

Conservation Commission Minutes 06/26/19

FINAL

Present for the Conservation Commission and attending the meeting were: Joan Malkin, Chairman, Bob Hungerford, Vice Chairman, Pam Goff, Chris Murphy, Candy Shweder, Sandy Broyard, Russell Maloney and Chuck Hodgkinson. George Sourati also attended.

The meeting came to order at 12:33 PM. The Commission congratulated and thanked Alternate member Mr. Maloney for his appointment as a voting member of the Commission. Mr. Maloney was subsequently sworn in for his 3-year term by the Town Clerk.

SE 12 – 841; GEORGE SOURATI FOR SWB LIMITED PARTNERSHIP; 8 Greenhouse Lane; AP 33-30:

Ms. Malkin opened the public hearing at 12:35 PM. Mr. Sourati reviewed the history of the original Order of Conditions issued in 2013 (SE 12 – 678) for beach nourishment. He then explained the severe storms this past March eroded the beach in front of this parcel and created a depression from the abutting sections of beach to the east and west. This could funnel wave energy to his client's section of coastal bank.

He then reviewed the revised site plan dated 6/19/19 to add 170 yards of beach nourishment of matching river rock at the base of the coastal bank to stabilize the erosion and protect the house that is 10 feet from the edge of the bank at the deck's closest point. Approximately 171 yards of the same nourishment was permitted in 2013. The rocks will increase the beach elevation to about 12 feet above mean high tide. The additional rock will add approximately 2 feet in height for a distance of 136 feet and a variable width of 6 feet. The added rock will slope down to the existing beach and end approximately 22 feet from the observed mean high tide mark. Approximately 136 linear feet of Coastal Bank; 9,000 sq. ft. of Coastal Beaches and 11,000 sq. ft. of Land Subject to Coastal Storm Flowage will be impacted.

The eastern end of the additional rocks will end about 12 feet from the east lot line and continue to the western lot line. A temporary 10-foot wide road from the parking area, down the bank to the beach for equipment access will be created. All disturbed areas will be restored.

The Commission discussed its observations from the site visit and asked if the elevation of the added rock on both ends will match the elevations of the existing beach and cobble. Mr. Sourati confirmed they would. The Commission also reiterated its point that this nourishment must act and perform as the existing beach. It cannot be engineered to a point that it acts like a coastal structure such as a revetment. The Commission then discussed how in cases such as this they have conditioned an Order with future erosion specifications that would require the owner to provide a managed retreat plan to relocate structures that run the risk of falling down the coastal bank. This plan would include a defined state of conditions that would trigger the production of this managed retreat plan – while the bank is still stable enough for the required equipment to perform the work.

Mr. Sourati requested the hearing be continued to July 17, 2019 @ 12:30 PM to provide time for him to discuss this with his client. Chuck H. will send Mr. Sourati examples of previous conditions of this nature. A motion was made to accept the request to continue the hearing. The motion was seconded and passed unanimously with seven in favor.

While at the site visit the Commission asked Mr. Sourati about the platform that is on the coastal bank at this property. The 2013 photos indicate it was sitting on the ground. The current platform that repaired the damages incurred from the severe March storms showed support posts on the outer edge which were most likely added at some point when the bank eroded. Chuck H. will try to get historical photos for further review on July 17.

DISCUSSION SE 12 – 829 GEORGE SOURATI FOR QUINSON; 7 Flanders Lane; AP 27.1-202: Mr. Sourati explained an Order was issued in December 2018 to re-build an existing 107 sq. ft. screened porch as a three-season porch and build a 140 sq. ft. mud room and stairs addition to the existing dwelling that is located within the 100-foot buffer zone of a Bordering Vegetated Wetland and within the Riverfront Zone. The closest activity is 43 feet from the wetland edge with 140 sq. ft. of additional disturbance within the second 100-foot section of the Riverfront zone. He then sketched on the file site plan how the owner would like to change the location of the entry steps and make them larger granite stones. After brief discussion a motion was made to declare the change as inconsequential to the approved plan. The motion was seconded and unanimously approved. A second motion was made to approve the change as described and sketched. The motion was seconded and unanimously approved with seven in favor.

DISCUSSION MACC AND WETLAND PROTECTION ACT REGULATIONS FOR IMPOSING FINES FOR UNPERMITTED WORK IN RESOURCE AREAS. Ms. Malkin reviewed the responses she received from the MACC regarding the Wetland Protection Act procedures for issuing fines for unpermitted work. She added fines can also be imposed on the individuals that perform the unpermitted work. The specific procedure for levying a fine requires the Commission to issue a ticket through the court—much like a traffic violation and fine.

DISCUSS CONSERVATION RESTRICTION (CR) AND OWNER RESPONSE TO LETTER; AP 13 – 21: The Commission discussed the owner’s response to the letter sent on June 6, 2019 regarding the apparent septic system equipment next to the horse barn under construction. The Commission agreed the installation of a grey water handling system is allowable under the allowed land uses of this particular CR.

ADMINISTRATION:

The draft June 5, 2019 meeting minutes were reviewed and approved as presented by consensus.

The next meeting will be July 17, 2019 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:30 PM.

Respectfully submitted by Chuck Hodgkinson, C.A.S.