APPLICABILITY

John Noonan, 17 Meadow Neck Road, East Falmouth, MA – For permission to vista prune according to FWR 10.18(10)(b).

The hearing is continued until January 30, 2019.

CONTINUED REQUESTS FOR DETERMINATION OF APPLICABILITY

Donna Sbardella, 38 Deer Run Lane, North Falmouth, MA – For permission to expand existing deck, construct an addition over existing porch, install mitigation plantings for after-the-fact approval of unpermitted patio.

The hearing is continued until February 6, 2019.

REQUESTS FOR HEARING UNDER NOTICE OF INTENT

Michael Jones, Trustee, 65 Shady Lane, East Falmouth, MA – For permission to construct an addition, build two patios, install drywells, upgrade septic system, plant native shrubs as mitigation and all associated excavating, grading and landscaping.

Ms. McKay: No comment at this time.

Tom Bunker (BSS Design) presented abutter's cards. The property is on Crooked Pond which is a priority habitat. Zone 2 cuts through part of the property. The fresh water BVW has a 100-ft zone A. The Town has jurisdiction over part of the land. Resource areas include a 75-ft buffer zone to a waterbody, 100-ft from the BVW surrounding the Pond zone 2. The house was built in the 1960's. It is less than 50-ft from the pond. The old septic system is being removed. The limit of work will go around one tree and we plan to save another tree. A patio is coming out and a new patio is going in. The new septic system is 140-ft from the pond. There will be two dry wells. Part of the existing house will be taken off for the new addition. No vegetation is to be harmed in the construction of the addition. The total increase in coverage is 27-sq.ft in zone A which requires 88-sq.ft of planting for mitigation.

Ms. McKay: Please send us copies of the pictures you have shown. What kind of plants are you planning on?

Mr. Bunker: There are generic suggestions on the plan.

Mr. O'Brien: Are you relocating the shower?

Mr. Bunker: There is no shower on the plan. You can condition that if they choose to have a shower it must be beyond zone A.

Ms. Harlow-Hawkes: Your plan has hash marks on the pond side but there is no vegetation on the coastal bank except trees.

Mr. Bunker: That's our sign for lawn.

Ms. Harlow-Hawkes: Everything is gone in that area. It looks like it was mowed. They should put a fence there. This has the most endangered species of any pond in Falmouth. Runoff goes into the

pond. Put more berm or a swale there so the runoff doesn't shoot down into the pond. Don't use the old SAS for one of the dry wells. It holds 330 gallons a day and when they over fill they'll just be pushing effluent out. The dry wells should be moved further toward the property line. They shouldn't be next to the tree. One can go by the proposed addition.

Mr. Bunker: It has to be 25-ft from the septic system.

Ms. Harlow-Hawkes: You can put them together and move them away from the tree.

Ms. Gladfelter: No questions or comments.

Mr. Mathews: On the dry well can't you just do a bigger tank?

Mr. Bunker: Yes.

Mr. Patton: Where will you move the AC unit?

Mr. Bunker: I'm not sure about that.

Mr. Walsh: Won't the 18" tree be impacted when you remove the old septic system?

Mr. Bunker: It wouldn't have to be damaged. If they got too close they would stop and not damage the tree. It's still a little unknown about where the old septic system is. It may be abandoned. But the tree shouldn't be damaged by its removal.

Mr. Gurnee: No questions or comments.

Mr. Bunker: With your concern about the dry well placement and the AC unit should we continue the hearing?

Ms. Harlow-Hawkes: Can't we condition that the dry wells be moved?

Ms. McKay: Please revise the plan re the dry wells and the AC unit.

Mr. Mathews: Move to close the hearing and take it under advisement.

Ms. Gladfelter: Second.

Ms. Schumacher: Unanimous, so moved.

CONTINUED HEARING UNDER A NOTICE OF INTENT

Clowes Easterly Limited Partnership, 146 Nobska Road, Woods Hole, MA – For permission to reconstruct the existing licensed timber pier.

Quorum: Mark, Peter, Steve, Jamie, Mary, Betsy, Kevin

Ms. Schumacher: The hearing was continued because we did not want a boat to be moored on the dock because of the depth of the water in the area and they hadn't received a DEP #.

Ms. McKay: The applicant has agreed not to moor any boats on the pier and the DEP # came in the next day.

Ms. Gladfelter: Move to close the hearing and take it under advisement.

Mr. Walsh: Second.

Ms. Schumacher: Unanimous, so moved.

VOTE ORDER OF CONDITIONS

Charles & Wendy Crane, 26 Juniper Point Road, Woods Hole, MA (1/23/19)

Quorum: Mark, Peter, Steve, Jamie, Mary, Betsy, Kevin

Ms. Schumacher: This is the re-submission of a former OOC that expired before work was begun.

Ms. Gladfelter: So there will be the same conditions.

Ms. McKay: Yes, exactly.

Ms. Gladfelter: Move to adopt the Order of Conditions as discussed.

Mr. Mathews: Second.

Ms. Schumacher: Unanimous, so moved.

Robert & Emelie Irving, 358 Acapesket Road, East Falmouth, MA (1/23/19)

Quorum: Mark, Peter, Steve, Jamie, Mary, Betsy, Kevin

Ms. McKay: They changed the dock from an L to a T, lengthened the mooring field and the profile meets the current guidance from DMF.

Ms. Gladfelter: Move to adopt the Order of Conditions as discussed.

Mr. Mathews: Second.

Ms. Schumacher: Unanimous, so moved.

Mr. Mathews: Move to adjourn.

Ms. Gladfelter: Second.

Ms. Schumacher: Unanimous, so moved.

The meeting adjourned at 7:26 p.m.

Respectfully submitted,

Susan Cronin, Recording Secretary