

Eastham Conservation Commission



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

MINUTES

Conservation Commission Meeting 6:00 P.M., Tuesday, July 26, 2022

Commissioners Present: Sheila Filipowski, Karen Strauss, Janet Benjamins, Charles Wagner, Joanne Cossitt, Emily Beebe.

Agent Present: Keith Johnson

Also Present: David Lyttle, Dave Bennett, Alison Alessi, Jay Paul, Cameron Larsen, Martin and Ellen Ridge, Brad Malo, Tabitha Kaigle, Holiday Houck.

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

PUBLIC HEARING

Continuation of Notice of Intent filed by Warren and Erica Thaler. Applicant proposes to remove an existing 4-bedroom dwelling, site restoration and landscaping at property located at 35 and 45 West Road, Map 04, Parcel 533 and 535.

David Lyttle represented the applicant and discussed the continuation with the commissioners.

The Conservation chair inquired if the site plan dealt with invasive species and requested clarification of the 12-inch crush stone. Another Commissioner inquired on leaving the septic system.

Emily Beebe **MOVED** to approve with conditions stated. Charles Wagner **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins -YEA
Cossitt -YEA
Strauss -YEA
Wagner -YEA
Filipowski -YEA

Continuation of Notice of Intent filed by Howard and Jennifer Salomons. Applicant proposes to construct a single-family dwelling at property located at 580 Dyer Prince Road, Map 19, Parcel 43D.

David Lyttle represented the applicant and discussed the continuation and the Natural Heritage of Endangered Species Program letter.

The Commissioner discussed notifying the Conservation Agent at the same time the applicant notifies the Natural Heritage of Endangered Species Program as stated in the programs letter.

Karen Strauss **MOVED** to approve with standard house conditions and the Natural Heritage of Endangered Species Programs Conditions. Emily Beebe **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins -YEA
Cossitt -YEA
Strauss -YEA
Wagner -YEA
Filipowski -YEA

Continuation of Notice of Intent filed by Martin and Ellen Ridge. Applicant proposes to raze and rebuild a single-family home at property located at 150 Crosby Village Road, Map 14, Parcel 213.

David Bennet, Cameron Larson, and the applicants Martin and Ellen Ridge represented and discussed the continuation with the commissioners.

The Conservation Chair inquired on how the lawn area will be managed and what will be planted in that area. Another Commissioner discussed pond sensitivity, a vegetated buffer strip and feels the area could be better equipped to deal with storm runoff flow into the pond. Commissioners continued to discuss pond access being smaller and moving the house out of the 100-foot buffer zone.

The Representatives discussed moving the house back, the pond entrance and offered to narrow the path. Martin Ridge discussed water quality of the pond and other changes to the lot and continue to discuss the proposed enhancements with the Commissioners.

The Commissioners discussed regulations, mitigation and narrowing the path.

The Conservation Chair stated that the area will be mowed twice a year and is satisfied with the changes made. Another Commissioner questioned wing walls on the site plan and was advised they would handle run off.

The Representative discussed boulder retaining walls, which are considered wing walls, and mitigation being outside the 100-foot buffer and continued to discuss grading and foundation.

Paul Jay, Landscaper, discussed the grass area, pathway, grading and directing water to the existing vegetation.

Commissioner inquired on the grading process. The Representatives went over the grading using the site plan provided.

A Commissioner inquired why the boulder retaining wall was not included in the revised site plan. The Representative stated the walls are shown on the landscaping site plan.

The Commissioners also inquired why the 100-foot buffer was moved from the previous site plan and what the width of the path would be.

The Representative stated that parts of the path would be approximately 10 feet but could not provide the width of other parts of the path. The Commissioner would like the path to be narrower.

The Representative inquired if the applicant would agree to make the path 5 to 7 feet. The Applicant stated disappointment and is not in favor of changing the width of the path and continued to discuss the path with the Commissioners.

Charles Wagner MOVED to approve. Karen Strauss SECONDED, 4 IN FAVOR, 2 NOT IN FAVOR.

Beebe - NEA

Benjamins -NEA

Cossitt -YEA

Strauss -YEA

Wagner -YEA

Filipowski -YEA

Continuation of Notice of Intent filed by Jacqueline Matson. Applicant proposes house reconstruction with foundation, construct a deck, an addition, invasive plant management, mitigation plantings and site improvements at property located at 764 State Highway, Map 21, Parcel 63H.

Brad Malo, Tabitha Kaigle represented the applicant and discussed the continuation with the Commissioners.

The Conservation Chair inquired on the protocol on removing invasive vegetation, the use of herbicide, the proposed porch and its placement to the coastal bank.

Other Commissioners inquired why the AE Flood Zone was not represented on the site plan in its entirety, location, size and height of the house.

The Representative discussed the square footage of the house, the height, and the alternative analysis.

A Commissioner inquired on the smart vents, clapboards, which are not shown on the elevation site map, the foundation being deeper than the vents, and would like to see an additional drywell with a sump pump to the drywell.

The Representative discussed flood regulations, crawl space and continued to discuss flood vents, access door and flooding with the commissioners. The Commissioner requested the Representatives to make the information clearer on the site plans.

Another Commissioner requested more information on the increase of constructed area outside the original footprint, is there any way to minimize construction in the flood plain and wonders why the deck and stairs did not stay on the side.

The Representative discussed the deck, screen porch with a roof, aesthetic concerns, privacy and both being placed on posts. The Commissioner stated concern of the screened in porch becoming habitable.

Another Commissioner inquired about the trees that are being removed and would like to see a mitigation of 2 trees for every 1 tree removed.

The Conservation Chair inquired if the trees to be removed are marked on the plans. The Representative stated that they would mark them on the plan. Another Commissioner inquired on Condo rules about blocking the view.

The Representative requested conditions to be added concerning the trees. The Conservation Agent suggested a mitigation condition of 1 tree planted for 1 tree removed and 2 shrubs planted for 1 removed.

Karen Strauss **MOVED** to approve. Charles Wagner **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins - YEA
Cossitt - YEA
Strauss - YEA
Wagner - YEA
Filipowski - YEA

ADMINISTRATIVE MATTERS

Administrative Review files by Christopher R. Kelly. Applicant proposes to remove 4 limbs from a large oak tree at property located at 20 Salt Marsh Way, Map 20, Parcel 095A.

The Conservation Agent discussed the proposed project and recommended approval.

Karen Strauss **MOVED** to approve. Emily Beebe **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins - YEA
Cossitt - YEA
Strauss - YEA
Wagner - YEA
Filipowski - YEA

Violations

Certified Violation Letter mailed to 10 Hatches Way, Map 14, Parcel 112 & 470 Samoset Road, Map 14, Parcel 114

- Alteration of existing vegetation within Conservation Jurisdiction.

The Conservation Agent discussed the violation with the Commissioners.

Holiday Houck represented the Violation and stated that the tree was dead and was advised that an application needed to be filed prior to removal.

The Conservation Agent advised Mrs. Holiday to call the office and he will meet with her at the site. The Commissioner inquired on who the contractor was and was advised Treescapes and would further discuss the Violation at the 8/9/2022 Conservation meeting.

Agent Question

No Agent Questions.

Liaison Reports

The Commissioners discussed their Liaison Reports.

Education & Training Updates

The Commissioners discussed their Education and Training Opportunities.

Minutes

Commissioners Cossitt and Beebe abstained from voting on the minutes for May and June.

May 24, 2022

June 28, 2022

Karen Strauss **MOVED** to approve the May 24, 2022, and the June 28, 2022 Minutes. Joanne Cossitt **SECONDED, 4 IN FAVOR, 2 ABSTAINED.**

Beebe - ABSTAINED

Benjamins -YEA

Cossitt - ABSTAINED

Strauss -YEA

Wagner -YEA

Filipowski -YEA

July 12, 2022

Karen Strauss **MOVED** to approve the July 12, 2022 Minutes. Joanne Cossitt **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins -YEA
Cossitt -YEA
Strauss -YEA
Wagner -YEA
Filipowski -YEA

Other Discussion

Review Draft Conditions for Notice of Intent filed by Scott and Angela Fillion for property located at 3 Nans Way, Map 07, Parcel 516.

The Commissioners discussed the draft order of conditions with the Conservation Agent.

Karen Strauss **MOVED** to approve Order of Conditions. Charles Wagner **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins -YEA
Cossitt -YEA
Strauss -YEA
Wagner -YEA
Filipowski -YEA

Conservation Commissioners Annual Re-Organization Election of Officers.

The Commissioners discussed reorganization and voted on the following.

Chair - Karen Strauss
Vice Chair – Janet Benjamins
Clerk – Charles Wagner

Any other topics the chair did not reasonably anticipate at the time of this posting.

The Commissioners discussed concern over dogs, mountain bikes and individuals using the dog beach to access the pond, future enforcement rules and procedures. The Commissioners discussed adding the issue to a future agenda or a work session.

A Commissioner would like to discuss the Commission’s Authority during a future Conservation meeting or work session.

The Conservation Chair requested a motion to adjourn.

Karen Strauss **MOVED** to adjourn. Charles Wagner **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Benjamins - YEA
Cossitt - YEA
Strauss - YEA
Wagner - YEA
Filipowski - YEA



Amy Blakesley



Karen Strauss, Chairman Conservation Commission