

Eastham Conservation Commission

2500 State Highway
Eastham, MA 02642
508-240-5900



MINUTES

**Conservation Commission Meeting
6:00 P.M, Tuesday, May 24, 2022**

Commissioners Present: Sheila Filipowski, Karen Strauss, Janet Benjamins, Thomas Durkin

Agent Present: Keith Johnson

Also Present: Benjamin Fairbanks, Catherine Ricks, Todd Turcotte, Art Autorino, Sue Fisher,

6:00 PM Meeting opened by Sheila Filipowski and executed roll call.

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

PUBLIC HEARINGS

Continuation of Notice of Intent filed by Diarmaid McGregor and Amy Kotowski. Applicant at 35 Sunset Lane proposes a 4-foot wide path, vegetation management and beach stairs at property located at 45 Sunset Lane, Map 13, Parcel 141. – Applicant requested to continue until June 14, 2022.

The Applicant requested to continue until June 14, 2022.

Thomas Durkin **MOVED** to continue until June 14, 2022. Karen Strauss **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

Continuation of Notice of Intent filed by Michael Enos. Applicant proposes after the fact filing of mitigation for unapproved site work at property located at 90 Log Cabin Road, Map 07, Parcel 163.

Benjamin Fairbanks represented the applicant and discussed proposed alternative solutions with the Commissioners. The Representative showed a comparison of the tree line between 2019 and 2021 to show tree cutting.

The Conservation Chair inquired on the effects on the property by removing 10 feet of wall, where the boulders will be relocated, and where the 4 trees are located that are proposed to be removed. The Representative stated the limit of work, moving the boulders and to where, vegetation, and discussed the trees.

The Commissioners discussed the second alternative, moving all the boulders and fill, the fence, certifying the vernal pool, violation fines, grading, and gravel removal.

The Representative discussed the impact of using machinery within the area.

The Commissioners requested that the Representative meet with the Agent. The Conservation Agent stated that they visited the site, and discussed the process of verifying the vernal pool and approved the mitigation.

The Commissioners continued to discuss the alternative plans, boulders being moved, removing the fill, regrading, a new site plan showing removing the fill, and approval the proposed mitigation.

The Representative discussed alternative number 2 with a Condition to remove the boulders, remove of the fill and the construction impact to the area. The Representative went over the grade of the area prior to the Violation. The Commissioners inquired on the length of the wall and the representative stated 90 feet.

The Conservation Agent discussed conditioning the project to remove the boulders and fill and accepting the planting plan.

The Commissioner requested the conditions be reflected on the site plan, restore the property, accept the proposed mitigation from the second alternative analysis, verifying the vernal pool, and remove a foot off the bottom of the fence.

The Conservation Chair requested a continuation until June 14, 2022.

Karen Strauss **MOVED** to continue until June 14, 2022. Thomas Durkin **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

The Conservation Chair opened the next two agenda items together.

Continuation of Notice of Intent filed by John and Dawn Geyer. Applicant proposes reconstruction of a rock revetment with an increase in elevation and nourishment at property located at 245 Sparrow Road, Map 04, Parcel 187.

Continuation of Notice of Intent filed by Andrew and Katherine Vilardo. Applicant proposes reconstruction of a rock revetment with an increase in elevation and nourishment at property located at 265 Sparrow Road, Map 04, Parcel 186.

Catherine Ricks and Todd Turcotte represented the Continuation and discussed reducing the height of the revetments to 17 feet, changing the nourishment amount to 158 cy for 245 Sparrow Road and 142 cy for 265 Sparrow Road.

The Conservation Chair inquired on fiber roles and what would be the effect to the surrounding properties.

The Commissioners discussed mitigation, and revetments, and possible disturbances to the surrounding area, additional vegetation with native salt tolerant grass and shrubs and adding a condition to replace failed mitigation.

The Conservation Chair requested to continue both 245 and 265 Sparrow Road until June 14, 2022.

Thomas Durkin **MOVED** to continue 245 Sparrow Road until June 14, 2022. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Benjamins – YEA
Durkin – YEA
Strauss - YEA
Filipowski –YEA

Karen Strauss **MOVED** to continue 245 Sparrow Road until June 14, 2022. Thomas Durkin **SECONDED, ALL IN FAVOR.**

Benjamins – YEA
Durkin – YEA
Strauss - YEA
Filipowski –YEA

Continuation of Notice of Intent filed by Sara Zobel & John Sheehan. Applicant proposes additions and alterations to the main dwelling, detached garage and studio, new septic system and mitigation at property located at 715 Bridge Road, Map 19, Parcel 004. Applicant requested to continue until June 14, 2022.

Janet Benjamins **MOVED** to continue until June 14, 2022. Karen Strauss **SECONDED, ALL IN FAVOR.**

Benjamins – YEA
Durkin – YEA

Strauss - YEA
Filipowski –YEA

REGULATORY DETERMINATIONS

Request for Determination of Applicability filed by Sherri Sims. Applicant proposes water service installation at property located at 35 Blue Heron Way, Map 18, Parcel 262.

The Conservation Agent recommended approval under a negative determination for reason number 3.

Karen Strauss **MOVED** to approve with a negative determination for reason number 3. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Benjamins – YEA
Durkin – YEA
Strauss - YEA
Filipowski –YEA

Request for Determination of Applicability filed by Kathy McQuown. Applicant proposes water service installation at property located at 70 Nickerson Road, Map 14, Parcel 128.

The Conservation Agent recommended approval under a negative determination for reason number 3.

Janet Benjamins **MOVED** to approve under a negative determination for reason number 2. Karen Strauss **SECONDED, ALL IN FAVOR.**

Benjamins – YEA
Durkin – YEA
Strauss - YEA
Filipowski –YEA

Request for Determination of Applicability filed by Anthony and Cassandra Nannini. Applicant proposes water service installation at property located at 75 Blue Heron Way, Map 18, Parcel 270.

The Conservation Agent recommended approval under a negative determination for reason number 3.

Karen Strauss **MOVED** to approve under a negative determination for reason number 2. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Benjamins – YEA
Durkin – YEA
Strauss - YEA
Filipowski –YEA

ADMINISTRATIVE MATTERS

Continuation of Request for Certificate of Compliance for SE 19-1691 for the removal of an existing dwelling and construction of a new dwelling at property located at 385 Shurtleff Rd., Map 07 Parcel 163.

Art Autorino represented the continuation and stated that the irrigation request can be removed from the Certificate of Compliance.

Janet Benjamins **MOVED** to approve with a note that the irrigation will be removed. Thomas Durkin **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

Administrative Review filed by Susan Fisher & Gordon Lee. Applicant proposes to create a path from basement slider to deck at property located at 255 Alston Ave, Map 11, Parcel 023.

Sue Fisher represented her application and stated that the area is already disturbed due to a septic project and requested to use pea stone instead of leaf mole in the area.

The Conservation Chair questioned what the width of the path is going to be, and was advised the width will be 3 feet.

The Commissioners inquired on how the pea stone will be retained so it does not go down the steep slope, and the past septic plan Application.

The applicant stated that they are looking for an alternative to leaf mole, which was approved in the Septic Project.

The Conservation Chair suggested that this is two requests, one to finish the septic project and a request to create a path. The Commissioners requested the applicant to meet with the Conservation Agent to work out the proposed request and NOI for the already approved septic tank.

Confirmation of Approval for Administrative Review filed by Frank Foley. Applicant proposes to remove diseased and damaged trees at property located at 3172 State Highway, Map 12, Parcel 057.

The Conservation Agent stated that the applicant proposed 3 white pine trees.

Karen Strauss **MOVED** to approve and confirmed the stated mitigation. Thomas Durkin **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

Violations

No violations to discuss.

Liaison Reports

The Commissioners discussed their Liaison Reports.

Education & Training Updates

The Commissioners discussed their Education and Training Opportunities.

Minutes

March 08, 2022

May 10, 2022

Karen Strauss **MOVED** to approve the minutes from March 08, 2022 and May 10, 2022. Thomas Durkin **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

Other Discussion

- **Re-Appointment of Community Preservation Act Committee (CPC) representative for the Conservation Commissioner: Sheila Filipowski.**

The Conservation Chair stated unless someone else would like to be appointed that they requested to be re-appointed.

Karen Strauss **MOVE** to re-appoint Sheila Filipowski to the CPC. Janet Benjamins **SECONDED, ALL IN FAVOR.**

- **Review of DEP SE 19-1837 Order of Conditions # 30 regarding revetment tapering to minimize impacts to adjacent properties for dismantling and rebuilding existing rock revetment and proposed 73 cubic yards of annual nourishment at property located at 6 Nans Way, Map 07, Parcel 514A.**

Catherine Ricks discussed Condition number 30 and requested the Condition to be edited to match what was agreed and voted on during the meeting and what is reflected on the approved site plan.

Karen Strauss **MOVED** to approve the change. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

Durkin – YEA

Strauss - YEA

Filipowski –YEA

The Conservation Chair requested an adjournment.


Thomas Durkin **MOVED** to adjourn. Janet Benjamins **SECONDED, ALL IN FAVOR.**

Benjamins – YEA

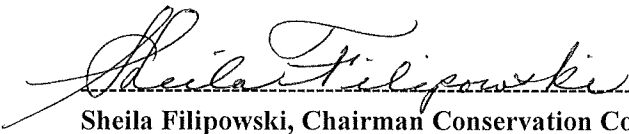
Durkin – YEA

Strauss - YEA

Filipowski –YEA



Amy Blakesley



Sheila Filipowski, Chairman Conservation Commission