



Town of Brewster Conservation Commission

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

CONSERVATION COMMISSION MEETING AGENDA

2198 Main Street

June 27, 2023 at 6:00 PM

CONSERVATION COMMISSION

Michael Tobin
Chair

Casey Chatelain
Vice Chair

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).

Please note that the Conservation Commission may take official action, including votes, on any item on this agenda.

1. **Call to Order**
2. **Declaration of a Quorum**
3. **Meeting Participation Statement**
4. **Recording Statement:** As required by the Open Meeting Law we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the chair.
5. **Public Announcements and Comment:** Members of the public may address the Conservation Commission on matters not on the meeting's agenda for a maximum of 3-5 minutes at the Chair's discretion. The Conservation Commission will not reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.
6. **Discussion**
 - a. Discussion to nominate Kim Pearson as the Conservation Liaison to the Water Quality Review Committee – Mike Tobin
 - b. Mass Dept of Agricultural Resources (MDAR) reporting requirements for pesticide applicators- Kim Pearson
7. **Request for Determination of Applicability**
 - a. 42 Konohassett Cartway, 72-25 (41-11) RDA #23-05. Joseph Carty and Diana Pohly-Carty request a determination as to whether the area – buffer zone to bordering vegetated wetlands, inland bank and land under waterbody – and work depicted on the plan – removal of hazard trees, selective vegetative management of native shrubs, and optional native planting related to permit SE9-1483 – are subject to the Wetlands Protection Act Section 40 and jurisdiction of the BWP Bylaw Chapter 172.
 - b. 202 Brook Trail Road, 51-109 (40-60) RDA #23-06. Janis Krauklis requests a determination as to whether the area – buffer zone to bordering vegetated wetland – and work depicted on the plan – remove two storm damaged red maple trees and replace with red maple saplings – are subject to the Wetlands Protection Act Section 40 and jurisdiction of the BWP Bylaw Chapter 172.

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). Continued 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). Continued 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. 151 Owl Pond Road, SE9-1832 137-11 (29/18-11) - HoYin Yuen

10. Request for Extension to Order of Conditions

- a. 73 Brier Lane, SE9-1876 48-7 (23/10-2) – John & Kathleen Galiney
- b. 69 Brier Lane, SE9-1875 48-90- (23/10-2) – J B and K J Galiney LTrust

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. 23 Dune Road, 79-30 (6-13) 23 Dune Road LLC requests to reintroduce a patio on the northeast side of the dwelling located within 100 feet of the resource area.

13. Request for Administrative Review

- a. 67 Tupelo Drive, 74-13 (34-76-67). New. Philip & Barbara Souza request to remove 1 tree from the buffer zone to Sheep Pond.

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. Questions from the Media

19. Next Meetings: July 11, 2023 & July 25, 2023

20. Adjournment

Date Posted:

6/22/2023

Date Revised:

Received by Town Clerk: