

On 10/19/2023, on a motion by Commissioner Bernstein, seconded by Commissioner Huggins,
the Commission voted 4-0, with 2 abstentions, to approve these minutes as written.

CONSERVATION COMMISSION MEETING MINUTES

October 5, 2023

Members Present: Ed Hoopes (Chairman), David Bernstein, Patricia Mulhearn, Paul Huggins

Absent: Rick Bishop and Ellie Lawrence (Vice Chair)

Staff: Brittany DiRienzo

Start Time: 5:00 pm

Before getting to the business part of the meeting, Chairman Hoopes mentioned that the Conservation Commission has an opening. Anyone who would like to be considered for the Commission should fill out the Talent Bank form on the town's website.

Continued Notice of Intent

1. **SE83-2398** Mark Burgess, Shorefront Consulting, for the Paula Perrone Trust, **12 Pleasant Street** raise the grade in the riverfront area, land subject to coastal storm flowage, and the buffer zone to a coastal bank (**Withdrawn without prejudice**)
Commissioner Bernstein made a motion to accept the withdrawal without prejudice. The motion was seconded by Commissioner Mulhearn, and passed 4-0

Notice of Intent

2. **SE83-2405** Daniel Ojala, Down Cape Engineering, for Claudia and Tom Norton **13 Webster Road** an after the fact filing for clearing, grading, and construction of walkways, retaining walls, and other hardscape in land subject to coastal storm flowage

Presenting: Dan Ojala

Discussion: The owners worked on the property without proper permitting, so this is an after the fact filing. Hardscape has been added to a significant portion of the property along with a new septic system. Several large trees were removed. The owners plan to add plantings along the northeast side. These plantings are not on the plan. Chairman Hoopes requested that the owners submit a revised plan showing all the proposed plantings. The CA asked for the engineers to work on a solution to stormwater flowing over the patio and into neighbors' yards, and a revised plan with solutions will be submitted.

The neighbors then commented:

Joe O'Reilly said that 7 trees were cut down that were between his yard and the owner's yard. When Mr. O'Reilly asked the previous CA for advice about what he could plant, he chose plants with shade in mind. Now they are in full sun and are dying. He was upset because he did follow proper procedure by working with the CC and now the landscape has changed by someone who did not follow proper procedure. He would ask that the proper planting be added.

Sue Scolars sold the property to the present owners. She has a letter on record that the owners wrote saying they did not expect to make many changes to the property. She is upset because of the radical changes and amount of hardscape where there used to be natural landscape.

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Ron Cadillac stated that the zoning regulations do not allow walls over 2 feet in height. This is not a conservation issue.

Fred Delfino asked that whatever promises the owners make, the CC gets the specific plan in writing. He also said that the cleared trees included trees on the neighbor's property. Finally, he is concerned about drainage issues since before the work was done, there were no drainage issues.

Andrew Leighton mentioned that the drainage is not working and that he thinks there is more flooding than there was in the past due to the patios and hardscape constructed.

The owners asked for a continuance to December 7 to make the plan revisions discussed.

Commissioner Bernstein made a motion to continue to December 7. The motion was seconded by Commissioner Huggins, and the motion carried 4-0.

3. Hannah Raddatz, BSC Group, for Steve Bobola, Sand Dollar Customs LLC [20 Bliscott Avenue](#) proposed raze and replace of a single-family dwelling, deck, parking area and new septic in land subject to coastal storm flowage
Presenting: Kieran Healey

Discussion: Commissioner Mulhearn asked about the possibility of saving trees in front of the property. The owner responded that he intended to keep as many trees as possible in the front of the property and in the rear corner.

No DEP number.

Commissioner Huggins made a motion to issue an Order of Conditions with special conditions upon receipt of the DEP number and comments. The motion was seconded by Commissioner Mulhearn, and the motion carried 4-0.

Request for Extension

4. [SE83-2199 Boat Haul Walk- Salt Box Beach Association](#)
Presenting: Mark Burgess and Ed English

Discussion: The request is to extend the current permit for three years in order to continue beach management by dredging and nourishing. After some discussion the commission decided to extend the order to March 4, 2026 to coincide with the expiration of the Chapter 91 license. The CA added that the salt marsh restoration is incomplete and must be completed by June 15, 2024 by planting the grass plugs.

Commissioner Bernstein made a motion to extend the permit to March 4, 2026 and require that the salt marsh restoration be completed by June 15, 2024. The motion was seconded by Commissioner Huggins, and the motion carried 4-0.

Request for Certificate of Compliance

5. [SE83-027 62 Highbank Road- Bass River Golf Course](#)
6. [SE83-168 62 Highbank Road- Bass River Golf Course](#)

Commissioner Mulhearn made a motion to issue both COC's. The motion was seconded by Commissioner Huggins, and the motion carried 4-0.