

Eastham Conservation Commission

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Eastham, MA 02642



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**Eastham Conservation Commission
2500 State Highway
Earle Mountain Room
September 8, 2015
Public Hearing
MINUTES**

Commissioners Present: Chairman Michael Harnett, James Baughman, Steven Kleinberg, Steven LaBranche and Shelia Filipowski.

Commissioners Not Present: Alexander Cestaro.

Staff Present: Shana Brogan.

Also Present: Tim Brady of East Cape Engineering and Gordon Peabody of Safe Harbor Environmental.

6:00 PM

Chairman Harnett opened the hearing.

Notice of Intent filed by Michael and Mary Moniz. Applicant proposes three outdoor showers, construction of three wooden decks, a screen porch, reconstruction of an existing wooden deck, demolishing and construction of an addition, removal of old shed and construction of a 6' x 13' shed on a coastal stairway at property located at 40 Smith Heights Way, Map 18, Parcel 054.

The applicant requested a continuance until September 22, 2015.

Steven LaBranche **MOVED** to continue to September 22, 2015, James Baughman **SECONDED. ALL IN FAVOR.**

Request for Amended Order of Conditions for DEP SE 19-1494 for Notice of Intent filed by Ralph Belford for demolition of existing dwelling and construction of a new dwelling at property located at 700R Ocean View Drive, Map 24, Parcel 005.

Gordon Peabody of Safe Harbor Environmental was present to speak to the project and noted concern about the planting coverage at the site. He noted the need to make adjustments due to the harsh environment. Steven Kleinberg asked about the difference in the plantings. Mr. Peabody noted they plant goldenrod plugs from propagated seeds and they do not use fertilizers. He noted on his planting list a notation for "any existing" there is no guarantee for survival. Mr. Peabody saw what was surviving on the site and propose to put more of it in. He want to plant in the fall and spring.

James Baughman **MOVED** to approve the Amended Order of Conditions, Shelia Filipowski **SECONDED.**

ALL IN FAVOR.

Request for change of plans filed by Christina Lawson for a replacement well located at 145 Cole Road Map 13, Parcel 1070.

Tim Brady of East Cape Engineering was present to speak the project. He noted the owner has a well that is working fine, but once the garage is constructed it will be difficult to replace. Mr. Brady noted it would make sense to go ahead and replace the well during construction of the garage. Mr. Brady noted pruning of a limb would be required. Chairman Harnett asked if there would be any maintenance issues. Shana Brogan noted there were a number of non-native planting recently installed. Steven Kleinberg suggested to send a letter with the approved planting list and include a date to have the non-native plants removed.

James Baughman **MOVED** to approve the new well installation, Steven Kleinberg **SECONDED**.
ALL IN FAVOR.

Extension Permit Request filed by Dana Gould for DEP SE 19-328 for sand nourishment on the beach located at 60 Cove Road Map 18, Parcel 14.

Shana Brogan noted the permit is very old given the low DEP file number and the commission could consider denying it to have an opportunity to review the sand placement. Steven LaBranche said this would never be allowed and it is basically filling in a salt marsh. James Baughman noted the sand will keep washing into the marsh.

Steven Kleinberg **MOVED** to deny the extension permit for sand nourishment, James Baughman **SECONDED**.

All IN FAVOR.

Review and Approval of Conservation Restriction for “Turtle Cove” located at Blue Bill and Widgeon Lane.

This was deferred until the September 22, 2015 meeting.

Other Discussion:

Preliminary discussion regarding process and content of new potential regulations under the Eastham Wetlands Bylaw.

Chairman Harnett noted he sent everyone a file in drop box. James Baughman noted he sent Bourne and Barnstable buffer zones, vista pruning, and new houses for the files. Comparing the contractor authorization form was discussed. Mr. Baughman brought up a performance bond. Shelia Filipowski requested a work session to go over the files.

Liaison Reports

James Baughman went to the Community Preservation Committee meeting and noted Chapel in the Pines is applying for funding and it was suggested to apply for a matching grant. Mr. Baughman noted he would like to understand how this works and expressed concern that the town is buying property and there is no provision to maintain the property. He believes they should be pushing for funds to maintain the properties. In Truro if the land is donated, they have to have a maintenance plan. Steven LaBranche noted the property is not open space if it is full of invasives and there needs to be a plan in place.

Administrative Reviews

17 Charlie Noble Way - Trimming tree branches that are close to the house effecting the roof and gutters located at Map 20, Parcel 89.

Steven Kleinberg **MOVED** to approve the trimming of the tree branches, Steven LaBranche **SECONDED**.

ALL IN FAVOR.

13 Horton Way - Pruning of 8 pine trees and shrubs with fence repair located at Map 7, Parcel 495.

The commission deferred this until September 22, 2015.

65 Piper Lane – Cut one pine tree next to new addition. The tree is located within the 100 foot buffer zone of Molls pond located at Map 12, Parcels 265 & 266.

Steven Kleinberg **MOVED** to approve the removal of the tree, James Baughman **SECONDED**.

ALL IN FAVOR.

45 Mallard Lane –Remove large pitch pine trees that are close to the house located at Map 13, Parcel 99.

The commission deferred this until September 22, 2015.

145 Shurtleff Road – Cut and remove invasive vines to free up native vegetation located at Map 10, Parcel 239.

Steven LaBranche **MOVED** to approve the removal of invasive vines, James Baughman **SECONDED**.

ALL IN FAVOR.

555 South Sunken Meadow – Removal of three large and two very small black locust trees. Vista prune cherry trees and possibly vista prune some scrub pine and oak trees located at Map1, Parcel 93.

The commission deferred this until September 22, 2015.

195 Widgeon Drive – Cut back growth encroaching on lawn, flush cut small locust and cherry seedlings, remove grapevine, re-create a three to four foot wide path to marsh on right side located at Map 17, Parcel 528.

The commission determined the scope was too large for an Administrative Review filing.

Steven LaBranche **MOVED** to deny the request, Steven Kleinberg **SECONDED**.

ALL IN FAVOR.

610 Samoset Road- Removal of four trees in backyard. One dead pine, one locust tree disrupting deck and footings, and two pine trees nearest back of home in peril of falling on home located at Map 14, Parcel 88.

The commission deferred this until September 22, 2015.

Depot Pond –It was noted the University of Vermont did a study on cormorants and ponds. James Baughman noted there may be a connection of the two ponds. Shana Brogan will check to see if the town owns Depot Pond.

Approval of Minutes

August 25, 2015

Shelia Filipowski **MOVED** to approve, Steven LaBranche **SECONDED**.

ALL IN FAVOR.

August 26, 2014

Steven Kleinberg **MOVED** to approve, Steven LaBranche **SECONDED.**

ALL IN FAVOR.

Adjournment 7:15 PM

Steven Labranche **MOVED** to adjourn, Shelia Filipowski **SECONDED.**

ALL IN FAVOR.

Respectfully Submitted as prepared by,



Teena Tilton



Michael Harnett, Chairman
Conservation Commission