

# Eastham Conservation Commission

2500 State Highway  
Eastham, MA. 02642  
(508)-240-5900



## MINUTES

Conservation Commission Meeting  
6:00 P.M., Tuesday, March 14, 2023

**Commissioners Present:** Karen Strauss, Janet Benjamins, Charles Wagner, Joanne Cossitt, Emily Beebe, Mike Harnett, Gregg Douglas.

**Agent Present:** Keith Johnson

**Also Present:** Bob Perry, Jason Ellis, Nicole Paine.

**6:00 PM:** Meeting opened by Karen Strauss and executed roll call.

Beebe - YEA  
Benjamins - YEA  
Cossitt - YEA  
Douglas - YEA  
Harnett - YEA  
Wagner - YEA  
Strauss - YEA

## PUBLIC HEARING

**Continuation of Notice of Intent filed by 235 Shurtleff Road Realty Trust, Richard and Laurie Devito Revocable Trust and Marcella Gumbel.** Applicant proposes to construct a rock revetment and beach access stairs at property located in between 205 and 265 Shurtleff Road, Map 07, Parcels 195 and 191.

The Representative requested a continuation until April 25, 2023.

Emily Beebe **MOVED** to continue until April 25, 2023. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Beebe - YEA  
Benjamins - YEA

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The Video for this meeting can be found at <https://www.eastham-ma.gov/653/On-Demand-Video-of-Meetings-Special-Prog>

Cossitt - YEA  
Douglas – YEA  
Harnett - YEA  
Wagner - YEA  
Strauss – YEA

**Continuation Notice of Intent filed by Gary and Shirley Brothers.** Applicant proposes to construct a stone revetment at property located at 165 Shurtleff Road, Map 10, Parcel 240.

Bob Perry represented the applicant and discussed the continuation with the Commissioners.

A Commissioner inquired on the status of an engineer and was advised by the Conservation Agent that it is in the peer review process. Another Commissioner inquired on why the Commission is looking for a review.

The Representative requested a continuation until April 25, 2023.

Emily Beebe **MOVED** to continue until April 25, 2023. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Beebe - YEA  
Benjamins - YEA  
Cossitt - YEA  
Douglas – YEA  
Harnett - YEA  
Wagner - YEA  
Strauss – YEA

### **REGULATORY**

**Request for Determination of Applicability filed by Ann Marie Krawchuck.** Applicant proposes to install a new septic system and water service at property located at 880 North Sunken Meadow Road, Map 01, Parcel 077.

Jason Ellis represented the applicant and discussed the proposed project with the Commissioners.

The Conservation Chair requested the ACEC be noted on the plan and discussed the wetland boundaries and delineations on the site plan.

Another Commissioner inquired on the septic system size and if the building is located near the proposed septic system.

The Conservation Chair requested a motion with a negative determination 2 and a negative determination 3 with standard conditions.

Janet Benjamins **MOVED** to approve under a negative determination number 2 and 3 and standard conditions. Chuck Wagner **SECONDED, ALL IN FAVOR.**

Beebe - YEA  
Benjamins - YEA  
Cossitt - YEA  
Douglas – YEA  
Harnett - YEA  
Wagner - YEA  
Strauss – YEA

**Continuation Request for Determination of Applicability filed by Uriel Meshoulam.**

Applicant proposes to repave driveway at property located at 75 Herring Brook Road, Map 17, Parcel 499.-

The Conservation Agent requested a continuation until March 28, 2023.

Janet Benjamins **MOVED** to continue until March 28, 2023. Mike Harnett **SECONDED, ALL IN FAVOR.**

Beebe - YEA  
Benjamins - YEA  
Cossitt - YEA  
Douglas – YEA  
Harnett - YEA  
Wagner - YEA  
Strauss – YEA

**ADMINISTRATIVE MATTERS**

The Conservation Chair opened both Certificate of Compliance 19-1357 and 19-1613.

**Certificate of Compliance filed by Diana L Digges, SE 19-1357** for vegetative management of invasive species and vista pruning within 100' of a Coastal Bank and Land Subject to Coastal Storm Flowage at property located at 835 Herring Brook Road, Map 13, Parcel 111.

**Certificate of Compliance filed by Diana L Digges, SE 19-1613** for construction of an addition and a covered porch and replacement of an existing driveway at property located at 835 Herring Brook Road, Map 13, Parcel 111.

The Conservation Agent discussed both Certificate of Compliance and stated that the irrigation system will be removed prior to the release of the approved Certificate of Compliances and recommend approval.

Mike Harnett **MOVED** to approve SE 19-1357 and SE 19-1613. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Beebe - YEA**  
**Benjamins - YEA**  
**Cossitt - YEA**  
**Douglas – YEA**  
**Harnett - YEA**  
**Wagner - YEA**  
**Strauss – YEA**

**Administrative Review filed by John Augat.** Applicant proposes to remove Pitch Pine Trees and replace with appropriate native vegetation at property located at 895 Herring Brook Road, Map 13, Parcel 114.

The Conservation Agent discussed the proposed Administrative Review and recommended approval.

A Commissioner inquired on why the trees are considered hazardous and was advised it is due to the trees leaning towards power lines and the road. The Commissioner asked if the trees can be limbed and left on the property. The Conservation Agent stated that the trees are near the end of their life and continued to discuss these issues with the Commissioners.

Mike Harnett **MOVED** to approve. Charles Wagner **SECONDED, 6 IN FAVOR, 1 NOT IN FAVOR.**

**Beebe - YEA**  
**Benjamins - NEA**  
**Cossitt - YEA**  
**Douglas – YEA**  
**Harnett - YEA**  
**Wagner - YEA**  
**Strauss – YEA**

**Administrative Review filed by Town of Eastham.** Applicant proposes to suppress knotweed at property located at 190 Samoset Road, Map 15, Parcel 036.

The Conservation Agent discussed the proposed application with the Commissioners and recommended approval.

A Commissioner requested pictures to show the progress.

Mike Harnett **MOVED** to approve. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Beebe - YEA**  
**Benjamins - YEA**  
**Cossitt - YEA**  
**Douglas – YEA**  
**Harnett - YEA**  
**Wagner - YEA**

## **Strauss – YEA**

**Annual Reporting – Truck Access – DEP SE 19-1762** for the Town of Eastham and private aquaculture shellfish farmers. Applicant proposes to allow more than 1 ATV per grant at a time, eliminate notification to Town prior to ATV use, ability to access with a truck at property located at 1620 Samoset Road, Map 16, Parcel 25.

Nicole Paine, Shellfish Constable, represented the applicant and discussed the annual reporting with the Commissioners.

The Conservation Chair inquired on signage, the driving route, and is pleased with the results. A Commissioner inquired if any changes should be made and was advised by the Representative that nothing needs to be changed at this time.

The Commissioners stated that they are very pleased of the outcome.

## **Violations**

No violations to discuss currently.

## **Agent Question**

No Agent Questions.

## **Liaison Reports**

The Commissioners discussed their Liaison Reports.

## **Education & Training Updates**

The Commissioners discussed Education and Training.

## **Minutes**

No Minutes currently to approve.

## **Vote on proposed Regulation Changes:**

**Proposed Eastham Conservation Wetland Regulation Change to Section V, A 1.0-1.4**  
– Additional Regulations for Coastal and Inland Wetlands.

Mike Harnett **MOVED** to approve the change to the Wetland Regulation Change to Section V, A 1.0-1.4. Janet Benjamins **SECONDED, 6 IN FAVOR, ONE NOT I FAVOR.**

**Beebe - YEA**

**Benjamins - YEA**

**Cossitt - YEA**

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**Douglas – YEA**  
**Harnett - YEA**  
**Wagner - NEA**  
**Strauss – YEA**

**Proposed Eastham Conservation Section Wetland Regulation Change to VII. F.**  
– Pool Regulations.

Mike Harnett **MOVED** to approve the change to the Wetland Regulation Change to VII. F. Janet Benjamins **SECONDED, 6 IN FAVOR, 1 NOT IN FAVOR.**


**Beebe - YEA**  
**Benjamins - YEA**  
**Cossitt - YEA**  
**Douglas – YEA**  
**Harnett - YEA**  
**Wagner - NEA**  
**Strauss – YEA**

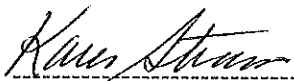
A Commissioner stated his dismay on how the regulations were handled and changed and continued to discuss this with the Commissioners.

**The Conservation Chair requested a motion to adjourn.**

Mike Harnett **MOVED** to adjourn. Janet Benjamins **SECONDED, ALL IN FAVOR**

**Beebe - YEA**  
**Benjamins - YEA**  
**Cossitt - YEA**  
**Douglas – YEA**  
**Harnett - YEA**  
**Wagner - YEA**  
**Strauss – YEA**

  
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Amy Blakesley

  
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Karen Strauss, Chairman Conservation Commission