

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



Eastham Conservation Commission

MINUTES

Conservation Commission Meeting

6:00 P.M., Tuesday, May 9, 2023, and Rescheduled Meeting April 25, 2023

Commissioners Present: Janet Benjamins, Charles Wagner, Joanne Cossitt, Gregg Douglas, Mike Harnett.

Agent Present: Keith Johnson

Also Present: David Bennett, Mike Bennett, Cameron Larson, Michael Santoro

6:00 PM: Meeting opened by Janet Benjamins and executed roll call.

Cossitt - YEA

Harnett - YEA

Douglas - YEA

Wagner - YEA

Benjamins - YEA

PUBLIC HEARING

Notice of Intent filed by Michael and Christine Santoro. Applicant proposes to construct a pervious patio, remove an existing brick chimney, entryway landscaping, reconstruction of an existing walkway and deck, drainage reconfiguration, dune and buffer zone enhancements, sand fence and nourishment at property located at 85 Sparrow Road, Map 04, Parcel 199.

David Bennett, Mike Bennett, Cameron Larson, and Michael Santoro represented the applicant and discussed the proposed project with the commissioners.

The Commissioners inquired on the material used for the patio, the proposed wall, replacing the decking, removal of vegetation by hand versus machinery, material for the sand fence, using fill to regrade driveway, and not having all the contours reflected on the site plan.

Commissioner Beebe joined the meeting.

The Conservation Agent discussed the project and stated they feel comfortable approving the project with Conditions.

Page 1 of 6

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

Commissioners inquired on Nourishment and was advised by the Representative that there is 140 yards of nourishment already conditioned and would like to add less than 50 yards of nourishment. Another Commissioner questioned how the nourishment will be placed and was advised it would be brought in mechanically by the pathway.

The Conservation Chair inquired if the existing rope was going to be replaced with the same and was advised yes.

Chuck Wagner **MOVED** to approve with Conditions discussed. Mike Harnett **SECONDED, ALL IN FAVOR**

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

Continued until May 23, 2023.

The Conservation Chair stated that the Peer Review is in the process of being done.

Mike Harnett **MOVED** to continue until May 23, 2023. Emily Beebe **SECONDED, ALL IN FAVOR.**

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

***Continuation of 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 Chair requested a Continuation until May 23, 2023.

Emily Beebe **MOVED** to continue until May 23, 2023. Mike Harnett **SECONDED, ALL IN FAVOR.**

Beebe - YEA
Cossitt - YEA
Harnett - YEA

Douglas - YEA
Wagner - YEA
Benjamins – YEA

The Conservation Chair opened all the Request for Determinations concerning Water Service Installation.

REGULATORY DETERMINATIONS

Request for Determination of Applicability filed by Patrick Adhikari. Applicant proposes water service installation at property located at 45 Huckleberry Lane, Map 07, Parcel 354.

Request for Determination of Applicability filed by Anne Finkelstein. Applicant proposes water service installation at property located at 15 Hatch Way, Map 14, Parcel 101.

*Continuation of Request for Determination of Applicability filed by Mary Kelleher Layacano. Applicant proposes water service installation at property located at 105 Huckleberry Lane, Map 07, Parcel 349.

*Continuation of Request for Determination of Applicability filed by Peter Maglathlin. Applicant proposes water service installation at property located at 20 Marions Way, Map 07, Parcel 556B.

*Continuation of Request for Determination of Applicability filed by Peter Maglathlin. Applicant proposes water service installation at property located at 19 Marions Way, Map 07, Parcel 558.

Mike Harnett **MOVED** to approve under a positive determination 2B and 5 and negative determination 3 with standard water conditions. Chuck Wagner **SECONDED, ALL IN FAVOR.**

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

ADMINISTRATIVE MATTERS

*Continuation of Extension Permit filed by Target View Beach Association – SE 19-1015 for construction of a foot path to beach with addition of wooden stairs and beach grass plantings at property located at Bay View Drive, Map 13, Parcel 014.

The Conservation Agent discussed the proposed extension permit and recommended approval.

The Conservation Chair discussed updating the policy concerning older Order of Conditions with the Commissioners.

Emily Beebe **MOVED** to approve extension. Mike Harnett **SECONDED, ALL IN FAVOR.**

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

Administrative Review filed by John Boiney. Applicant proposes to plant 2 trees at property located at 470 Herring Brook Road, Map 14, Parcel 007.

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

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

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

Administrative Review filed by Jean Mitchell and Gregory de Lissovoy. Applicant proposes to replace shell driveway at property located at 180 Mill Road, Map 15, Parcel 020.

The Conservation Agent discussed the proposed project and recommended approval with changing the hardener.

Greg de Lissovoy stated he prefers gravel.

Emily Beebe **MOVED** to approve with the change in hardening. Mike Harnett **SECONDED, ALL IN FAVOR.**

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

*Continuation of Administrative Review filed by John Deschamps. Applicant proposes to remove one dead Pine tree at property located at 350 Crosby Village Road, Map 14, Parcel 200.

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

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

Beebe - YEA

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

***Continuation of Administrative Review filed by Belair Landscaping.** Applicant proposes to top dress pre-existing shell (shoveling material from truck) driveway buffer to and adjacent to flood plain at property located 14 Charlie Noble Way, Map 20, Parcel 084.

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

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

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

***Continuation of Administrative Review filed by Belair Landscaping.** Applicant proposes to remove a section of dead Eastern Red Cedar that is encroaching into a previously approved vista corridor (DEP #19-1302) at property located 34 Tomahawk Trail, Map 25, Parcel 017.

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

Mike Harnett **MOVED** to approve with mitigation of 2 native shrubs. Charles Wagner **SECONDED, ALL IN FAVOR.**

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

Violations

No Violations to discuss.

Agent Question

Agent discussed Horseshoe Crab Monitoring.

Liaison Reports

No Liaison Reports to discuss.

Education & Training Updates

The Commissioners discussed education and training opportunities.

Other Discussion

Discussion on proposed changes to the Conservation Land Use Regulations. (Votes maybe taken.)

The Commissioners discussed the Wiley Park / Nickerson Park Discussion and discussed the draft regulations that are being recommended and vote on the changes in a public meeting in June 2023.

The Conservation Chair requested a notion to move these recommendations to a public hearing.

Emily Beebe **MOVED** to approve the regulations at a future public meeting. Mike Harnett **SECONDED, ALL IN FAVOR.**

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

The Conservation Chair requested a motion to adjourn.

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

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



Amy Blakesley



Janet Benjamins, Chairman Conservation Commission