



Minutes of a public meeting held on **August 4, 2010**, by the **Sandwich Conservation Commission** at 7:00 p.m., in the Town Office Building, Conference Room, 16 Jan Sebastian Drive, Sandwich, MA.

Members Present: Chris Kirrane (CK), Chairman, Michael Zylich (MZ), Vice Chairman, Elizabeth Desaulniers (LD), David Sullivan (DS), Chris Sellstone (CS), and Melissa Romano (MR)

Members Absent: James Corven (JC)

NO NEW HEARINGS:

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. Failure to comply will cause the Board to delay its decision until the next available public hearing date to allow for a suitable review of the information submitted.

INFORMALS:

Sandwich Downs Association met with the Conservation Commission Board regarding short term goals and expectations regarding erosion issues. Issue pending for Con Com filing regarding long term solution for erosion problems.

Neal Holmgren met with the Board regarding his interest in serving on the Conservation Commission. A Motion (MZ) was made to recommend Neal Holmgren as an Associate Member to the Sandwich Conservation Commission to the Selectmen – Seconded (LD) – Unanimous.

NEW HEARINGS:

DEP File No. SE66-1511- South Shore YMCA c/o Vaccaro Environmental Consulting have filed a Notice of Intent for proposed replacement of cesspools with Title 5 Septic systems for three cottages at Assessor’s Maps 19 & 18 - Parcels 1 & 122 located at Off Kittridge Point Road, Sandwich, MA. Representative, Jack Vaccaro of Vaccaro Environmental Consulting was present. After general discussion a **Motion** was made (MZ) to close and take under advisement – seconded (LD) – Unanimous. After further discussion a **Motion** was made (MZ) to approve with conditions – Seconded – (LD) – Unanimous.

DEP File No. SE66-1512- Board of Trustees/Lakefield Farm Trust c/o Sabatia, Inc. have filed a Notice of Intent for a proposed extension of the Play Area with installation of new landscape timbers to retain the additional sand at Assessor's Map 19 - Parcel 011 located at 21 Great Hill Road, Sandwich, MA. Representative, Bob Gray of Sabatia, Inc. and Woody Mitchell, Trustee were present. After general discussion a **Motion** was made (MZ) to continue to the August 18, 2010 hearing – seconded (LD) – Unanimous.

CONTINUED HEARINGS:

DEP File No. SE66-1506 - Michael Longo and Richard Lonstein c/o Sabatia, Inc. has filed a Notice of Intent to Raze and Rebuild within a Coastal Dune at Assessor's Map 70 – Parcels 111-010 and 111-011 located at 131 North Shore Boulevard, Sandwich, MA. Representative, Bob Gray of Sabatia was present. After general discussion, a **Motion** was made (MZ) to continue to the August 18, 2010 hearing, at the representative's request – Seconded (LD) – Unanimous.

SCC File No. 09/OOC-01 - Gino Carlucci, c/o JC Engineering, Inc. has filed a Notice of Intent for a proposed single family dwelling, septic, driveway, associated utilities and vegetation mitigation at Assessor's Map 93 - Parcel 47, 11 Knott Avenue, Sandwich, MA. Representative, John Churchill of JC Engineering, Brian Wall, Attorney, Bob Gray of Sabatia, Inc. and Gina Carlucci, owner were present. After general discussion and public comment/letters read; a **Motion** was made (MZ) to close and take under advisement – Seconded (DS) – Unanimous. After a great deal of discussion a **Motion** was made (LD), to deny the project because the Commission felt that the information presented by the applicant failed to meet the preponderance of credible evidence required to meet the Burden of Proof (Section 7.60) of the Town of Sandwich Wetlands, to protect the wetland values and further, that the Commission could not condition the project as presented to prevent significant and cumulative negative effects on the wetland noting it's close proximity to subject property.

The Town of Sandwich Wetlands Bylaw, Chapter 7 - Section 7.60 Burden of Proof: The applicant shall have the burden of proving by a preponderance of credible evidence that the work proposed in the application will not have an unacceptable significant and cumulative effect upon the wetland values protected by this ByLaw. Failure to provide adequate evidence to the Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions. – Seconded (MZ) – Aye, (DS) – Nay, (CK), Abstain, (CS).

DEP File No. SE66-1496 - Michael Karl and Kathy Walter c/o Sabatia, Inc. have filed a Notice of Intent for a proposed 2.5 Story Barn with a Title V septic system within an AE flood zone at Assessor's Map 77 - Parcel 79 & 82, 68 and 82 Roos Road, Sandwich, MA. Chris Kirrane recused himself and left the room. A **Motion** was made (LD), to continue to the September 1, 2010 hearing, at the Representative's request, via e-mail – Seconded (CS) – Unanimous.

OTHER BUSINESS:

- **Minutes:**
 - A **Motion** was made (DS) to approve the Minutes for the July 21, 2010 hearing – Seconded (CS) – Unanimous.

- **Adjournment:**
 - A motion was made (LD) to adjourn at 9:36 pm – Seconded (DS) – Unanimous.

Respectfully Submitted,
Michelle Raymond
8/24/10

Date Approved_____

Chairman_____