

## Conservation Commission Minutes 03/07/18

FINAL

Present for the Conservation Commission and attending the meeting were: Candy Shweder, Chairman, Joan Malkin, Vice Chairman, Pam Goff, Sandy Broyard, Bob Hungerford, Russell Maloney and Chuck Hodgkinson. Reid Silva, Joan Hughes, Carlos Montoya, Damon and Luiza Vickers, Ezra Sherman and Todd Vanderhoop also attended. Chris Murphy and Maureen Eisner did not attend.

The meeting came to order at 12:30 PM. The Chair appointed Russell Maloney as a voting member for the day's agenda.

**SE 12 – 810; REID SILVA FOR DAMON VICKERS; 18 Spruce Gate Rd.; AP 35-1.7:** Ms. Shweder opened the public hearing at 12:31 PM. Mr. Silva reviewed the site plan dated 9/21/17 to construct an (addition to the main house -- outside the Commission's jurisdiction) plus a barn, cat slide shed, chicken coop, (greenhouse -- outside the Commission's jurisdiction), duck coop and a parking area. The construction of a 30' X 10' in ground swimming pool and a 10' X 10' spa (overall dimension 20' X 40') plus the four-foot high pool enclosure, a pool deck and related pool equipment is also proposed. Brush cutting to create a grazing field will also be done. The grazing area will not be tilled but tree stumps will be ground. The area will be seeded with a forage mix and hay mulched. The majority of the construction is within the 100-foot buffer zones of a Bordering Vegetated Wetland and an isolated wetland. The closest activity is 39 feet from the wetland edge. The proposed greenhouse and addition to the house are outside the buffer zones.

When asked Mr. Silva said the barn will be the only structure within the buffer zone that will have power and water service. The commission also asked if a winter hydrant is proposed for the grazing field. Mr. Silva said one is not planned and thought it could be placed in the southwest portion of the pasture and outside the Commission's jurisdiction. The Commission added the trenching for the water line to the hydrant should also be outside its jurisdiction if possible. Mr. Silva agreed.

The pool location is in an area of the buffer zone that is already disturbed with decking and a mowed lawn. The Commission however referred to the site visit and asked why the pool fence is located within the view clearing area at the edge of the five foot managed height rather than on the lawn as with the pool. The Vickers responded they would like the pool fence near the five foot-high vegetation so it will not be as visually imposing. The Commission did not think this is needed and as done with several other proposals thought the pool fencing should be at least 25 feet from the isolated wetland edge that is facing the house. This would place it within the existing lawn area and outside the shrub brush that also serves as wildlife habitat.

Regarding the grazing field the Commission asked how many sheep will be grazed at any time. Mr. Vickers said only four to five sheep. He added this will not be a formal working farm but, the yard will have a variety of farming activities—raising turkey, sheep, ducks, chickens. There are also three bee hives in place along with a vegetable garden. The Commission also suggested reducing the parking area footprint in the buffer zone. Mr. Silva thought this could be accommodated with a reconfigured layout. This plus the relocation of the pool fence will reduce the overall development footprint that is within the buffer zone. Chuck H. read the letter from the Chair of the Squibnocket Architectural Review Committee (ARC) for the record. With no further public comment a motion was made to close the hearing at 1:07 PM. The motion was seconded and unanimously approved. A subsequent motion was made to approve the plan elements with the following amendments to the site plan dated 9/21/17.

- The in-ground pool, spa and revised decking plan are approved as shown on the site plan.
- The pool fencing location shall be revised. The pool fencing shall be at least 25 feet from the edge of the isolated wetland as shown. The view clearing area labeled as "Zone 1" for the Order of Conditions SE 12 – 712 dated 9/25/14 and the related final site plan dated 11/17/15 shall be allowed to fill in with natural growth up to the revised pool fence location on the south, isolated wetland side of the fence. This will increase the size of Zone 1 in the view clearing area. The additional growth up to the pool fence in Zone 1 shall be maintained as all approved Zone 1 areas – to a minimum pruned height of one foot above grade. The shrub brush also provides wildlife habitat. The revised fence location will also reduce the footprint of development in the buffer zone for this property.
- The footprint of the proposed new parking area shall be reduced in size and re-configured as hand-drawn on the site plan.
- The pasture area is approved as shown on the site plan. The pasture fencing shall be installed as hand-drawn on the site plan to protect the wetlands and minimum 25-foot no cut buffer zone from the wetland edge. A specific pasture planting

plan shall be provided before it is installed.

The installation of a winter hydrant is allowed on the southwest section of the new pasture and located outside the 100-foot wetland buffer zone. The related water line trenching to the hydrant shall also be located outside the 100-foot wetland buffer zone.

- The barn shall be the only out building with water and power service. Trenching to the barn shall be on the driveway side. All other proposed structures within the 100-foot wetland buffer zone as shown on the site will have no water or power service—chicken coop, cat slide shed and duck coop.
- A revised site plan shall be provided for approval to the Conservation Agent (CA) including all of these amendments before any work begins.

The motion was seconded and with no comment passed unanimously with six in favor.

**REQUEST FOR DETERMINATION OF APPLICABILITY; CARLOS MONTOYA FOR TWO SISTERS REALTY TRUST; 35 Harlock Pond Rd.; AP 1-12:**

Mr. Montoya reviewed the google earth site plan to brush cut an area to create a meadow along the winding driveway. He said the area is primarily filled with goldenrod and bramble. The cutting will be done manually with mechanical hand tools (no brush-mower). There are no trees or other woody plants in the work area. There will be no stripping or clearing. He added the winding driveway traverses down grade and has several culverts and drainage swales to channel water under the dirt driving surface. There are culverts and a drainage swale in the proposed meadow area. Mr. Montoya said he would like to clear the area to see the undergrowth before having a revegetation plan which could include switchgrass. After brief discussion a motion for a negative determination was made with the following special conditions:

- The area shall be hand cut with no stripping or clearing and completed no later than April 1, 2018—before the start of the bird nesting season.
- After the area is cut, the applicant shall return to the Commission with a planting and maintenance plan for the area.

The motion came to a vote and passed unanimously with six in favor.

**DISCUSSION SE 12 – 804; EZRA SHERMAN AND KRIS HORIUCHI FOR JACK DAVIES; 12 Stone Ridge; AP 25-135:**

Mr. Sherman explained an Order was issued in December 2017 to build an addition for a bathroom and install a new outdoor shower. The Order required him to return with the following for approval before construction begins along with a site plan showing the following additional features plus a specific re-vegetation plan.

- A 20-foot wide no cut buffer zone from the edges of the newly delineated isolated wetland and running 20 feet from the wetland edge southwest of the house. The 20-foot no cut buffer shall terminate approximately at the end of the slate patio as shown on the site plan.
- This 20-foot no cut buffer zone shall be planted with native plant species only. This planting plan and supporting planting narrative shall be approved by the Commission or its designee before work begins.
- There shall be no landscape maintenance, fertilizing or mulching of any kind within the re-vegetated 20-foot no cut buffer zone.
- There shall be no deposits of landscape cuttings placed within the 20-foot no cut buffer zone or within the 100-foot wetland buffer zones.
- The outside limit and edge of the 20-foot no cut zone shall be marked with stones that are approximately 2'X2'X2' (8 cubic feet). The applicant may propose an alternative method to delineate the no cut zone for consideration when the landscape plan is discussed. The stones shall be placed approximately five feet apart to allow for unobstructed wildlife movement.

Mr. Sherman reviewed a Kris Horiuchi site plan “L1” dated 2/19/18. He pointed out the field stone markers will be placed on top of the ground with no buried portion. The planting plan as shown and described was also discussed. After brief comment a motion was made to approve the site plan L1 dated 2/19/18 as presented. The motion was seconded and passed unanimously with six in favor.

**FOLLOW UP DISCUSSION SE 12 – 796; JOAN HUGHES FOR MARGARET WAITZKIN; 6 Ocean View Farm Rd.; AP 25-113:** Mr. Silva reviewed a revised site plan dated 3/7/18 showing the edge of the total wetland on the property. It was not shown earlier because no work was proposed within a section of its buffer zone. He proceeded to review the best alternative location for the house that is near South Road. If the house was re-built here however, a new driveway would need to be created

through the buffer zone; some of the house's foundation would still be in the buffer zone and the foundation excavation of the original house would need to be removed and filled. After discussion it was agreed the re-built house should stay at its current location as it is an already disturbed area and there will be less overall disturbance in the buffer zone.

**ADMINISTRATION:**

The draft February 21, 2018 meeting minutes were reviewed and approved as presented by consensus.

Signatures:

Order of Conditions SE 12 – 810; Vickers; AP 35-1.7.

Determination of Applicability Two Sisters Realty Tr.; AP 1-12.

The next meeting will be Wednesday, March 21, 2018 @ 12:30 PM.

With no further business to discuss the meeting adjourned at 1:45 PM.

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