

# Eastham Conservation Commission

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Eastham, MA 02642



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**Eastham Conservation Commission  
2500 State Highway  
Earle Mountain Room  
January 26, 2016  
Public Hearing  
MINUTES**

**Commissioners Present:** James Baughman, Alexander Cestaro, Thomas Durkin, Shelia Filipowski & Steven LaBranche.

**Commissioners Not Present:** Michael Harnett.

**Staff Present:** Shana Brogan.

**Also Present:** Al Sorbello of Sorbello Landscaping, Charles Wentz of Ponderosa Landscaping, Ken MacPhee of Bartlett Tree, Tim Brady of East Cape Engineering, George Reilly of Land Design Associates, James Arnold & Sarah Clark.

6:00 PM

James Baughman opened the hearing.

**Continuation of Notice of Intent filed by Elizabeth Gilson. Applicant proposes removal of sixty eight oak and cherry trees, one pitch pine tree, and vista pruning forty eight oak trees, and planting native plants at property located at 45 Herring Brook Road, Map 17, Parcel 501A.**

Charles Wentz and Ken MacPhee were present to speak to the project. Mr. Wentz noted there would be lateral pruning of branches of five oak trees. In total there would be thirteen trees lateral pruned and thirty five trees with height reductions. Mr. Wentz noted no trees would be removed below the fifty foot buffer zone. Steven LaBranche asked if the proposed plantings would be left to naturalize and the applicant agreed that the planting would be left to naturalize. Mr. LaBranche noted they should put a seed mix down. Mr. Wentz noted there is not much erosion occurring on the project. All work to be complete by March 18, 2016.

Alexander Cestaro **MOVED** to approve the vista pruning, Shelia Filipowski **SECONDED**.

Commissioner Steven LaBranche is a non- voter.

**MOTION PASSED.**

**Continuation of Request for Amended Order of Conditions filed by Carol Downes. Applicant purposes to install a bluestone patio on a bed of sand in the area under the deck and alongside it located at 245 Mill Street Map 15, Parcel 024.**

Al Sorbello was present to speak to the project and noted he made all the planting mitigation changes the commission requested on the new submitted plans. He asked if he could use temporary above

ground irrigation on the plantings. The commission agreed he could use it, as well as, a one-time mulching to prevent erosion.

Steven LaBranche **MOVED** to approve the bluestone patio, Shelia Filipowski **SECONDED**.  
**ALL IN FAVOR.**

**Continuation of Request for Amended Order of Conditions filed by John C. Bumby. Applicant proposes renovations to garage and revision to the approved landscaping plan located at 630 Samoset Road, Map 14, Parcel 087.**

Tim Brady and George Reilly were present to speak to the project. The proposed plan would manage invasives and use qualified professionals to perform the work. Mr. Reilly noted that herbicides would only be used on locust trees. He noted only five trees would be removed and that the cherry trees would stay in place. Mr. Reilly noted no fertilizers would be used with the grass seeding. Steven LaBranche noted some proposed grasses are tall and would like verification that they would only be mowed twice a year.

Thomas Durkin **MOVED** to approve the changes to the approved plans, Alexander Cestaro **SECONDED**.

**ALL IN FAVOR.**

**Continuation of Request for Determination of Applicability filed by Sarah Clark. Applicant proposes an after the fact filing for a shed built within the 100 foot buffer zone located at 60 Molls Pond Road, Map 12, Parcel 289.**

Sarah Clark was present to speak to the request. She agreed to plant three blueberry bushes.

Alexander Cestaro **MOVED** to approve the shed, Steven LaBranche **SECONDED**.

**ALL IN FAVOR.**

**Continuation of Request for Determination of Applicability filed by Evelyn Kaupp. Applicant proposes root pruning one poplar tree, removal of two locust trees and one pitch pine tree, and pruning dead limbs at property located at 220 Crosby Village Road, Map 14, Parcel 208.**

Ken McPhee was present to speak to the project. The applicant offered to plant two seven gallon tupelo trees.

Shelia Filipowski **MOVED** the tree removal, Alexander Cestaro **SECONDED**.

**ALL IN FAVOR.**

**Request for change of plans filed by James Arnold for DEP SE 19-1597 to use concrete piers in place of three approved sono-tubes located at 725 Bridge Road Map 19, Parcel 002.**

James Arnold was present to speak to the project. He noted his architect and the building department said that due to the winds, the addition needs more structural support other than the proposed sono-tubes. Mr. Arnold noted the concrete piers would actually cause less of a disturbance than the sono-tubes and all work would be done by hand.

Alexander Cestaro **MOVED** to approve the use of the concrete piers, Shelia Filipowski **SECONDED**.

**ALL IN FAVOR.**

**Continuation for Request for Certificate of Compliance filed by Mary & Christopher Cormier DEP SE 19- 1507 for landscaping work located at 420 Bridge Road, Map 20, Parcel 071.**

Shana Brogan noted she had visited the site and the project was in compliance. She noted there was an earlier concern about debris near the marsh, but the owner had cleaned it up. The owner agreed to install native plants by the marsh in the spring.

Shelia Filipowski **MOVED** to issue the Certificate of Compliance, Steven LaBranche **SECONDED**.

**ALL IN FAVOR.**

**Request for Certificate of Compliance filed by Michael & Barbara Leen DEP SE19-1543 for construction of a porch and shed located at 15 Bayland Way Map 17, Parcel 760B.**

Shana Brogan noted the project occurred in an already disturbed lawn area and the area is now stabilized and constructed as planned.

Alexander Cestaro **MOVED** to issue the Certificate of Compliance, Shelia Filipowski **SECONDED**.  
**ALL IN FAVOR.**

**Request for Certificate of Compliance filed by Adam Symansky DEP SE 19-1383 & DEP SE 19-1444 for beach nourishment located at 300 Silver Spring Road, Map 4, Parcel 480.**

Shana Brogan noted the owners annually nourish coir rolls.

Shelia Filipowski **MOVED** to issue the Certificate of Compliance, Alexander Cestaro **SECONDED**.  
**ALL IN FAVOR.**

#### **Administrative Reviews**

**Ratification of 19 Marion's Way - Replace pressure treated wood used on deck in front of house with ipe located at Map 7, Parcel 558.**

Steven LaBranche **MOVED** to approve, Shelia Filipowski **SECONDED**.  
**ALL IN FAVOR.**

**Ratification of 150 Crosby Village - Complete removal of nine trees due within the 100 foot buffer zone of a pond located at Map 14, Parcel 213.**

There was no discussion on this because, it was previously denied.

**Ratification of 180 Meeting House Road – Pruning of several dead limbs around house and complete removal of two oak trees located at Map 09, Parcel 148.**

James Baughman went over the mitigation.

Alexander Cestaro **MOVED** to approve, Thomas Durkin **SECONDED**.  
**ALL IN FAVOR.**

**Ratification of 20 Dirk's Drive – Remove three dead pine trees, Map 13, Parcel 107.**

The commission preferred if one of the trees not close to the house be left for habitat.

Alexander Cestaro **MOVED** to approve the removal of two dead pine trees, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

**75 Bay View Drive – Remove lower section of stairs using a 4 x 4 pickup truck on the beach for transporting the stairs off the beach, Map 13, Parcel 013.**

The commission requested the applicant to keep the truck as close to the bank as possible. They also would like the air pressure in the trucks tire to be lowered to reduce impact on the resource area. Shana Brogan would be notified when they are going out on the beach as well as when they are off the beach.

Steven LaBranche **MOVED** to approve the use of the truck to remove the stairs, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

**230 Goody Hallet Drive – Remove three oak trees killed by gall wasp located at Map 20, Parcel 021.**

The commission requested one tree to remain and the other two trees removed, and replaced with two four-foot cedar trees.

Alexander Cestaro **MOVED** to approve two trees removed, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

**Ben's Way – Removal of poplar trees along margin of restored wetland site which are deceased and present a hazard located at Map 01, Parcel 015A.**

The commission requested 1:1 mitigation for removal of the poplar trees with groundsel. Shana Brogan to verify exactly how many.

Alexander Cestaro **MOVED** to approve the tree removal with mitigation, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

#### **Other Discussion**

**Review and signing of Conservation Restriction for property at Blue Bill and Widgeon Lane, "Terrapin Cove".**

The commissioners were satisfied with the changes to the Conservation Restriction.

Shelia Filipowski **MOVED** to approve the Conservation Restriction, Steven LaBranche **SECONDED**.

**ALL IN FAVOR.**

7:33PM Commissioner Alexander Cestaro left the meeting.

**Review and discussion of potential individual water service connections wetlands permit policy.**

The commission discussed the process of water service connection for property in or near wetlands and agreed they would need publicity and outreach to educate home owners on the requirements. It was suggested to have a meeting with Environmental Partners and work with them to put together a packet to hand out to homeowners explaining the process.

**Liaison Reports (1651 Forest Advisory Committee, Community Preservation Committee, Open Space Committee)**

Shana Brogan reported the members of the 1651 Forestry Committee were looking at soil improvements and watering for some of their trees.

**Request for Compliance letter from Stephen Greller located at 245 Harmes Way, Map 1, Parcel 106.**

Stephen Greller requested a letter from the commission closing out the enforcement order and stating he did everything the commission requested of him. Shana Brogan noted Tim Brady is working on a long term fix to the problem for the owner.

Shelia Filipowski **MOVED** to issue the letter of compliance, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

**385 Shurtleff Road Stairway and pilings**

Shana Brogan to send a letter to the owner regarding the stairway being removed to protect the resource area.

Shelia Filipowski **MOVED** to approve sending a letter to the owner, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

**100 Lawton Road**

Shana Brogan to follow up with a letter via certified mail. The commission agreed to start imposing a fine. James Baughman asked for this to be on the next agenda for discussion.

#### **Approval of Minutes**

**December 08, 2015**

Thomas Durkin **MOVED** to approve the minutes, Shelia Filipowski **SECONDED**.

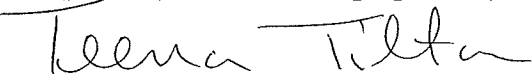
**ALL IN FAVOR.**

**Adjournment 8:04PM**

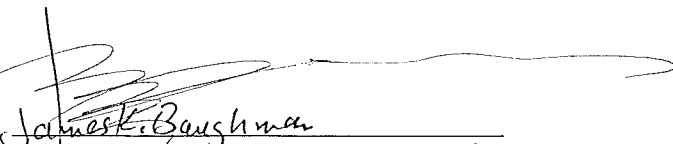
Steven LaBranche **MOVED** to adjourn, Thomas Durkin **SECONDED**.

**ALL IN FAVOR.**

Respectfully Submitted as prepared by,



Teena Tilton

  
~~James K. Baughman~~

Michael Harnett, Chairman, pro tem  
Conservation Commission