MINUTES

Minutes of a public meeting held on June 1, 2022, 7:00 pm at the Sandhill School, 16 Dewey Ave Sandwich, MA.

Members Present: Kimberley Walsh (KW), Lillie Peterson-Wirtanen (LPW), Roy Anderson (RA), Jason Heyer (JH), Hillary Foglia (HF) and Scott Boutilier (SB).

Alternate Members Present: Elizabeth DeMelo (ED), appointed as a full voting member.

Members Absent: Cameron Murphy (CM),

Staff Present: Joshua Wrigley (JW), Asst. Director of Natural Resources and Rachael Demosthenes (RD), Administrative Assistant.

1. NEW HEARINGS:
   a. DEP File No. SE66-1940 100 Salt Marsh Road Realty Trust c/o Sabatia Inc. has filed a Notice of Intent for proposed rebuild of a single-family home at Map 85- Parcel 009 located at 100 Salt Marsh Road, East Sandwich, MA. Present was Representative Bob Gray (BG) of Sabatia who presented the project as proposed. RA- is there an overall decrease of footprint? TM- yes a decrease of 245 ft of hardscape reduction. HF-Proposed beach plum and bayberry 6ft on center along with the 1ft on center beach grass. BG- absolutely any mitigation can be conditioned. There was a brief discussion about the front of the dune and the access stairs. Public Comment: Michael Pottey spoke in support of the project. SB- A motion to continue to 6-15-22 meeting pending receipt of the NHESCP with the intent of closing with standard and special conditions with plantings as discussed. LPW- Seconded. The motion was passed with the vote 7-0-0.

2. CONTINUED HEARINGS:
   a. DEP File No. SE66- 1939 Jeffries Wyman c/o Coastal Engineering has filed a Notice of Intent for proposed shoreline protection and associated site work at Map 85- Parcel 001 located at 116 Salt Marsh Road, East Sandwich, MA. Present was Representative Tarja McGrail (TM) and Anne Michniewicz (AM) who presented the project revisions. AM-expressed that the homeowner is 92 and that he is not always aware of his illegal behaviors. His caretakers have been notified that he needs to be monitored and requests that the commission not condition that if he receives anymore tickets that the order of conditions be revoked. SB- high visibility fencing prior to the start of work to encourage the applicant not to violate. No Public Comment. SB- A motion was made to close and approve with standard and special conditions to including that the split rail fence be installed prior to the start of work alongside high visibility fencing. KW-Seconded. The motion was passed with a vote of 6-0-1. HF- abstained.
   b. DEP File No. SE66-1929 Brian Hebb c/o Shorefront Consulting have filed a Notice of Intent for the raze and rebuild of a single family home at Assessor’s Map 95– Parcel 3 and 4 located at 295 and 297 Phillips Road, Sandwich, MA. Present was Mark Burgess (MB) and Brian Wall
Esq. (BW) and Brian Hebb (BH) who presented the project revisions. KW- reiterated that the commission should have a third party consultant perform a review. LPW- agreed. There was a brief discussion regarding the setback requirement per the building department. SB and JH- both agreed that this project is no different than many other previously approved projects, they do not feel that a third party consultant is necessary. Public Comment: Stella Maybury spoke in opposition of the project. Andy MacDonald spoke in opposition. Jerry Atkins gave public comment stating that the setback needs to be verified prior to approval. Public Comment was closed. There was a discussion amongst commissioners about whether or not a consultant is necessary. MB- recommended a consultant if the board decided to move forward. BH- expressed his frustration with the commission and that what they are requesting his client will not be amenable to. KW- A motion was made to hire a third party independent reviewer for the impact on the dune per the bylaw. A role call vote was taken, RA- nay, SB- nay, KW- yes, LPW- yes, JH- nay, HF- abstained, ED- yes. The motion did not pass, with a tie vote of 3-3. MB- a continuance would need to be made if the board is going to request moving the house to be able to discuss with the homeowner, but as it stands the homeowner is not going to agree to moving the house to the 15 foot setback. SB- would the commission agree to a continuance if the applicant presents a plan reflecting the building setback instead of using the existing foundation as a starting place. RA- A motion to continue to July 6 for applicant to provide new set of plans that would meet the commission’s expectation. SB- seconded. The motion was passed. 6-0-1 HF- abstained.

c. DEP File No. SE66-XXXX Eileen Holland c/o David Lawler has filed a Notice of Intent for the proposed reconstruction of two decks at Map 77 – Parcel 91 located at 84 Roos Road, East Sandwich, MA. The applicant requested a continuance to the 6-15-22 meeting. KW- A motion was made to continue to the 6-15-22 meeting. JH- Second. The motion was passed with a vote of 7-0-0.

d. DEP File No. SE66-1936 Donald Dawson c/o Environmental Consulting & Restoration LLC has filed an after-the-fact Notice of Intent for driveway expansion and an elevated viewing platform at Map 96 – Parcel 45 located at 255 Phillips Road, Sandwich, MA. The applicant requested a continuance to the 7-6-22 meeting. KW- A motion was made to continue to the 7-6-22 meeting. JH- Second The motion was passed with a vote of 7-0-0.

3. CERTIFICATE OF COMPLIANCE
   a. Original Filing DEP File No. SE66-1780 Michael & Stephanie Rogers c/o John E. Landers-Cauley, P.E. have filed a Notice of Intent for the construction of a single-family home with appurtenances at Assessor’s Map 82- Parcel 095 located at 22 State Street, Sandwich, MA. JW- Recommends approval. SB- A motion was made to approve the Certificate of Compliance. JH-Seconded. The motion was passed with a vote of 7-0-0.

4. OTHER BUSINESS: to include items not reasonably anticipated by Chairperson.
   a. Knott Ave Restoration update- JW gave the board an update on the Restoration Order which has been replanted satisfactorily. The applicant is eligible in 18 months to close out.

   b. 60 Salt Marsh Road- Request to use site plan- Laura Wing requested that she be able to use an existing site plan for filing an after the fact Notice of Intent. JW- Recommends allowing using the site plan. SB- A motion was made to approve the use of existing site plan for an after the fact Notice of Intent. KW- Seconded. The motion passed with a vote of 7-0-0.
5. MINUTES:
   a. April 6, 2022 (executive minutes), May 4, 2022; May 18, 2022- SB- A motion was made to approve the minutes from the 4-6 executive session, 5-4, and 5-18 meetings. KW- Seconded. The motion was passed with a vote of 7-0-0.

6. ADJOURNEMENT:
   a. KW- a motion was made to adjourn the meeting at 8:33pm. SB- Seconded. The motion was passed with a vote of 7-0-0.

Revised Plans and/or Information for NEW Hearings or as requested by the Conservation Commission for Continued Hearings, MUST be turned into the Commission Office no later than 12:00 PM on the Friday prior to the public or continued hearing date, this includes any and all information for Informal or Miscellaneous requests made by a Property Owner or Representative to come before the Commission. Failure to comply may cause the Board to delay its decision until the next available public date to allow for a suitable review of the information submitted.

Signed: [Signature]
Michelle Y Raymond, Office Manager

Date: 7/6/22

Date & Time Received by Town Clerk's Office
TOWN OF SANDWICH
JUL 12 2022
12:03 PM
RECEIVED & RECORDED