Town of Sandwich
The Oldest Town on Cape Cod

Sandwich Conservation Commission
16 Jan Sebastian Drive
Sandwich, MA 02563
(508) 833-8054
FAX (508) 833-0018

Minutes of a public meeting held on **January 15, 2014**, by the **Sandwich Conservation Commission** in the Town Office Building, Conference Room, 270 Quaker Meetinghouse Rd., Sandwich, MA.

Members Present: Melissa Romano (MR), Neal Holmgren (NH), Christopher Sellstone (CS), Mike Zylich (MZ), Lou-Anne Conroy (LC) and Donald Barber (DB).

Members Absent: Christopher Kirrane (CK).

A **Motion** was made (CS) to recommend to the Board of Selectman full membership to the Conservation Commission for Associate Commissioners, Lou-Anne Conroy and Donald Barber-Seconded (MR). The Motion was passed with a vote of 4-0-0.

NEW HEARINGS:

a. **DEP File No. SE66-1627 Peter Peltz c/o Sabatia, Inc.** has filed a Notice of Intent for the proposed raze and rebuild of a single family home at Assessor's Map 64– Parcel 114 located at **100 Wing Boulevard East, East Sandwich, MA.** Present was Representative, Bob Gray. After general discussion and public comment, a **Motion** was made (CS) to continue to the February 5, 2014 meeting, per the owner's request-Seconded (MR). The Motion was passed with a vote of 6-0-0.
b. **DEP File No. SE66-1628 Daniel Morse c/o Sabatia, Inc.** has filed a Notice of Intent for the proposed construction of a detached garage at Assessor's Map 12– Parcel 098 located at **42 East Road, Sandwich, MA.** Present was Representative, Bob Gray. After general discussion, a **Motion** was made (CS) to close and take under advisement-Seconded (MR). The Motion was passed with a vote of 6-0-0. After further discussion, a **Motion** was made (CS) to approve with standard and special conditions-Seconded (MR). The Motion was passed with a vote of 6-0-0.
c. **DEP File No. SE66-1617 Amend 1 Emma Verdieck c/o Coastal Engineering** has filed a Request to amend an existing Order of Conditions, (DEP File No. SE66-1617) for the proposed placement of a concrete encasement around the proposed helical pier foundation at Assessor's Map 64 – Parcel 32 located at **5 Captain Crocker Road , Sandwich, MA**. Present were Representative, John Bologna and Designer, Ezra Ambrose. A **Motion** was made (CS) to re-open the hearing-Seconded (NH). The Motion was passed with a vote of 6-0-0. After general discussion, a **Motion** was made (CS) to continue to the February 5, 2014 meeting, per the owner's request-Seconded (MR). The Motion was passed with a vote of 6-0-0.

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CONTINUED HEARINGS

d. **DEP File No. SCC2013-D-06 Phil Miller c/o Vaccaro Environmental Consulting** has filed a Request for Determination of Applicability for the proposed installation of a well at Assessor's Map 14 – Parcel 280 located at **110 Country Club Road, Sandwich, MA.** Present was Representative, Jack Vaccaro. The owner requested to withdraw the application without prejudice. A **Motion** was made (CS) to approve the withdrawal-Seconded (MR). The Motion passed with a vote of 6-0-0.

e. **DEP File No. SE66-1625 John A. Wegman Construction c/o Vaccaro Environmental Consulting, Inc.** has filed a Notice of Intent for the proposed construction of a garage at Assessor's Map 71– Parcel 009 located at **177A North Shore Boulevard, E. Sandwich, MA.** Chairman, Michael Zylich recused himself. Present was Representative, Jack Vaccaro. After general discussion and public comment, a **Motion** was made (MR) to continue to the February 5, 2014 meeting, per the owner's request-Seconded (NH). The Motion was passed with a vote of 5-0-0.

OTHER BUSINESS:

- **General:**
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1045, 110 Salt Marsh Road – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1478, 34 Cove Road – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1468, 87 Salt Marsh Road – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1466, 189B North Shore Boulevard – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1202, 53 Cranberry Trail – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1360 Am 1, 2 Maple Place – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1395, 45 Great Hill Road – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-985, 123 North Shore Boulevard – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1289, 26 Salt Marsh Road – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for a Certificate of Compliance for DEP File No. SE66-1536, 273 Phillips Road – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Request for an Extension for an Order of Conditions for DEP File No. SE66-1407, 18-20 Teaberry Lane – Seconded (MR). The Motion was passed with a vote of 6-0-0.
  - A **Motion** was made (CS) to approve the Duplicate Order of Conditions for DEP File No. SE66-1618, White Cap Path – Seconded (MR). The Motion was passed with a vote of 6-0-0.

- Director of Natural Resources, Mark S. Galkowski, came before the Board to present a listing of possible land acquisitions. A **Motion** was made (CS) to approve the list with priorities-Seconded (MR). The Motion was passed with a vote of 6-0-0.
- Attorney Brian Blaesser and Representative, Norman Hayes came to the Board informally to request an Emergency Certification to install rip rap along a large section of privately owned homes on Town Neck Beach. The Board could not issue an Emergency Certification and informed the Representative that he would need to file an Notice of Intent for such a project to be officially reviewed.

- **Minutes:**
  - A **Motion** was made (CS) to approve the Minutes for the December 18, 2013 Con Com Hearing-Seconded (MR). The Motion was passed with a vote of 4-0-2. Commissioners, Michael Zylich and Lou-Anne Conroy abstained from the vote.
- **Adjournment:**
  - A **Motion** was made (CS) to adjourn at 9:56pm – Seconded (NH). The Motion passed by a vote of 6-0-0.

Respectfully Submitted,
Heidi Hawkins
1/15/14

Date Approved_____

Chairman_____

Date & Time Received by Town Clerk's Office

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To: File for Bay Beach Lane Beach and White Cap Path Request for an Emergency Certification

From: Michael Zylich, Chairman, Sandwich Conservation Commission

Date: January 27, 2014

Subject: Bay Beach Lane Beach Erosion

At the January 15, 2014 meeting of the Sandwich Conservation Commission (SCC), Attorney Brian Blaesser of Robinson & Cole, LLP and Norman Hayes of BSC Group informally presented an update on ongoing beach erosion along Town Neck Beach and their Request for an Emergency Certification.

Following their presentation, Attorney Blaesser, followed up on his request that the SCC issue an emergency certification to allow the homeowners along Town Neck Beach, between 103 Wood Ave and 59 Freeman Ave., to install a stone rip rap seawall.

Attorney Blaesser indicated the emergency was potential loss of a septic system and potential loss of homes along this stretch of beach. However, Attorney Blaesser indicated that the Sandwich Building Commissioner would not issue an emergency declaration and he had not, as of yet, spoken with the Board of Health Agent.

Based on the lack of an emergency declaration from the Sandwich Building Inspector or Board of Health Agent, the Conservation Commission chose not to issue an emergency certification for this project at this time. Since in the opinion of the Conservation Commission it does not appear an actual emergency exists and the only work that could be permitted was that to abate the emergency.

The Conservation Commission advised the representatives that they could come back once an emergency was declared by either Town agency or, as has been, they could file a Notice of Intent (NOI) for the project.

The representatives were reminded that applicants along Bay Beach Lane and White Cap Path were issued Orders of Conditions (DEP File No's SE66-1613, SE66-1618, respectively) allowing the applicants to replenish the sand along the beach. They were also reminded that they must comply with their Order of Conditions before starting any project.

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