

# Eastham Conservation Commission

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



## MINUTES

### Conservation Commission Meeting 6:00 P.M., Tuesday, June 14, 2022

**Commissioners Present:** Sheila Filipowski, Karen Strauss, Janet Benjamins, Thomas Durkin, Charles Wagner.

**Agent Present:** Keith Johnson

**Also Present:** Catherine Ricks, Nick Crawford, John Welch, Deidre Leipziger and Joe from S & L Tree Services.

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

**Benjamins – YEA**

**Durkin – YEA**

**Strauss - YEA**

**Wagner - YEA**

**Filipowski –YEA**

## PUBLIC HEARING

**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 amended to property located at 25 Sunset Lane, Map 13, Parcel 139.

Catherine Ricks and Nick Crawford represented the applicant and discussed the change in location, the path location, revetment, stairs, and vegetation management.

The Conservation Chair inquired on the width of the path being 3 feet wide and pruning but with no tree removal. The Commissioners also inquired on a no disturb area at the top of the bank and adding a condition allowing ongoing pruning.

The Representatives agreed with the no disturb zone and the areas that are disturb will be replanted.

Page 1 of 7

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

The Conservation Agent stated that the walkway, vegetation pruning maintenance and no disturb zone could be conditioned and will create a draft for approval and requested a continuation until June 28, 2022.

Janet Benjamins **MOVED** to continue until June 28, 2022. Karen Strauss **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - 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.

The Conservation Agent stated that we have not received a DEP number and requested a continuation until June 28, 2022.

A Commissioner requested that the owner attend the next meeting.

Karen Strauss **MOVED** to continue until June 28, 2022. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

**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.

The Conservation Chair opened 245 Sparrow Road and 265 Sparrow Road together.

**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 represented the applicant and stated they received the Draft Order of Conditions and stated on minor edit and advised the Conservation Agent of that edit and the plan name change and concerning tapering of the revetment.

The Conservation Chair inquired if the Draft is complete and ready to be voted on. The Conservation Agent stated that it was besides the few edits that were discussed.

The Commissioners discussed a no disturb zone to the top of the coastal bank.

Charles Wagner **MOVED** to approve with conditions stated for 245 Sparrow Road. Thomas Durkin **SECONDED, 3 IN FAVOR, 2 NOT IN FAVOR.**

**Benjamins – NEA**  
**Durkin – YEA**  
**Strauss - NEA**  
**Wagner - YEA**  
**Filipowski –YEA**

Charles Wagner **MOVED** to approve with conditions stated for 265 Sparrow Road. Thomas Durkin **SECONDED, 3 IN FAVOR, 2 NOT IN FAVOR.**

**Benjamins – NEA**  
**Durkin – YEA**  
**Strauss - NEA**  
**Wagner - 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.

The Conservation Agent stated the Representative requested a continuation until June 28, 2022.

Karen Strauss **MOVED** to continue until June 28, 2022. Charles Wagner **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

#### **REGULATORY DETERMINATIONS**

Request for Determination of Applicability filed by Mark & Jacqueline Breton. Applicant proposes water service installation at property located at 30 Longstreet Lane, Map 10, Parcel 363.

The Conservation Agent recommended approval under a negative determination for reason number 3 including standard water service conditions.

Karen Strauss **MOVED** to approve under a negative determination for reason number 3 with standard water conditions. Charles Wagner **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

**Request for Determination of Applicability filed by Cynthia Saul.** Applicant proposes water service installation at property located at 100 Blue Heron Way, Map 18, Parcel 273A.

The Conservation Agent recommended approval under a negative determination for reason number 3 including standard water service conditions.

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

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

### **ADMINISTRATIVE MATTERS**

**Request for Certificate of Compliance for DEP SE 19-1735** for tearing down an existing building and replace with a two story dwelling piers at property located at 716 State Highway, Unit 4, Map 21, Parcel 063D.

The Conservation Agent stated that the project never started and recommended approval.

Karen Strauss **MOVED** to approve the Certificate of Compliance. Thomas Durkin **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

**Administrative Review filed by James Wright.** Applicant proposes to remove a tree and prune another tree at property located at 290 Samoset Road, Map 14, Parcel 136.

The Conservation Agent discussed the proposed project and recommended approval.

Karen Strauss **MOVED** to approve with mitigation stated and standard conditions. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

**Administrative Review filed by KPD Revocable Trust.** Applicant proposes to remove trees, bushes and grasses at property located at 20 Pheasant Run, Map 21, Parcel 47H.

The Conservation Agent discussed the proposed project and recommended approval.

The Conservation Chair inquired on the number of the trees that are going to be removed. The Conservation Agent advised the Commissioners to what is being proposed and recommended mitigation for the trees to be the 2 to 1 with the same species of tree removed and the foundation plantings to be 1 to 1 mitigation.

Deidre Leipziger and Joe from S & L Tree Services discussed the vegetation that is being proposed.

The Commissioners requested the trees to be marked, the total number of trees proposed to come down and the trees health and requested a continuation until that information is received.

Karen Strauss **MOVED** to continue until June 28, 2022. Charles Wagner **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

**Administrative Review filed by John Welch.** Applicant proposes to regrade existing driveway at property located at 1600 Samoset Road, Map 13, Parcel 130A.

The Conservation Agent discussed the proposed project. The Commissioners inquired on the area of the project and requested a time of year restriction for the Diamond back turtle hatching.

John Welch inquired on the reason to have a time restriction.

The Conservation Agent discussed the project and the options of continuing or approving as is, time of year restriction, Natural Heritages approval.

Karen Strauss **MOVED** to continue until June 28, 2022. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**  
**Durkin – YEA**  
**Strauss - YEA**  
**Wagner - YEA**  
**Filipowski –YEA**

**Administrative Review filed by Dan Tick.** Applicant proposes to remove 3 uprooted trees with mitigation at property located at 40 Tomahawk Trail, Map 25, Parcel 19.

The Conservation Agent discussed the cedar trees health and recommended mitigation of 2 to 1 using shrubs and recommended approval.

The Commissioners inquired on a site map showing the proposed trees, mitigation of beach plum over bayberry.

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

**Benjamins – YEA**

**Durkin – YEA**

**Strauss - YEA**

**Wagner - YEA**

**Filipowski –YEA**

### **Violations**

The Commissioners discussed planning an Executive Session concerning 670 State Highway.

### **Agent Questions**

The Conservation Agent discussed going back to pre Covid meetings and packets.

### **Liaison Reports**

The Commissioners discussed their Liaison Reports.

### **Education & Training Updates**

The Commissioners discussed their Education and Training Opportunities.

### **Minutes**

March 22, 2022

April 12, 2022

May 24, 2022

The Commissioners stated that there are issues with the May 24, 2022 Minutes.

Charles Wagner **MOVED** to approve the March 22, 2022 and April 12, 2022 Meeting Minutes.  
Karen Strauss **SECONDED, ALL IN FAVOR.**

**Benjamins – YEA**

**Durkin – YEA**

**Strauss - YEA**

Wagner - YEA  
Filipowski -YEA

**Other Discussion**

Remote Meeting Discussion

The Commissioners discussed potential of going be to in person meetings with the Conservation Agent.

The Conservation Chair requested an adjournment.

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

Benjamins - YEA  
Durkin - YEA  
Strauss - YEA  
Wagner - YEA  
Filipowski -YEA

  
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Amy Blakesley

  
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Sheila Filipowski, Chairman Conservation Commission  
Karen Strauss