



Town of Brewster Conservation Commission

1657 Main St., Brewster, MA 02631
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(508) 896-4546

CONSERVATION COMMISSION MEETING AGENDA

2198 Main Street
June 13, 2023 at 6:00 PM

Conservation Commission

Michael Tobin
Chairman

Casey Chatelain
Vice Chair Person

Commissioners
Bruce Evans
Gary Kaser
Kimberley Crocker
Pearson
Ron Slowek
Steve McKenna

Staff
Chris Miller,
Natural Resources
Director

Bill Grafton,
Conservation
Administrator

Andreana Sideris,
Senior Department
Assistant

This meeting will be conducted in person at the time and location identified above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda, which includes an applicant and its representatives, should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting may do so in the following manner:

Phone: Call (929) 436-2866 or (301) 715-8592. Webinar ID: 817 0484 9610 Passcode: 565669

To request to speak: Press *9 and wait to be recognized.

Zoom Webinar: <https://us02web.zoom.us/j/81704849610?pwd=d2VINm5LcnU2TnBKWExMVEJFUUduQT09>
Passcode: 565669

To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above.

Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** (livestream.brewster-ma.gov), or **Video recording** (tv.brewster-ma.gov).

1. Call to Order
2. Declaration of a Quorum
3. Meeting Participation Statement
4. Recording Statement
5. Public Comment / Citizens' Forum
6. Discussion
 - a. 42 Konohassett Cartway 72-25 (41-11-0) dissolution of WPA Form 9-Diana Pohly
 - b. 157 Bloomer Path 38-94 (2-64-2) dissolution of WPA Form 9 -Mary Kate Bloomer (c/o Jim Bloomer)
 - c. Exemption for septic system testing off Griffiths Pond (210 Griffiths Pond Road 54-4 (35-82-110) & 275 Griffiths Pond Road 53-19 (35-82-115)) and Elbow Pond (128 & 164 Cranview Road 20-15 (51-15))- John Keith, Brewster Pond Coalition
 - d. 48 Far Fields 65-45 (26-139) - Green waste removal from buffer zone to wetlands permitting requirements - Laura Schofield and/or Bruce Sauter
 - e. Request to Authorize Expenditure from Wetlands Protection Fund - Bill Grafton
 - f. Mass Dept of Agricultural Resources (MDAR) reporting requirements for pesticide applicators- Kim Pearson
 - g. Scientific study request at Freemans Pond/Paines Creek - Study involves taking tissue samples of smooth cordgrass and observational data on plant height, community composition, and elevation - Katherine Sperry

7. Request for Determination of Applicability

- a. 3140 Main Street, 101-54 (13-32-21) RDA #23-07. Robert Maruca requests determination as to whether the area – buffer zone to isolated vegetated wetland – and work depicted on the plan – replacement of an existing retaining wall, removal of five (5) trees and installation of native plantings – are subject to the Wetlands Protection Act and jurisdiction of the BWP Bylaw.
- b. 40 Wheeler Drive, 57-3-259 (4-1-9) RDA #23-08. Victoria Katz requests determination as to whether the area – buffer zone to coastal bank – and work depicted on the plan – remove invasive and non-native species, replace with native plantings, and transplant mature native plants – are subject to the Wetlands Protection Act and jurisdiction of the BWP Bylaw.

8. Notices of Intent, Request for Amended Order of Conditions & Abbreviated Notice of Resource Area Delineation

- a. 104 Canoe Pond Drive, 24-60 (36-230). New Public Hearing. Hongying Xie Revocable Trust-2012 proposes to install a seasonal aluminum dock, as well as After-the-Fact approval of an existing kayak rack within inland bank, bordering vegetated wetland, land under waterbodies and waterways, and bordering land subject to flooding and buffer zone to bordering vegetated wetlands.
- b. 660 Villages Drive, 75-13 (33-95-2). New Public Hearing. Ocean Edge Resort LLC proposes vegetation management at the 8th, 9th, and 14th holes within buffer zones to inland banks, bordering vegetated wetlands and land under waterbodies and waterways.
- c. 216 Mitchell Lane, SE9-1949. 115-49 (11-1-5). Continued Public Hearing. Stephen and Sarah Barkhuff propose the construction of a stairway and a foot path as well as vegetation management and vista pruning within land subject to coastal storm flowage, riverfront, isolated vegetated wetland, and buffer zone to bordering vegetated wetland, isolated vegetated wetland, land subject to coastal storm flowage, inland bank, and salt marsh.

9. Request for Certificate of Compliance

- a. 351 Point of Rocks Road, SE9-1797. 79-23 (6-7). Heintzelman Properties, LLC, coastal stabilization.

10. Request for Extension to Order of Conditions

- a. None.

11. Show Cause

- a. 2628 Main Street, 78-14 (15-113-2). Continued - Brown. Unpermitted cutting and clearing of vegetation within 25 feet of inland wetlands as well as the placement of fill on and within 100 feet of inland wetlands.

12. Request for Minor Change to Plan

- a. Ocean Edge Resort & Golf Club, 660 Villages Drive 75-13 (33-95-2) SE9-1771 & SE9-1771 8th fairway request to reduce the size of 8 trees during the Time of Year Constraint with a bird nesting survey.
- b. 69 Brier Lane (Lot 2 off Brier Lane) 48-7 (23-10-2) replacing grass with gravel SE9-1875– Brad Galiney

13. Request for Administrative Review

- a. 1268 Main Street, #23-09. 47-7 (23-64). Charles Vanburen, limbing of 3 trees in buffer zone.
- b. 3750 Main Street, #23-10. 126-62 (29-10). Rite DeMarco and Maureen Alston, removal of dead tree and selected invasive vines in buffer zone to isolated wetland.

**14. Stormwater Permit Application under Code of the Town of Brewster, Chapter 272
Stormwater Management Bylaw**

a. None.

15. Report of the Natural Resources Director

16. Report of the Conservation Administrator

17. Matters Not Reasonably Anticipated by the Conservation Commission Chairman

18. Next Meeting: June 27, 2023

19. Adjournment

Date Posted:

6/8/2023

Date Revised:

Received by Town Clerk: