

The Falmouth Conservation Commission  
**MEETING MINUTES - WEDNESDAY, APRIL 29, 2020, 7:00 P.M.**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, **the April 29, 2020 public meeting of the Falmouth Conservation Commission shall be physically closed to the public to avoid group congregation.**

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Conservation Commission utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
  - a. Zoom Login instructions:
    - i. Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthmass.us/1092/Conservation-Commission>
    - ii. Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.
3. Additionally public comments may be sent in advance of the meeting to [concom@falmouthma.gov](mailto:concom@falmouthma.gov) at **least 5 hours prior** to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.
4. Applicants, their representatives and individuals with enforcement matters before the Conservation Commission may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Conservation Commission may contact the Conservation Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to [concom@falmouthma.gov](mailto:concom@falmouthma.gov) so they may be displayed for remote public access viewing.

Present:        Jamie Mathews, Chair  
                  Russell Robbins, Vice-Chair  
                  Betsy Gladfelter  
                  Maurie Harlow-Hawkes  
                  Courtney Bird  
                  Steve Patton  
                  Mark Gurnee  
                  Kevin O'Brien, Alternate  
                  Peter Walsh, Alternate  
                  Jennifer Lincoln, Administrator  
                  Kevin Newton, Agent

Mr. Mathews opened the meeting at 7:00 p.m

## **EXECUTIVE SESSION:**

Holcomb, 270 Sippewissett / Pending Litigation

Mr. Robbins: Move that we go into Executive Session to discuss strategy with respect to pending litigation regarding Holcomb, 270 Sippewissett because an open meeting may have a detrimental effect on the discussion of pending litigation.

Ms. Gladfelter: Second:

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye.

The meeting was reopened at 7:49 p.m.

## **VOTE MINUTES**

4/22/2020

Mr. Patton: Move to adopt the minutes as written.

Mr. Walsh: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

## **REQUESTS FOR DETERMINATION OF APPLICABILITY**

Peter McManus, 113 Teaticket Path, East Falmouth, MA- For permission to replace existing railroad ties and an existing wash basin.

Mr. Newton: Jurisdiction: within 100-ft resource area buffer to coastal bank, inland bank, bank of salt pond, land under the ocean, land containing shellfish, salt marsh, BVW/freshwater wetland. Staff visited the property for an Administrative Review to replace railroad ties and wash basin. Staff discovered erosion issues on property and several new small retaining walls. This RDA is to permit the previously constructed retaining walls, to replace the existing railroad ties and wash basin, and to conduct landscaping to address the erosion issues. Staff recommends a negative 2 (under the State) and negative 3 (under the bylaw). Resource area boundaries are not confirmed by this RDA.

Mr. Bird: Move to accept staff's recommendation.

Ms. Harlow-Hawkes: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, recuse; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. 8, aye; 1 recusal. The motion is passed.

Mr. Newton:

Catherine Porter, 19 Clinton Avenue, Falmouth, MA- For permission to raze an existing garage and construct a new garage, enlarge the existing paved driveway, remove a portion of the deck and replace with crushed stone, and to add landscape steps within the flood zone.

Mr. Newton: Jurisdiction: within flood zone AE 12. This project is to remove an existing garage and construct a new garage, enlarge the driveway, and to add crush stone and landscape steps within the flood zone. The entire property is flat, no siltation issues. No other resource areas are located within

100 feet of the project. No mitigation is required. Staff recommends a negative 2 (under the State and the bylaw). Resource area boundaries are not confirmed by this RDA.

Mr. Bird: Move to accept staff's recommendation.

Ms. Gladfelter: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

## **CONTINUED REQUESTS FOR DETERMINATION OF APPLICABILITY**

Clancy Construction, Inc., 32 Owls Nest Road, East Falmouth MA- For permission to remove 6 trees within the buffer zone to Jenkins Pond.

Mr. Newton: Jurisdiction: within 100-ft resource area buffer to land under waterbodies, inland bank and BVW/freshwater wetland (to a Zone II drinking water supply). This RDA is to remove 6 trees located within the 100-ft setback to Jenkins Pond. The applicant has already received a building permit to construct a house on the lot outside of conservation jurisdiction. The applicant is worried about the potential for trees located within conservation jurisdiction to fall on the home after it is constructed. A letter from arborist states one of the trees is infected with turpentine beetles.

According to arborist all 6 trees have shallow root systems which may be compromised by the house construction. Staff recommends a negative 2 (under the State) and Negative 3 (under the bylaw). Resource area boundaries are not confirmed by this RDA.

Mr. Bird: Move to accept staff's recommendation.

Ms. Harlow-Hawkes: Second.

Ms. Lincoln: I'd like to clarify for attendees to this hearing that a negative 2 and negative 3 vote means that they can go forward with the project.

Mr. Bird: Why are they taking down so many trees?

Ms. Lincoln: The proposed house is outside of our jurisdiction but we asked them to consult a certified arborist re the condition of the trees. The arborist found that one of the trees is infected with turpentine beetles and the others are damaged.

Mr. Bird: Mitigation for the trees is not necessary?

Ms. Lincoln: No.

Mr. Newton: No questions or comments.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

Ms. Lincoln (to Mr. Mathews) Please inform any attendees about the Chat function.

Mr. Mathews: If an attendee has a comment or question re any of the following hearings please use the Chat function to do so.

## **REQUESTS FOR A HEARING UNDER A NOTICE OF INTENT**

Allen Willis, 72 Eel River Road, East Falmouth, MA- For permission to remove an existing shed and surrounding gravel areas and to replace with grass; to remove a fire wood pile; to conduct invasive species removal; to remove existing beach grass and to replace with native shrubs; and to install mitigation plantings in accordance with a previous Order of Conditions.

Ms. Lincoln: Please promote Michael Borselli and Maria Hickey as participants.

Michael Borselli (Falmouth Engineering) The Board has seen two OOC's on this property - one for a dock and one for a house. They have not received a Certificate of Compliance for the house.

After a site review non-compliance issues were discovered. Several years have gone by and the issues have not been resolved. Hopefully this NOI will bring it into compliance. The plan before

you is of the existing conditions. Mark Kasprzyk and I looked at the activities such as the native buffer for the dock, some areas that were not fully planted or were planted but with material that was not originally approved. We will remove the American Beach grass by mechanical means and plant the area with sweet pepperbush, viburnum, etc. The strip of lawn that should have been shrubs will be planted with the same species. There is an existing shed and deck. The property had a deck when the new house was approved. The shed was not approved and will be moved to a new area that it is more than 100-ft from the resource area. It is in land subject to coastal storm flowage but not in buffers and outside the Velocity zone. The applicant would like to keep it. The bare areas will be filled in with plants. A stack of firewood will be removed as will the crushed stone driveway that will be planted with grass. One tree is missing and will be replaced with a tupelo. There are spotty areas of invasive species that will be removed by hand. The project will meet the requirements of the Order of Conditions for the house and the work will proceed to bring it into complete compliance.

Ms. Lincoln: There was a discussion about having the plantings in by June 15<sup>th</sup>?

Mr. Borselli: My client is willing.

Maria Hickey (Hickey Landscaping) We are ready to go and okay with the June 15<sup>th</sup> date.

Ms. Lincoln: Because of the history of this property we may require a three year monitoring program. Mark did all the site visits and staff is comfortable with the project.

Mr. Newton: No questions or comments.

Ms. Gladfelter: No questions or comments.

Mr. Bird: No questions or comments.

Mr. O'Brien: No questions or comments.

Mr. Gurnee: No questions or comments.

Ms. Harlow-Hawkes (to Ms. Lincoln) In order to remove the beach grass they will take in a mini-excavator. The beach grass is very stable. I think they should interplant within the beach grass. I'm not comfortable with removing it.

Ms. Hickey: It was Mark's request. He wanted it out.

Ms. Lincoln: If the Board wants bayberry to be planted within the beach grass, that's fine.

Ms. Gladfelter: That's a much better idea. The roots of the beach grass are changing the environment of the soil. It's like a lawn being planted with mitigation.

Ms. Lincoln: Are you still proposing 4-ft on center for the bayberry?

Ms. Hickey: Yes, it's too windy for viburnum.

Ms. Lincoln: A special condition can be that they leave the beach grass area and interplant with the bayberry.

Mr. Walsh: I agree with Maurie.

Mr. Robbins: No questions or comments.

Mr. Patton: No questions or comments.

Mr. Mathews: Are there any people using the Chat function?

Ms. Lincoln: No.

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

Ms. Harlow-Hawkes: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

## **CONTINUED HEARINGS UNDER A NOTICE OF INTENT**

Michael C. & Ann L. Feenan, 101 Lake Leaman Road, Falmouth, MA- For permission to construct additions and to add a patio to an existing dwelling.

Ms. Lincoln: Please move Michael Borselli and Maria Hickey back to attendees and promote Tom Bunker to a participant.

Tom Bunker (BSS Design) This is a three bedroom house on the western shore of Little Pond. Resource areas include: land under waterbodies, salt pond, 75-ft bank of salt pond, Zone A with flood zone AE at elevation 14, steep bank, top of coastal bank runs along elevation 13 and coincides with elevation 14, land under ocean and bank of the salt pond. The entire house is in the A and B zones. There are oddly sheered trees and a lot of knotweed on the property. Mr. Bunker showed some photos of the knotweed. The limit of work is on the corner of the property. English Ivy and knotweed go up a downed cedar tree. There are trees near the top of the bank and a lawn with more knotweed going down. There is more knotweed in the eroding part of the coastal bank. They will cut back the English Ivy. They will remove the existing deck and put in a stone patio. There will be stepping stones on the lawn to access the patio. The added coverage is the bulkhead, sliding door and the steps in zone A. The new coverage in zone B is a concrete slab. Required mitigation of 1275-sq.ft is to be planted within the lawn. They would like to leave an area for a path but there won't be structure there. They will cut back the English Ivy and keep the bittersweet. The staff report mentions moving the mitigation planting. Please explain that to me.

Mr. Newton: This was the first time the knotweed in the bank was brought before us.

Mr. Bunker: It wasn't in the narrative. We could propose putting in a root barrier by making a narrow excavation down the bank and placing a root barrier.

Mr. Newton: That's a good idea and is up to the Board.

Ms. Lincoln: We can condition that.

Ms. Gladfelter: I don't understand why you are not getting rid of the knotweed. It will continue to be a problem and will spread into other areas. Perhaps they could talk to their neighbors who also have a knotweed problem and work together getting rid of it.

Mr. Bunker: I will suggest it to the Feenan's and talk to them about that.

Mr. Bird: I echo what Betsy said. It's time to get rid of it.

Mr. Bunker: We would still have to put in a root barrier to keep it from spreading.

Mr. O'Brien: No questions or comments.

Mr. Gurnee: No questions or comments.

Ms. Harlow-Hawkes: I agree with Betsy.

Mr. Walsh: I also agree with Betsy.

Mr. Robbins: No questions or comments.

Mr. Patton: No questions or comments.

Mr. Mathews: Getting rid of the knotweed is not in the proposal. Do they have to come back with an amendment?

Ms. Gladfelter: They should talk to their neighbors about a joint program first.

Mr. Bunker: I think there is Town land in the area that also has knotweed.

Ms. Gladfelter: There is a huge problem with it all over the Town.

Mr. Mathews: Anyone on the Chat function?

Ms. Lincoln: No.

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

Ms. Harlow-Hawkes: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

Kamran Khodakhah, 13 Fells Road, Falmouth MA- For permission to reconstruct an existing patio, construct elevated access stairs with a platform over the coastal bank, abandon an existing path and re-establish native vegetation within the path, manage invasive plants, and install mitigation plantings.

Ms. Lincoln: Please move Tom Bunker to attendee. The applicant has requested a continuance until July 29<sup>th</sup>. This is a Natural Heritage area of concern for a rare plant – the Salt Pond Pennywort. The area cannot be surveyed until July.

Mr. Mathews polled the Board members and there were no questions or comments.

Ms. Harlow-Hawkes: At the request of the applicant I move to continue the hearing until July 29, 2020.

Mr. Bird: Second.

Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

## **REQUESTS TO EXTEND THE EXISTING ORDER OF CONDITIONS**

James McLoughlin (TOF), Bourne's Pond Bridge Replacement, Falmouth, MA (DEP# 25-4278)- Request a three-year extension.

Ms. Lincoln: The applicant has requested a three-year extension. This is the Town of Falmouth Bourne's Pond bridge. He could not attend the meeting tonight so has asked for a continuance until May 13<sup>th</sup>.

Ms. Harlow-Hawkes: At the request of the applicant I move to continue the hearing until May 13, 2020.

Ms. Gladfelter: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved.

Andreas and Joan Spalaris, 78 Squibnocket Drive, E. Falmouth, MA (DEP# 25-4277)- Request a one-year extension.

Ms. Lincoln: The applicant has requested a one-year extension. Attorney Brian Wall would like to be at the meeting to address the Board. There is an enforcement order on the property also.

Mr. Mathews: Can we take both at the same time.

Ms. Lincoln: I will talk to Irie (Associate Town Counsel) about that. The existing Order would have expired on Sunday and the request just came in.

Ms. Gladfelter (to Ms. Lincoln) Wasn't the first permit extended a couple of times?

Ms. Lincoln: Four times.

Ms. Gladfelter: At the request of the applicant's representative I move to continue the hearing until May 13, 2020.

Ms. Harlow-Hawkes: Second.

Mr. Bird: Has the work started?

Ms. Lincoln: Yes, the house is in.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

## **VOTE ORDER OF CONDITIONS**

The Christine M. Moynihan Trust, 335 Shore Street, Falmouth MA (5/6/20)

Quorum: Mark, Jamie, Betsy, Maurie, Peter, Steve, Russ, Kevin, Courtney

Ms. Lincoln: This is a raze and rebuild on the corner of Surf Drive and Shore St. The architectural showed the reduced enclosure with breakaway panels. We discussed the re-location of any AC or generator platforms that must be incorporated into the footprint. There are to be no additional platforms coming out from the structure. I will make a finding and a special condition that if the platforms are done outside the footprint they must come back for an amendment. This could trip a mitigation requirement. Another finding will be that the only enclosure is to be where the stairway and mudroom are located.

Mr. Newton: No questions or comments.

Ms. Lincoln: We have all the architectural. It's a highly visible corner.

Mr. Bird: Move to adopt the Order of Conditions as discussed.

Ms. Harlow-Hawkes: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

Michael and Carla Follick, 12 Uncatena North, West Falmouth, MA (5/6/20)

Quorum: Mark, Jamie, Betsy, Maurie, Peter, Steve, Russ, Kevin, Courtney

Ms. Lincoln: This is the house addition. They had the mitigation running along the property line and we wanted it re-located along the coastal bank. 200-sq.ft of mitigation is required and they would like it planted in two areas of 100-ft. We did require another property recently to keep the mitigation together and not split it to provide a path. Staff doesn't approve of the split and wants it along the coastal bank.

Ms. Harlow-Hawkes: If we said no to the other applicant and insisted it be in one area then we should be consistent in this case.

Mr. Bird: Move to adopt the Order of Conditions as discussed.

Ms. Gladfelter: Second.

Ms. Harlow-Hawkes: Land containing shellfish should be on the plan.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

Timothy Leedham, Trustee, R & G Realty Trust, 1209 East Falmouth Highway, East Falmouth, MA (5/6/20)

Quorum: Courtney, Kevin, Betsy, Jamie, Russ, Steve

Ms. Lincoln: This is Bosun's Marina. It is important to incorporate DMF's restrictions. They will be in the Chapter 91 permit and the Army Corps permit also. DMF will not relax the time of year restriction that was requested. We will incorporate the DMF recommendation. LEC presented a salt marsh protocol and will be overseeing the restoration of the salt marsh. The restoration should be done by a company that has done this before and should be approved by the ConCom Administrator or the Commission. Monitoring of the salt marsh will be required to make sure it survives. This is a large project including dredging and excavating. It's a lot of work but a good project. Staff's concerns were the time of year restriction and the salt marsh restoration.

Ms. Gladfelter: I'm glad Matt Costa added the second silt curtain to contain the sediment.

Mr. Robbins: Move to adopt the Order of Conditions as discussed.

Ms. Gladfelter: Second.

Mr. Mathews: Gladfelter, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

James J. Mangraviti Jr., 101 Madeline Road, East Falmouth, MA (5/6/20)

Quorum: Mark, Jamie, Betsy, Maurie, Peter, Steve, Russ, Kevin, Courtney

Ms. Lincoln: Tom Bunker added mitigation to make staff happy. He addressed our concerns about clumping all the mitigation into one area. Shrub material will be better along the coastal bank.

Mr. Newton: No questions or comments.

Mr. Mathews: Tom agreed to remove honeysuckle.

Ms. Lincoln: Yes.

Ms. Gladfelter: He talked about replacing the honeysuckle in two areas with native species.

Mr. Mathews: And putting in a single rail fence.

Ms. Lincoln: Yes. The plan is dated April 22, 2020. They are also removing some pavement and converting it to lawn.

Mr. Robbins: Move to adopt the Order of Conditions as discussed.

Ms. Gladfelter: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

Delcor Realty Trust (c/o Joanna Delapa), 418 Menauhant Road, Falmouth, MA (5/6/20)

Quorum: Kevin, Maurie, Jamie, Russ, Steve, Peter

Ms. Lincoln: This is the dock that received an OOC in the early 80's. They applied for a building permit too late and the dock was to be removed. Then there was an ice storm and they applied to repair the dock. There is a large float that does not meet the current regulations and the application was denied. It was later upheld in Superior Court and afterward in the Appeals Court. They reserved the right to decide on the dock. They applied to us again for a permit and they tried to conform with all current regulations except for shellfish density. They asked for a variance from that. The Conservation Commission has never given a variance for shellfish density before. Former Town Counsel Harris sent the Board a reminder on the variance procedure which I emailed to all of you.

Ms. Harlow-Hawkes: I would like to remind the Board that we have never accepted a variance that has tripped the shellfish density.

Mr. Bird: I agree with Maurie. We shouldn't start now. Look carefully at the notes from Assistant Town Counsel Harris. There are steep conditions to meet.

Mr. Walsh: The conditions that the Town Counsel set out for a variance are very difficult to meet. In fact they make it almost impossible to issue a variance if I see a reason to grant one.

Mr. Robbins: Move to adopt the project as presented.

Mr. O'Brien: Second.

Mr. Mathews: Mathews, no; Harlow-Hawkes, no; Walsh, no; Patton, aye; Robbins, aye; O'Brien, no.. 4 no, 2 yes. The motion does not pass.

Ms. Lincoln: I think we should have a second vote on the variance for clarity.

Ms. Harlow-Hawkes: Move to accept the variance.

Mr. O'Brien: Second.

Mr. Mathews: Mathews, no; Harlow-Hawkes, no; Walsh, no; Patton, aye; Robbins, aye; O'Brien, no. 4 no, 2 yes. The motion for the variance is denied.

Karen Olcott, Trustee, Small Cottage Realty Trust, 141 Fay Road, Woods Hole, Falmouth, MA (5/6/20)

Quorum: Mark, Jamie, Betsy, Maurie, Peter, Steve, Russ, Kevin, Courtney

Ms. Lincoln: This is a raze and rebuild. They are moving the shed, the septic system and planting the mitigation in an area that is already vegetated. Staff prefers it closer to the resource areas. We will make a finding about the driveway. They are planning to put in grass pavers, but they can't allow them to turn into an impervious gravel surface.

Mr. Newton: No questions or comments.

Ms. Gladfelter: You can make a finding that there is some scattered planting where the mitigation is going. The existing mitigation should stay.

Ms. Harlow-Hawkes: Putting the mitigation closer to the resource areas is consistent.

Ms. Gladfelter: There is scattered vegetation where you put the mitigation. It will protect part of the bank.

Ms. Harlow-Hawkes: There is lawn below the bank and the mitigation would add to its protection.

Ms. Gladfelter: The lawn is on the coastal bank.

Mr. Mathews: Should the stakes remain?

Ms. Lincoln: Yes, it will have to be re-staked. There will be a condition that it has to be re-staked by a surveyor.

Ms. Harlow-Hawkes: I think we should be consistent and put the mitigation closer to the resource area.

Mr. Mathews: I defer to the experts. It should be closer to the resource areas, but the coastal bank is a resource area.

Ms. Lincoln: Staff recommends it should be closer to the resource areas. The regulations state that and it is in the staff report.

Ms. Gladfelter: It is in the A zone to the coastal beach and water. It is a resource area.

Ms. Lincoln: When I was speaking to Ms. Olcott the coastal bank in one area was lawn. She wanted to put the mitigation up near the house. I made her put it closer to the resource areas.

Ms. Gladfelter: This should have been discussed at the two hearings.

Mr. Mathews: I don't think we can condition this.

Ms. Lincoln: I'll speak to Irie Mullin about it.

Ms. Harlow-Hawkes: Move to adopt the Order of Conditions as presented.

Ms. Gladfelter: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

Mr. Bird: Move to adjourn.

Ms. Gladfelter: Second.

Mr. Mathews: Gurnee, aye; Mathews, aye; Gladfelter, aye; Harlow-Hawkes, aye; Walsh, aye; Patton, aye; Robbins, aye; O'Brien, aye; Bird, aye. Unanimous, so moved

Mr. Bird: The meeting adjourned at 9:16 p.m.

Respectfully submitted,

Susan Cronin, Recording Secretary