

Eastham Conservation Commission

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



MINUTES

Conservation Commission Meeting
6:00 P.M., Tuesday, February 28, 2023

Commissioners Present: Karen Strauss, Charles Wagner, Joanne Cossitt, Mike Harnett, Greg Douglas.

Agent Present: Keith Johnson

Also Present: Stephanie Sequin, Jack Hadley, Gordon Peabody, David Lyttle, Cairtin Higgins, Sam Ward, Judy Sebastian, Bill Allan, Nicole Paine,

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

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

PUBLIC HEARING

Notice of Intent filed by Judith Salkovitz and Jack Hadley Trustee. Applicant proposes to construct an addition and replace existing septic system within local by-law jurisdiction at property located at 25 Sunset Ave, Map 19, Parcel 059.

Stephanie Sequin represented the applicant and discussed the proposed project with the Commissioners.

The Conservation Chair discussed mitigation and suggested a couple of trees. Jack Hadley questioned where the trees would be placed and was advised around the new addition and continued to discuss this with the applicant. Other Commissioners disagree with mitigation.

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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>

Charles Wagner **MOVED** to approve with standard family house. Mike Harnett **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSITT - YEA
STRAUSS - YEA

Continuation of Notice of Intent filed by Peter Merrigan. Applicant proposes to relocate sand to the original location on the dune at property located at 165 Harmes Way, Map 01, Parcel 103.

Gordon Peabody represented the applicant and discussed the continued proposed project with the Commissioners.

The Conservation Chair stated they liked the revised plan and discussed plantings and inquired on adding sea side golden rod. The Representative stated they can plant 300 plus plugs of the sea side goldenrod in addition to the other mitigation. The Conservation Chair stated that Natural Heritage & Endangered Species Program requested a time of year condition for piping plover monitoring.

The Conservation Chair stated conditions pertaining to jute netting, planting sea side golden rod and time of year restriction.

Joanne Cossitt **MOVED** to approve with conditions stated. Charles Wagner **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSITT - YEA
STRAUSS - YEA

Continuation of Notice of Intent filed by Bruce Sanders. Applicant proposes to construct a timber stairway, invasive plant management and site restoration at property located at 10 Cliff Road, Map 18, Parcel 047.

David Lyttle and Cairtin Higgins represented the applicant and discussed the continued proposed project with the Commissioners.

The Conservation Chair requested the Representative to show the scarp and exposed roots and continued to discuss the project and another project that is similar to the one being discussed.

The Conservation Chair liked what is being proposed for vegetation control.

Another Commissioner inquired if herbicides need to be used and was advised that they don't believe so and continued to discuss the issue with using herbicides with the representative.

A Commissioner inquired on the English ivy on the slopes and agreed with removing and replacing it with other vegetation and also stated that glyphosate is biodegradable and discussed this with the commissioners. The Representative stated the English ivy would be removed with herbicides and the commissioners recommend cutting and pulling up the ivy. The Representative stated that would disturb the soil.

The Conservation Agent stated that the herbicide can be condition to use as ax contact application instead of foliar spray.

The Conservation Chair stated conditions for contact herbicides, bundle phragmites, leave natives in place and follow the planting narrative, and 48-hour notice to the Conservation Agent.

A Commissioner inquired on the kayak rack and was advised that the kayaks would be strapped to the rails on the side of the stairs. The Representative stated that the kayaks can be kept on an upland area and not on the stairs.

The Representative requested the kayak rack not be included and approve strapping them on the stairs.

Charles Wagner **MOVED** to approve. Joanne Cossitt **SECONDED, 4 IN FAVOR, 1 NOT IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - NEA
COSSIT - YEA
STRAUSS - YEA

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 continued until March 14, 2023

Charles Wagner **MOVED** to continue until March 14, 2023. Mike Harnett **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - 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.

The Conservation Agent stated that Greg Berman would do a site visit and requested a continuation until March 14, 2023.

Mike Harnett **MOVED** to continue until March 14, 2023. Charles Wagner **SECONDED, ALL IN FAVOR.**

**WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - YEA
STRAUSS - YEA**

REGULATORY DETERMINATIONS

Request for Determination of Applicability filed by Frank Silagy and Marthe Gold. Applicant proposes to remove retaining wall and steps and construct a boulder wall, steps, and extend existing parking area at property located at 190 Spring Road, Map 01, Parcel 037.

Sam Ward represented the applicant and discussed the continued proposed project with the Commissioners.

The Commissioners discussed the area, mitigation of two trees and placing them between the driveway and sloped area.

The Conservation Chair stated conditions of a positive determination 2b, negative determination negative 3, mitigation of 2 trees and standard conditions.

Mike Harnett **MOVED** to approve Joanne Cossitt **SECONDED, ALL IN FAVOR.**

**WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - 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.

Applicant requested a continuation until March 14, 2023.

Mike Harnett **MOVED** to continue until March 14, 2023. Charles Wagner **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - YEA
STRAUSS - YEA

ADMINISTRATIVE MATTERS

Administrative Review filed by Judy Sebastian. Applicant proposes to install an osprey pole at property located at 70 Ellis Road, Map 22, Parcel 015.

Judy Sebastian represented her application and discussed the proposed application with the Commissioners.

Mike Harnett **MOVED** to approve. Charles Wagner **SECONDED, 4 IN FAVOR, 1 NOT IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - YEA
STRAUSS - NEA

Administrative Review filed by Eastham Conservation Foundation. Applicant proposes to trim invasive species around the habitat improvement areas for terrapin turtle nesting at property located at 775 Bridge Road, Map 20, Parcel 092.

Bill Allan represented the application and discussed the proposal with the Commissioners.

The Conservation Agent proposed fazing over time to exhaust the plant and discussed the open order for this property and the time of year restriction.

Mike Harnett **MOVED** to approve. Charles Wagner **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - YEA
STRAUSS - YEA

Administrative Review filed by Eastham Dog Owners Association. Applicant proposes to fill in holes with a shovel at Wiley Park located at 1400 Herring Brook Road, Map 10, Parcel 001.

The Conservation Agent discussed the proposed project and recommended town staff be involved and recommended approval.

Mike Harnett **MOVED** to approve. Gregg Douglas **SECONDED, ALL IN FAVOR.**

WAGNER - YEA

DOUGLAS - YEA

HARNETT - YEA

COSSIT - YEA

STRAUSS – YEA

Administrative Review filed by Conservation Department. Applicant proposes to remove two small dead Pitch Pine trees at property located at 200 Schoolhouse Road, Map 12, Parcel 070.

The Conservation Agent stated that there are two dead standing pitch pine and another 2 pitch pines that need to be removed and continued to discuss the proposed application with the Commissioners.

Nicole Paine discussed AmeriCorps and the proposed area with the Commissioners.

Charles Wagner **MOVED** to approve. Mike Harnett **SECONDED, ALL IN FAVOR.**

WAGNER - YEA

DOUGLAS - YEA

HARNETT - YEA

COSSIT - YEA

STRAUSS - YEA

Violations

The Conservation Chair inquired on 90 Log Cabin Road and discussed it with the Conservation Agent.

Agent Question

No Agent Questions.

Liaison Reports

The Commissioners discussed their Liaison Reports.

Education & Training Updates

The Commissioners discussed Education and Training Updates.

Minutes

January 10, 2023 Minutes

January 24, 2023 Minutes


Mike Harnett **MOVED** to approve both sets of minutes. Charles Wagner **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - YEA
STRAUSS - YEA


The Conservation Chair requested a motion to adjourn.

Mike Harnett **MOVED** to adjourn. Gregg Douglas **SECONDED, ALL IN FAVOR.**

WAGNER - YEA
DOUGLAS - YEA
HARNETT - YEA
COSSIT - YEA
STRAUSS - YEA



Amy Blakesley



Karen Strauss, Chairman Conservation Commission