

Dennis Conservation Commission

January 15, 2026

Dennis Town Offices – Large Hearing Room

PRESENT: Chairman MacDonald Members: Clark, Norman, Hulst, Lombardi, Chamberlain
ABSENT: Agent Boyer
STAFF: Director Burnham

AGENDA – 6:00 P.M.

*As required by Open Meeting Law and Massachusetts General 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 intends to either video or audio tape this meeting, they are required to inform the Chair. This is to formally advise that, as required by G.L. Chapter 30A §§18-25, and pursuant to Chapter 2 of the Acts of 2023, signed into law on March 29, 2023, amended on March 28, 2025, the **Conservation Commission will hold a public meeting on January 15, 2026, at 6:00 pm in the Large "Stone" Hearing Room (Basement Level), 685 Route 134, South Dennis.** The public is welcome to attend either in-person or via the alternative public access provided below.*

ZOOM Meeting information

Zoom Link: [https:// https://www.zoom.us/join](https://www.zoom.us/join)

Meeting ID: 878-003-6813

OR

By Phone Dial: 646-558-8656

When prompted enter Meeting ID: 878-003-6813

CONTINUED HEARINGS

- A. **Breen – Notice of Intent (SE16-2820) *** CONTINUED TO 2/5/2026 *****
85 & 92 MIRAMAR AVENUE, DENNISPORT – Proposed stone revetment construction, sand bag replacement, beach nourishment, and plantings.
- B. **28 River Lane LLC – Notice of Intent (SE16-2821) *** CONTINUED TO 2/5/2026 *****
28 RIVER LANE, DENNISPORT – Proposed coir array & drift fence extension, sand fill and plantings, and beach nourishment.
- C. **Harper Nominee Trust – Notice of Intent (SE16-2829)**
104 SCARSDALE ROAD, DENNIS – Proposed reconstruction of stone revetment.

Bob Perry of Cape Cod Engineering provided an update on the project at 104 Scarsdale for the Harpers, noting that the matter was previously before the Commission in early October and was pending review by the Natural Heritage and Endangered Species Program (NHESP). NHESP has since issued comments, primarily requesting clarification on road ownership and abutters, a sediment management plan, and related items. These materials were submitted just before Christmas, with copies provided to Agent Boyer and Director Burnham, and appear to have been accepted. One remaining issue concerned sediment nourishment quantities; NHESP had overestimated the amount, Cape Cod Engineering responded with a revised, rationale-based nourishment program of approximately 155 cubic yards per year, which Mr. Perry stated is reasonable given the proposed nourishment length and availability of other sandy locations on the site. Mr. Perry also referenced a landscape restoration plan, prepared at the request of Agent Boyer. The plan proposes restoring the upper coastal bank by densely planting beach grass after revetment reconstruction, interspersed with shrub groupings and a diversified plant palette, with an expectation that

existing shrub vegetation at the top of the bank will naturally expand downslope over time. Mr. Perry stated that NHESP has indicated a formal comment letter will be issued by January 22, and that the applicant is seeking to begin construction in February for an anticipated six-week duration, targeting completion prior to the April 1 cutoff, with a possible extension if coordinated with NHESP. He requested that, if all issues are resolved, the Commission consider incorporating NHESP's standard nourishment conditions directly into the Order of Conditions at a February 5 meeting. Finally, Mr. Perry noted ongoing discussions regarding regional sediment management efforts with MassDEP or CZM and suggested that, where feasible, placement of sediment at public locations such as Corporation Beach could provide greater public benefit and reduced cost compared to site-specific placement, and he encouraged flexibility in this regard.

Motion:

Commissioner Clark made a motion to close the hearing and draft an Order for the Feb 5 meeting. Commissioner Lombardi seconded the motion.

Vote: 6-0-0

D. Sasson & Cummings – Notice of Intent / Order of Conditions (SE16-2830)

60 CHURCH STREET, WEST DENNIS – Proposed construction of new dwelling, conversion of dwelling to accessory dwelling, and septic system upgrade.

Motion:

Commissioner Norman moved to close and issue the Order.

Commissioner Chamberlain seconded the motion.

Vote: 4-2-0 – Commissioners Clark and Hulst opposed

E. Bullock – Notice of Intent / Order of Conditions (SE16-2835)

23 RIVER LANE, DENNISPORT – Proposed raze and replace of existing dwelling

Motion:

Commissioner Norman moved to close and issue the order.

Commissioner Chamberlain seconded the motion.

Vote: 6-0-0

F. Shea, Marostica, Sullivan, Yuan & Li, Blumenthal Jeffrey Trust,

Dennis Conservation Land Trust – Notice of Intent / Order of Conditions (SE16-2836)

71 BRIDGE STREET, 107, 153, 159 SESUIT NECK ROAD, 1450, 1514 ROUTE 6A, EAST DENNIS – Proposed salt marsh restoration.

Motion:

Commissioner Clark moved to close and issue the order.

Commissioner Hulst seconded the motion.

Vote: 6-0-0

G. McDowell – Notice of Intent / Order of Conditions (SE16-2837)

11 MAIN STREET (ROUTE 28), DENNISPORT – Proposed septic system upgrade.

Motion:

Commissioner Hulst moved to close and issue the Order.

Commissioner Clark seconded the motion.

Vote: 6-0-0

- H. **Epsilon Portunus LLC – Notice of Intent / Order of Conditions (SE16-2838)**
247 & 255 LOWER COUNTY ROAD, DENNISPORT – Proposed septic system upgrade & foundation replacement.

Motion:

Commissioner Norman made a motion to close and issue the Order.

Commissioner Hulst seconded the motion.

Vote: 6-0-0

NEW HEARINGS

- I. **Dauphinee – Request for Determination of Applicability**
36 SOUTH VILLAGE ROAD, WEST DENNIS – Proposed elevating existing dwelling onto new foundation and construction of access stairs.

Dan Croteau of Moran Engineering stated that he has architectural plans, which he does not believe were submitted previously because he was unsure, they were the latest version. The plans show six flood vents, with the sidewall designed to be floodplain compliant, and the flood vents located six inches off the slab. The architectural plans will be provided to the structural engineer and generally reflect what is shown on the site plan that was submitted. He explained that the house is surrounded by other homes and South Village Road, with the beach parking lot to the southwest. The proposal involves jacking up the existing house to allow for a garage and storage below, a walkway in front, and two steps to provide adequate access. The deck will extend over the existing deck at its closest point, with portions over patio, including a five-foot section in front to allow access from the front door to the steps. The primary scope of the project is to elevate the house so the enclosure floor is at grade, with the house raised an additional nine feet. He noted that the house is just outside the LIMWA and is located in AE12, requiring a design flood elevation of 14 feet; the proposed first floor elevation of 15 feet exceeds this requirement, creating a safer structure, reducing flood insurance costs, and improving overall neighborhood safety.

Motion:

Commissioner Hulst made a motion to close the hearing.

Commissioner Norman seconded the motion.

Vote: 6-0-0

Motion:

Commissioner Hulst made a motion to issue a Positive 5 Determination as the area and or work shown on the plan and described in the request is subject to review and approval by the Town of Dennis Wetland Bylaw.

Commissioner Norman seconded the motion.

Vote: 6-0-0

Motion:

Commissioner Hulst moved to issue a Negative 2 Determination as the work described in the request is within the area subject to protection, but will not alter said area.

Commissioner Norman seconded the motion.

Vote 6-0-0

- J. **Town of Dennis – Request for Determination of Applicability**
200 SCARGO HILL ROAD, DENNIS – Proposed beach stair replacement & wood snow fence installation.

Kieran Healy, a land surveyor with the BSC Group, appeared on behalf of the Town of Dennis. He stated that the proposal is to replace the existing walk-over stairs and the snow fence and picket fence located at the bottom of the stairs. The fencing will be replaced in its current location, and the stairs will also remain in their existing location. He noted that the stair profile has been slightly modified from the existing

conditions to provide additional clearance beneath the stairs; however, the structure will remain generally in the same location as it is today.

Motion:

Commissioner Hulst made a motion to close the hearing.

Commissioner Lombardi seconded the motion.

Vote: 6-0-0

Motion:

Commissioner Hulst made a motion to issue a Positive 5 Determination as the area and or work shown on the plan and described in the request is subject to review and approval by the Town of Dennis Wetland Bylaw.

Commissioner Lombardi seconded the motion.

Vote: 6-0-0

Motion:

Commissioner Hulst moved to issue a Negative 3 Determination as the work described in the request is within the buffer zone subject to jurisdiction, but will not alter said area subject to jurisdiction under the Town of Dennis Wetlands Bylaw.

Commissioner Lombardi seconded the motion.

Vote: 6-0-0

**K. Delagi Family Properties LLC– Amended Order of Conditions (SE16-2781)
107, 109, & 111 FARM LANE, SOUTH DENNIS – Proposed landscape plan changes.**

Cameron Larson of ECR appeared on behalf of the property owner/applicant who participated via Zoom. Mr. Larson noted that the project had previously been before the Commission at the end of 2024, and that an Order of Conditions was issued in January 2025 for redevelopment of the property abutting Mr. Delagi's residence. The applicant had purchased the property immediately east of the residence, where an existing home remains; however, the approved project allows for demolition of that home and construction of a barn for use in connection with Mr. Delagi's adjacent property. Mr. Larson reviewed that the approved project resulted in numerous site improvements, including a significant reduction in the structural footprint, relocation of development farther from the Bass River, reduction of degraded riverfront area, removal of the septic system, and additional restoration work. Although construction has not yet commenced, permitting was completed successfully. He explained that the applicant is now refining details related to site landscaping, consistent with prior conditions requiring all native plant materials, and a formal landscaping plan has been submitted for the record. The plan includes a new evergreen hedge to screen the barn, a small footpath connecting the two properties, conversion of the previously approved asphalt driveway to a crushed shell driveway to reduce impervious surface, a cobblestone access ramp to the barn, and a 16-foot diameter stone patio constructed of irregular bluestone with turf joints to allow for drainage. In addition, an existing non-mortared fieldstone wall along the northern boundary will be replaced in the same footprint, using fieldstone with granite steps leading to the rear of the property. Mr. Larson stated that photographs were included with the application to illustrate the proposed improvements and emphasized that the overall intent is to maintain a natural, minimal aesthetic consistent with the character of Mr. Delagi's property and the surrounding Bass River environment.

Commissioner Clark questioned the proposed hedges and disagreed with Mr. Larson whether the arborvitae were native species, but indicated he was comfortable with the plan.

Motion:

Commissioner Hulst moved to continue the meeting and draft the amended Order for the next meeting and accept the Order of Conditions as it was prepared.

Commissioner Lombardi seconded the motion.

Vote: 6-0-0

ADMINISTRATIVE

**L. Deluga – Restoration Plan Discussion
222 SETUCKET ROAD, DENNIS.**

Chase DeLuga presented his proposed restoration plan, which he previously reviewed with Lynn Hamlyn and his architect, Andrew. He stated that the property was walked twice and that there was agreement at the prior meeting regarding the number of trees to be planted and their locations. He explained that the submitted plan reflects all items requested by the Commission and noted his willingness to add or revise elements if additional items from earlier discussions needed to be addressed. Mr. DeLuga indicated he was present to answer questions and to seek approval of the plan.

Commissioner Lombardi suggested that the monitoring protocols be expanded to include understory vegetation. He noted that while regrowth is anticipated, it should be monitored, and if the understory does not reestablish, future mitigation measures may be necessary. Mr. Deluga responded that he could monitor the regrowth. Commissioner Lombardi added that some areas may be patchy if root systems lack sufficient energy to regenerate and that those areas may need to be addressed in the future.

Motion:

Commissioner Chamberlain moved to approve the restoration plan with addition noted.

Commissioner Norman seconded the motion.

Vote: 6-0-0

**M. Lamb – Certificate of Compliance (SE16-2575)
27 ACADEMY HILL LANE, SOUTH DENNIS – Construction of dwelling.**

Motion:

Commissioner Hulst moved to issue the Certificate of Compliance for the Order of Conditions.

Commissioner Lombardi seconded the motion.

Vote: 6-0-0

**N. Mayflower Beach Rental LLC – Certificate of Compliance (SE16-2036)
94 HORSEFOOT PATH, DENNIS – Construction of beach access walkway.**

Motion:

Commissioner Chamberlain moved to issue the Certificate of Compliance.

Commissioner Norman seconded the motion.

Vote: 6-0-0

**O. Pelham Farms, LLC – Enforcement Order Discussion
39 INDIAN POND ROAD, WEST DENNIS.**

***** CONTINUED TO 03/05/2026 *****

P. Minutes: 10/4/18, 3/15/18, 4/5/18, 12/18/25

Motion:

Commissioner Chamberlain moved to accept the minutes.

Commissioner Norman seconded the motion.

Vote: 6-0-0 (Chairman MacDonald and Commissioner Clark were the only ones present for the 2018 meetings)

Q. Director's Report

The Commission discussed a request from the Town regarding the property at 5 Jack Delaney Lane, located behind the Senior Center near the Habitat for Humanity houses. The Town is seeking a determination from

the Commission on whether it is willing to accept the property, or a portion of it, to be designated as open space and transferred to the Town under the care of the Conservation Commission. Chairman MacDonald noted that Jack Delaney was formerly a member of the board. Commissioner Hulst asked Director Burnham for DNR's perspective on taking the property on. Director Burnham responded that while the parcel does not specifically serve a departmental purpose, conserving land for conservation purposes would not be harmful and expressed support for acceptance.

Motion:

Commissioner Clark moved to accept the donation of the land.

Commissioner Hulst seconded the motion.

Vote: 6-0-0

Motion:

Commissioner Chamberlain made a motion to adjourn.

Commissioner Hulst seconded the motion.

Vote: 6-0-0