

# Eastham Conservation Commission

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



## MINUTES

**Conservation Commission Meeting  
6:00 P.M., Tuesday, August 23, 2022**

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

**Agent Present:** Keith Johnson

**Also Present:** David Lyttle, Greg de Lissovoy.

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

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

## PUBLIC HEARING

**Continuation of Notice of Intent filed by Grampy's Cottage Realty Trust.** Applicant proposes to move dwelling back from the top of the coastal bank, remove existing cesspool, install an IA sewage disposal system and site restoration at property located at 185 Nauset Light Beach Road, Map 23, Parcel 026.

David Lyttle represented the applicant and discussed the proposed revisions of the driveway, mitigation and letters received with the Commissioners.

**Emily Beebe was unable to vote due to not being at the previous meeting concerning the above.**

The Conservation Chair would like a Condition to indicate no crane and the house will be rolled to its new location, mitigation, single family house Conditions and receiving the letter from the National Seashore.

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

**Benjamins -YEA**  
**Cossitt -YEA**  
**Wagner -YEA**  
**Filipowski -YEA**  
**Strauss -YEA**

### **REGULATORY DETERMINATIONS**

#### **Request for Determination of Applicability filed by Tom Collins, Boat Meadow LLC.**

Applicant proposes water service installation at property located at 10 Salt Marsh Way, Map 20, Parcel 094.

The Conservation Agent discussed the proposed project with the commissioners and recommended approval under a standard positive 2B, 5 and negative 3 determination with standard water installation conditions.

Emily Beebe **MOVED** to approved under a positive 2B, 5 and negative 3 determinations. Janet Benjamins **SECONDED, ALL IN FAVOR.**

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

### **ADMINISTRATIVE MATTERS**

**The Conservation Chair opened both extensions requests.**

**Request for Extension Permit for DEP SE 19-1530** for the installation of a rock revetment in a coastal bank at property located at 265 Shurtleff Road, Map 07, Parcel 191.

**Request for Extension Permit for DEP SE 19-1766** for a stone revetment extension at property located at 265 Shurtleff Road, Map 07, Parcel 191.

The Conservation Agent discussed the extension permits with the commissioners and recommended approval.

The Commissioners questioned on going conditions versus extensions and continued to discuss with the Conservation Agent.

Charles Wagner **MOVED** to approve a three-year extension. Janet Benjamins **SECONDED, ALL IN FAVOR**

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

**The Conservation Chair opened SE 19-67, SE 19-216, and SE 19-524.**

**Request for Certificate of Compliance filed by J Charles & Mary Cataldo, DEP SE 19-67**  
for constructing a bulkhead at property located at 85 Sparrow Road, Map 04, Parcel 199.

**Request for Certificate of Compliance filed by J Charles & Mary Cataldo, DEP SE 19-216**  
for constructing an addition to the existing bulkhead at property located at 85 Sparrow Road, Map 04, Parcel 199.

**Request for Certificate of Compliance filed by J Charles & Mary Cataldo, DEP SE 19-524**  
for replacing 72 cubic yards of sand behind the bulkhead at property located at 85 Sparrow Road, Map 04, Parcel 199.

Emily Beebe **MOVED** to approve the following Certificate of Compliances SE 19-67, SE 19-216, and SE 19-524. Charles Wagner **SECONDED, ALL IN FAVOR.**

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

**The Conservation Chair first opened SE 19-941**

**The Conservation Chair then opened SE 19-719, 19-1420.**

**Request for Certificate of Compliance filed by J Charles & Mary Cataldo, DEP SE 19-719**  
for replacing the wood bulkhead with a rock revetment at property located at 85 Sparrow Road, Map 04, Parcel 199.

The Conservation Agent discussed the Certificate of Compliance, Nourishment amounts and Conditions with the commissioners and recommended approval.

The Conservation Chair stated that 19-719 will be closed and 19-1420 will be closed with ongoing nourishment conditions.

Emily Beebe **MOVED** to approve Certificate of Compliance request SE 19-719 with no conditions and 19-1420 with Nourishment conditions. Janet Benjamins **SECONDED, ALL IN FAVOR.**

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

**Request for Certificate of Compliance filed by J Charles & Mary Cataldo, DEP SE 19-941**  
for constructing a deck on pilings at property located at 85 Sparrow Road, Map 04, Parcel 199.

The Conservation Agent discussed the Certificate of Compliance with the commissioners and recommended approval.

Sheila Filipowski **MOVED** to approve. Emily Beebe **SECONDED, ALL IN FAVOR.**

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

**Request for Certificate of Compliance filed by J Charles & Mary Cataldo, DEP SE 19-1420**  
for extending the existing rock revetment at property located at 85 Sparrow Road, Map 04, Parcel 199.

The Conservation Agent discussed the Certificate of Compliance, Nourishment amounts and Conditions with the commissioners and recommended approval.

The Conservation Chair stated that 19-719 will be closed and 19-1420 will be closed with ongoing nourishment conditions.

Emily Beebe **MOVED** to approve Certificate of Compliance request SE 19-719 with no conditions and 19-1420 with Nourishment conditions. Janet Benjamins **SECONDED, ALL IN FAVOR.**

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

**Request for Certificate of Compliance filed by Allan Philip Cooke Family Trust, DEP SE 19-1751** for the conversion of seasonal pipe piles to permanent piles for the existing permitted floats at property located at 30 Rogers Lane, Map 21, Parcel 072.

The Conservation Chair stated that the work did not commence and recommend approval.

Sheila Filipowski **MOVED** to approve. Janet Benjamins **SECONDED, ALL IN FAVOR.**

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

**Request for Certificate of Compliance filed by Bradford and Lisa Kimler, DEP SE 19-1686** for a new landscape plan at property located at 27 Bayberry Ln., Map 13 Parcel 155.

The Conservation Agent recommended approval with ongoing condition for invasive species.

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

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

**The Conservation Chair opened the following: SE 19-1102, SE 19-1483 and SE 19-1590.**

**Request for Certificate of Compliance filed by Jean Mitchell, DEP SE 19-1102** for a deck replacement, construction of outdoor shower and landscaping at property located at 185 Mill Road, Map 15, Parcel 026.

**Request for Certificate of Compliance filed by Jean Mitchell, DEP SE 19-1483** for constructing a storage barn at property located at 185 Mill Road, Map 15, Parcel 026.

**Request for Certificate of Compliance filed by Jean Mitchell, DEP SE 19-1590** for replacing windows in an existing shed and pruning existing briars and poison ivy at property located at 185 Mill Road, Map 15, Parcel 26.

The Conservation Agent advised the commissioners of the Certificate of Compliance and recommended approval.

The Commissioners inquired on the procedures on contractors versus homeowners applying for Certificates of Compliance and continued to discuss this with the agent.

Greg de Lissovoy discussed the reason why the contractors were not involved in applying for the Certificate of Compliance with the Commissioners.

Charles Wagner **MOVED** to approve Certificate of Compliances SE 19-1102, SE 19-1483 and SE 19-1590. Sheila Filipowski **SECONDED, ALL IN FAVOR.**

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

**Administrative Review filed by Rosalind Abbott.** Applicant proposes to remove 3 trees and prune 3 trees at property located at 50 Bain Road, Map 10, Parcel 392A.

The Conservation Agent discussed the proposed project, swapping out rhododendron with a tree with the commissioners and recommended approval.

The Commissioners inquired on if it is appropriate to ask for a copy of the insurance company letter concerning the trees.

Emily Beebe **MOVED** to approve. Joanne Cossitt **SECONDED, ALL IN FAVOR.**

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

**Administrative Review filed by Ron Clarke.** Applicant proposes to remove 1 dying tree at property located at 295 Herring Brook Road, Map 17, Parcel 484.

The Conservation Agent discussed the proposed project, and mitigation of 1 for 1 with the commissioners and recommended approval.

Charles Wagner **MOVED** to approve with mitigation. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Beebe - YEA**  
**Benjamins -YEA**  
**Cossitt -YEA**  
**Wagner -YEA**  
**Filipowski -YEA**

**Strauss -YEA**

**Violations**

The Conservation Agent updated the Commissioners of the outstanding Violations and discussed setting up an executive session during the next Conservation Meeting on September 13, 2022 with the Commissioners.

**Agent Question**

No questions.

**Liaison Reports**

The Commissioners discussed their Liaison Reports.

**Education & Training Updates**

No Education & Training Updates.

**Minutes**

**Commissioners Beebe and Cossitt** abstained from voting due to not being present at the June 14, 2022, and June 22, 2022, meetings.

6-14-2022 Minutes

6-22-2022 Executive Minutes

Sheila Filipowski **MOVED** to approve the above minutes. Janet Benjamins **SECONDED, ALL IN FAVOR.**

**Benjamins -YEA**

**Wagner -YEA**

**Filipowski -YEA**

**Strauss -YEA**

7-26-2022 Minutes

Janet Benjamins **MOVED** to approve July 26, 2022 minutes. Charles Wagner **SECONDED, ALL IN FAVOR.**

**Beebe - YEA**

**Benjamins -YEA**

**Cossitt -YEA**

**Wagner -YEA**

**Filipowski -YEA**

**Strauss -YEA**

8-9-2022 Minutes

**Commissioners Beebe** abstained from voting due to not being present at the August 9, 2022 meeting.

Janet Benjamins **MOVED** to approve August 9, 2022 minutes. Charles Wagner **SECONDED, ALL IN FAVOR.**

**Benjamins -YEA**  
**Cossitt -YEA**  
**Wagner -YEA**  
**Filipowski -YEA**  
**Strauss -YEA**

**Other Discussion**

No other discussion

**Eastham Wetland Regulation Change** to Section VI, 3, D – change to accept Propane.

The Conservation Chair stated the change to the Eastham Wetland Regulation to Section VI, 3, D to add the following: propane is exempt from this regulation.

Sheila Filipowski **MOVED** to accept the change. Janet Benjamins **SECONDED, ALL IN FAVOR.**

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

**Conservation Work Session Agenda Topics**

The Commissioners discussed the work session agenda and possible applicants for the open Conservation Commissioner position.

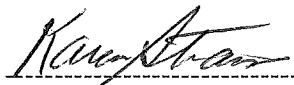
**The Conservation Chair requested a motion to adjourn.**



Charles Wagner **MOVED** to adjourn. Janet Benjamins **SECONDED, ALL IN FAVOR.**

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

  
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Amy Blakesley

  
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Karen Strauss, Chairman Conservation Commission