Minutes of a public meeting held on August 05, 2020, by the Sandwich Conservation Commission via Zoom Video Conferencing Software.

Members Present: Kimberley Walsh (KW), Scott Boutilier (SB), Cameron Murphy (CM) Jack Sidar (JS), Jason Heyer (JH), Hillary Foglia (HF) and Roy Anderson (RA).

Members Absent:

Staff Present: Josh K. Wrigley (JW), Asst. Director of Natural Resources and Heidi Hawkins (HH), Administrative Assistant.

Chairman, Scott Boutilier appointed Jason Heyer, Hillary Foglia and Roy Anderson as voting members.

1. NEW HEARINGS:

a. RDA File No. SCC2020D-02 Peggy & Larry Loomis c/o Cape and Islands Engineering, Inc. have filed a Request for Determination of Applicability for the proposed installation of a new Title V septic and water line to access Town water at Assessor’s Map 19-42-0 – Parcel 42 located at 92 Stowe Road, Sandwich, MA. Documents received: RDA application and site plan. Present were Representative, Raul Lizardi (RL) and Homeowners, Peggy Loomis (PL) and Larry Loomis (LL). RL presented the project as proposed. The Board had questions about the abandoned cess pool and vegetation. Public comment was requested; there was none. A Motion was made (JS) to approve the project with a -3 Determination (The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any). And to close the hearing and take under advisement later in the meeting, no further public comment will be heard at that time -Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye. SB reopened the hearing. After further discussion, a Motion was made (JS) to add conditions in regarding stabilizing the work area, erosion control around the old septic and restoring ground conditions to those that are existing-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

b. DEP File No SE66-1877 Paul M. Craig & Sharon Kennedy c/o Sabatia, Inc. have filed a Notice of Intent for a proposed addition and studio at Map 54 – Parcel 0006 located at 40 Fort Hill Road, East Sandwich, MA. Documents received: NOI application, site plan. Present were Representative, Bob Gray (BG) and Homeowners, Paul Craig (PC) and Sharon Kennedy (SK). BG presented the project as proposed. The Board had questions about a driveway or paved path that would be going to the garage; PC, it will be left natural. The Board had questions about the addition being pushed out further towards the resource area; PC, we have decided not to do that, it will not be pushed out. The Board, Representative and Applicants discussed at length the planting plans. Public comment was requested; there was none. A Motion was made (JS) to close the hearing and take under advisement later in the meeting, no further public comment will be heard at that time -Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye. Chairman SB re-opened the hearing to discuss the special conditions. A Motion was made (SB) to close and approve the filing with standard and special conditions, including that no driveway is approved and that staff and the commission will work with the homeowners about what is to be replanted and where-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye HF- aye, JH- aye and RA- aye.
c. DEP File No. SE66-1868 Brian Hebb c/o Shorefront Consulting has filed a Notice of Intent for a proposed raze/rebuild of an existing single family home, deck, elevated walkway and shed at Assessor’s Map 95- Parcel 2 located at 293 Phillips Road, Sandwich, MA. Documents received: NOI application, site plans, design plans. Documents received later: New performance standards narrative, design plans. Present were Representative, Hannah Raddatz (HR), Representative, Mark Burgess (MB) and Applicant, Brian Hebb (BH). HR gave an update to the Board on the newly submitted information. The Board had questions about the boardwalk and ramp that is proposed to meet the existing walkway, after much discussion, the boardwalk and ramp will be stricken from the plan. There was discussion about making sure the shed remained a shed and did not become habitable space. The Board had questions about the proposed hot tub; BH, it will be on the deck and at least 24” off the dune. Public comment was requested; there was none. A Motion was made (JS) to close the hearing and take under advisement later in the meeting, no further public comment will be heard at that time -Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye. Chairman SB re-opened the hearing to discuss the special conditions. A Motion was made (SB) to close and approve the filing with standard and special conditions, including striking the boardwalk and ramp from the plans and making sure the shed and other non-habitable spaces did not become habitable space-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye.

2. ENFORCEMENTS:

a. 113 Salt Marsh Road – unpermitted wooden structure on the dune – Homeowner, Gary Heller let the Board know that the structure had been built as kayak storage for him and his wife, who were getting older and it is harder for them to drag the kayaks up the stairs. A Motion was made (RA) to send a letter to the homeowners to have them remove the structure by August 31, 2020-Seconded (JS). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

b. 7 Feake Avenue – unpermitted stone patio – Homeowner, Bob Fusaro told the Board that he did not think he was doing anything against the rules; he had filed for permits for other work on the property but considered this landscaping. A Motion was made (JS) to require an after the fact Notice of Intent for the work-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

c. 319X Phillips Road – unpermitted deck – Homeowner, Eileen Delsignore explained to the Board that they had extra wood left over from resurfacing the deck and decided to build a platform on the dune so they could see the water. The dune has built up so much on Phillips Road that they can no longer see the water from their deck. A Motion was made (JS) to require a Notice of Intent to remove the unpermitted deck within 60 days-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

d. 119 Tupper Road – unpermitted cutting in the 50’ buffer – Homeowner, Calvin Doyle sent an email to Joshua Wrigley stating he would not appear at a zoom meeting, but would wait until live meetings were being held again. A Motion was made (JS) for Staff to send another letter to Mr. Doyle requiring him to appear at the August 19, 2020 zoom meeting-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

e. Beachway West – unpermitted road work – Cheryl Behan could not get the microphone to work, so the Commission just read into record the email that was sent explaining what took place. A Motion was made (JS) to require the filing of an after the fact Notice of Intent within 60 days for the unpermitted work-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.
f. 420 Quaker Meetinghouse Road – update on filing delineation – No one was present. A Motion was made (JS) to send another letter to the homeowner requiring him to appear at the August 19, 2020 zoom meeting-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

g. 13 Leveridge Lane – unpermitted cutting in the 50’ buffer – Josh Wrigley let the Board know what happened in this location. A Motion was made (JS) for a letter to be sent to the homeowner letting him know that any work in the jurisdictional buffer zone requires notice to the Commission-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

h. 333 Quaker Meetinghouse Road – unpermitted encroachment onto Town Conservation Land – Homeowner Samantha Lima told the Board how they just bought the property and were told that they owned where the fences were placed. It appears that part of the land they are using belongs to the Conservation Commission. A Motion was made to have the Town do a survey of the land to mark what is owned by whom-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

3. CERTIFICATES OF COMPLIANCE:

a. DEP File No. SE66-1772, 5 John Ewer Road, docks, A Motion was made (JS) to approve the Certificate of Compliance for DEP File No. SE66-1772, 5 John Ewer Road- Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

4. OTHER BUSINESS:

a. Conservation Restriction Amendment: 247 Old County Road – John Cullity and Josh Wrigley let the Board know what the original restriction entailed and what the Amendment proposed. A Motion was made (JS) to approve the Amendment as proposed-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

5. MINUTES:

a. A Motion was made (JS) to approve the Minutes from the July 15, 2020 meeting-Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

6. ADJOURNMENT:

a. A Motion was made (JS) to adjourn at 9:54PM, Seconded (KW). The Motion was passed with a roll call vote: SB- aye, KW- aye, CM- aye, JS- aye, HF- aye, JH- aye and RA- aye.

Respectfully Submitted,
Heidi Hawkins

Date Approved

Chairman

Date & Time Received by Town Clerks
TOWN CLERK
TOWN OF SANDWICH
AUG 20 2020
RECEIVED & RECORDED