

**Dennis Conservation Commission**  
**February 5, 2026**  
**Dennis Town Offices – Large Hearing Room**

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

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**AGENDA – 6:00 P.M.**

*As required by Open Meeting Law and Massachusetts General Law, we are informing you that 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 February 5, 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

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**CONTINUED HEARINGS**

- A. Breen – Notice of Intent (SE16-2820)**  
**85 & 92 MIRAMAR AVENUE, DENNISPORT – Proposed stone revetment construction, sand bag replacement, beach nourishment, and plantings.**

Arlene Wilson, of A.M. Wilson Associates, appeared on behalf of the Breens and explained that the hearing had been continued because a sign-off from the Massachusetts Natural Heritage program had not been received until that afternoon. She noted a remaining issue with the sign-off, stating that the report submitted contained two parts, including a calculation of annual sand loss from the broader system, not just the subject lot, amounting to just under 700 cubic yards per year moving east past approximately 10 to 12 additional lots. Ms. Wilson stated that coastal geologist Eric Rosen reviewed the calculations and agreed with them but advised against placing that volume of sand at the site due to potential navigation issues, constriction of the river mouth, and associated water quality and upstream flooding concerns, as well as the lack of physical space to accommodate that volume given that mean high water lies at the south face of the existing revetment. Mr. Rosen instead recommended nourishment of approximately 20 to 25 cubic yards per year at 92 Miramar Avenue to protect the roadway and approximately 10 cubic yards per year at the west end near the return to prevent a gap between the Breen project and the project at 28 River Road. Ms. Wilson indicated she intended to suggest, if the Commission were inclined to approve the project, that a condition allow nourishment up to the amount originally suggested by Natural Heritage, so that a reduced number could be corrected administratively without requiring an amended order.

Agent Boyer relayed comments from Amy Honig of Natural Heritage, stating that she accepted the volume calculation from Mr. Spink’s report as a reduction of her own analysis, used methods from the Coastal Manual under Massachusetts Coastal Wetlands Regulations Sections 343 through 346, and determined a minimum nourishment volume of 8,800 cubic yards based on the structure, later reducing the required amount to 1,650 cubic yards. Chairman Macdonald commented that the Natural Heritage document

strongly outlined expectations of the Conservation Commission and asked whether a continuance would be helpful.

Ms. Wilson responded that there was no place to place the required sand and that placing it below mean high water would require Chapter 91, Army Corps, and 401 permits, a process that could take up to two additional years, after which the town would likely need to dredge the material from the river.

Chairman Macdonald referenced his involvement in the Swan River dredging project in the 1980s and stated that expert opinion at that time was that sand generally moves toward Dennisport rather than clogging the river mouth, though he acknowledged that clogging does occur, and asked how the applicant wished to proceed. Ms. Wilson requested a continuance to February 19.

Commissioner Clark discussed the need to clearly identify the access route for construction equipment across the property, noting that the route was intended to be delineated on the project map but was not currently shown.

Ms. Wilson explained that the final access route would depend on coordination between the contractor for this project and the contractor for 28 River. It was proposed that, if acceptable to the Commission, detailed construction protocols and the finalized access route could be submitted at least two weeks prior to the start of construction. Potential access options include using the remaining portion of Miramar Avenue and traveling through the intertidal zone, or accessing the site along the common lot line. Commissioner Clark emphasized a preference for coordinating work on the two separate properties so construction would occur at the same time, thereby minimizing impacts to adjacent properties and avoiding repeated disturbance. Ms. Wilson agreed with this approach and indicated a desire to coordinate the projects concurrently.

**Motion:**

**Commissioner Chamberlain moved to continue the meeting.**

**Commissioner Hulst seconded the motion.**

**Vote: 5-0-0**

**B. 28 River Lane LLC – Notice of Intent (SE16-2821)**

**28 RIVER LANE, DENNISPORT – Proposed coir array & drift fence extension, sand fill and plantings, and beach nourishment.**

Arlene Wilson presented the project for 28 River Road, the next property to the west. She noted that the application had been continued from the prior meeting for the same reasons, but that a sign-off from Mass Natural Heritage had been received that afternoon and was clearer and consistent with the materials previously provided to the Commission and established protocol. Ms. Wilson reviewed the existing coir envelope array currently installed on the beach with drift fencing. The proposal includes connecting the west end of the coir array to the existing boardwalk using coir or logs, covering those elements with sand, and extending the drift fence to meet the end of the boardwalk. The original and current permit for the site allows up to 200 cubic yards of sand nourishment per year to keep the arrays covered. Natural Heritage referenced 220 cubic yards; Ms. Wilson stated she was unsure of the source of the additional 20 cubic yards but indicated it was not a concern and that the applicant was agreeable to the conditions. Commissioner Clark initiated discussion regarding site access. Ms. Wilson explained that access can no longer occur from the west side of the house due to expansion of the salt and brackish marsh. For a standalone project, access would be along the common property line. If the work is conducted concurrently with the Breen property project, access could occur across the intertidal zone below the seawall. In that scenario, brush along the property line would be cut to grade and construction pads would be used to bring equipment in. The Breen project includes additional plantings up to the property line, and when equipment is removed from 28 River Road, any vegetation that appears unlikely to survive would be augmented. The area would be reviewed after one growing season, and any vegetation that failed to survive or regrow would be replanted.

Commissioner Clark asked Agent Boyer whether sufficient detail regarding access, restoration, and replanting would be included as part of the approval. Agent Boyer responded that, consistent with similar projects involving access through a coastal dune, he would recommend requiring a detailed construction protocol from Ms. Wilson, along with a mandatory pre-construction site visit to assess vegetation and the access route. This would allow conditions to be documented prior to construction and ensure proper restoration. He recommended including these requirements as conditions of approval.

Commissioner Clark expressed concern, shared with Ms. Wilson and her coastal geologist, regarding the quantity of sand proposed, noting that the Commission's primary concern was avoiding additional sand entering the Swan River. The Commission discussed whether the introduction of additional sand into the river would be beneficial or detrimental. Everyone agreed that continuing the meeting would be best.

**Motion:**

**Commissioner Hulst moved to continue the meeting.**

**Commissioner Clark seconded the motion.**

**Vote: 5-0-0**

**C. Harper Nominee Trust – Notice of Intent (SE16-2829)**

**104 SCARSDALE ROAD, DENNIS – Proposed reconstruction of stone revetment.**

**Motion:**

**Commissioner Hulst made a motion to approve the project under the Wetlands Protection Act and the Town of Dennis Wetlands Bylaw as shown on the plan of record and to sign the Order that staff had drafted.**

**Commissioner Clark seconded the motion.**

**Vote 6-0-0**

**D. Delagi Family Properties LLC– Amended Order of Conditions (SE16-2781)**

**107, 109, & 111 FARM LANE, SOUTH DENNIS – Proposed landscape plan changes.**

**Motion:**

**Commissioner Chamberlain made a motion to sign the amended Order of Conditions request under the Wetlands Protection Act and the Town of Dennis Wetlands Bylaw**

**Commissioner Lombardi seconded the motion.**

**Vote: 5-0-0**

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**NEW HEARINGS**

**E. Walsh – Request for Determination of Applicability**

**69 SOUTH VILLAGE ROAD, WEST DENNIS – Proposed deck and stairs.**

Craig Ferrari, of Down Cape Engineering presented the project, which involves a small lot located within the flood zone, with the beach approximately one thousand feet away. The proposal consists of renovating the existing stair access and deck, including enlarging the front deck access and reconstructing the stairs leading down to the existing gravel driveway. The project is straightforward in nature and has been designed to remain close to the house in order to comply with all applicable zoning requirements, resulting in a relatively small project scope. He satisfactorily answered a few questions from the board.

**Motion:**

**Commissioner Chamberlain made a motion to close the hearing.**

**Commissioner Lombardi seconded the motion.**

**Vote: 5-0-0**

**Motion:**

**Commissioner Chamberlain 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: 5-0-0**

**Motion:**

**Commissioner Chamberlain 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 Lombardi seconded the motion.**

**Vote 6-0-0**

**F. Lane – Request for Determination of Applicability**

**66 GLENDON ROAD, DENNISPORT – Proposed addition to an existing single-family dwelling.**

Kathy DeMeyer, of Encore Construction, appeared on behalf of the owner. She presented a proposal to construct a 140 square foot, 12-by-12 addition to the existing dwelling. The property is located within an area subject to coastal storm flowage. The proposed addition will be supported on piers with an open crawl space beneath, with no fill proposed and no change to the existing grade.

**Motion:**

**Commissioner Lombardi made a motion to close the hearing.**

**Commissioner Clark seconded the motion.**

**Vote: 4-1-0 Commissioner Chamberlain recused.**

**Commissioner Lombardi 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 Hulst seconded the motion.**

**Vote: 4-1-0 Commissioner Chamberlain recused.**

**Motion:**

**Commissioner Lombardi 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 Hulst seconded the motion.**

**Vote: 4-1-0 Commissioner Chamberlain recused.**

**G. Santos – Notice of Intent (SE16-28XX)**

**3 BEACH PINES ROAD, DENNISPORT – Proposed deck reconstruction and expansion.**

Chris Weller appeared on behalf of Mrs. Perlman and presented a proposal to rebuild the existing deck on the house with a four-foot extension, along with additional decking near the front entrance. Mr. Weller noted that he was new to the project, having joined a few weeks prior, and would answer questions to the best of his ability. Commissioner Lombardi stated that several items were unclear, including references to a pergola that appeared in the application but was not shown on the plans or identified as to location, and indicated these issues would need clarification at a future hearing. Mr. Weller responded that he was not aware of any pergola being proposed.

Commissioner Hulst stated that she was not in favor of the proposed expansion encroaching into the 50-foot buffer, noting that there was sufficient room outside the 50-foot area to accommodate the project, and that she would not support the proposal as currently shown. Commissioner Clark agreed, stating that the work did not need to be located within the 50-foot buffer and should be kept outside of it.

Commissioner Clark also requested additional information regarding the pergola referenced in the application and details on proposed vegetation or plantings. Mr. Weller advised that the contractor had recently provided him with a revised plan showing what was proposed within the mitigation area.

Following discussion, the board agreed to continue the meeting to allow the applicant to provide the requested clarifications and revised information.

**Moton:**

**Commissioner Clark moved to continue the hearing until such a time as information can be provided for the pergola structure and a mitigation plantings plan drafted (if the expansion is allowed within the 50-foot buffer zone)**

**Commissioner Hulst seconded the motion.**

**Vote: 5-0-0**

**H. McNair / Lot 62-63 West Dennis Real Estate Trust – Notice of Intent (SE16-2840)  
50 LANYARD LANE, WEST DENNIS – Proposed deck reconstruction.**

Bob Perry, of Cape Cod Engineering, summarized the proposal for the McNair family's duplex property, which is located primarily within the coastal AE zone, with a small portion affected by the VE zone. The site is bounded by a dune system to the south, salt and brackish marsh to the east and north, and a post pile-supported home to the west. The applicant proposes to rebuild the existing weathered timber deck, with a reduction of approximately three feet in width along the entire front of the house while keeping both ends of the structure essentially unchanged. The rebuilt deck will total approximately 308 square feet, representing a net reduction in deck area. The structure is at approximately elevation 4 to 5, and the bottom of the post-supported foundation will be near groundwater; however, in the event of severe flooding, significant scour below this level is not anticipated. The deck will be fully engineered to accommodate potential flood flows and will not be attached to the house. All work will be accessed from the road, with defined work limits in place, and construction will be completed by hand. The anticipated duration of construction is approximately two weeks.

**Motion:**

**Commissioner Hulst made a motion to close the hearing.**

**Commissioner Lombardi seconded the motion.**

**Vote: 5-0-0**

**Motion:**

**Commissioner Hulst made a motion to approve the project under the Wetlands Protection Act and the Town of Dennis Wetlands Bylaws as shown on the plan of record and instruct staff to prepare an order of conditions for the next regularly scheduled meeting**

**Commissioner Lombardi seconded the motion.**

**Vote 5-0-0**

**Motion:**

**Commissioner Hulst made a motion to grant variances from the provisions of Section 2(1) of the Town of Dennis Wetlands Bylaw to allow for work to occur within the 50-foot buffer.**

**Commissioner Lombardi seconded the motion.**

**Vote: 5-0-0**

**I. Schneeberger / Nobscusett Angler Realty Trust – Notice of Intent (SE16-2841)  
71 & 75 CROCKERS PATH, DENNIS – Proposed parking area and driveway modifications with mitigation plantings.**

Craig Ferrari, of Down Cape Engineering, presented the project, describing it as a unique property. He referenced a previous house reconstruction project at 71 Crocker's Path and noted that this project is related. The property, owned by Norm Schneeberger, has limited beach access at the end of the driveway. Currently, maneuvering larger vehicles in the existing parking area is difficult, and Mr. Schneeberger is working with his neighbor to secure an easement to connect the two driveways to allow safer vehicle access and turnaround. In conjunction with this, significant planting is proposed. Dylan Lance of Crawford Land Management provided details of the planting plan, noting that the project is designed to avoid removal of surveyed trees. The parking area will be edged with split rail fencing to protect adjacent

restoration areas. Restoration will extend from the coastal bank to the 100-foot buffer, including native grasses, wildflowers, and shrubs such as bayberry and beech plum, with fiber roll protection in certain areas. Beachgrass density below elevation 10 has been reduced preemptively per prior NHESP recommendations, although formal comments have not yet been received.

Commissioner Lombardi asked why the driveway connection could not be located outside of the 50-foot buffer where the two driveways converge. Mr. Ferrari explained that the steep grades and existing trees make that location impractical, and the current alignment utilizes space with mostly invasive species while preserving existing trees. Commissioner Lombardi expressed concern that placing the driveway within the 50-foot buffer brings it closer to the water, and also questioned the restoration plan's approach to native shrubs that may be compromised during invasive management. He suggested that replaced plants might be preferable to flush cutting, as the current plan could allow native species to be removed if deemed structurally unsound.

Jen Crawford of Crawford Land Management clarified via Zoom that the intent of flush cutting is not to kill native species, but to allow structurally unsound shrubs to regrow vigorously from basal buds after invasive removal. Commissioner Lombardi acknowledged this explanation but noted that drought and other stresses could limit regrowth, and reiterated that replacement might still be preferable for stressed native plants. Commissioner Hulst indicated general discomfort with vegetation removal within the 50-foot buffer but acknowledged the extensive mitigation plantings proposed. Commissioner Clark opposed any intrusion into the 50-foot buffer, citing regulatory intent and scientific basis for the buffer, and stated she would vote no if the driveway were within that zone.

Chairman Macdonald proposed bringing the matter to a vote, noting willingness to approve the project subject to the comments regarding planting and buffer considerations. Agent Boyer recommended that the plans be revised and conditions added as discussed, and noted that the meeting could not be closed until comments from Natural Heritage were received. Commissioners Chamberlain and Macdonald expressed support for the project, contingent on the proposed mitigation plan.

**Motion:**

**Commissioner Lombardi made a motion to continue the hearing.**

**Commissioner Hulst seconded the motion.**

**Vote: 5-0-0**

**J. West Dennis Yacht Club – Notice of Intent (SE16-2839)**

**259 LORING AVENUE, WEST DENNIS – Proposed replacement of bulkhead sections, pier, and boat ramp.**

Joe Bertherman, permitting specialist with GEI Consultants, presented the project using site images of the West Dennis Yacht Club property, outlining the project boundaries and areas proposed under the Notice of Intent. He identified two main work areas: the boat ramp and the creosote timber bulkhead, both proposed for replacement, along with maintenance of the existing CCA timber bulkhead. GEI conducted an inspection in August and determined that the creosote bulkhead is in poor condition, with surface wear, cracking, erosion, timber splitting, section loss, holes within the tidal zone, exposed tie rods, and upland sinkholes. The CCA timber bulkhead was found to be in fair condition but in need of maintenance. Photographs were shown to highlight these areas of concern. Alternatives considered included no action, which was deemed not viable due to safety and operational concerns; selective improvements, which was the preferred alternative; and full replacement of all structures, which was rejected due to cost, lack of necessity, and increased impacts to resource areas.

For the proposed work, Mr. Bertherman explained that the boat ramp would be replaced within its existing footprint, regraded at the upland end, and equipped with a trench drain or similar system to direct runoff to an existing catch basin, along with the installation of sheets along both sides to reduce erosion. The creosote timber bulkhead would be fully replaced with FRP sheeting, installed just offshore of the existing bulkhead and restrained with helical tie-back anchors. Piers would be adjusted to accommodate the new wall height, and limited regrading would occur upland of the bulkhead. This design was selected to minimize disturbance to resource areas and remain within the Army Corps' 18-inch maintenance standard,

thereby limiting the construction footprint and temporary impacts. Resource areas at the site include salt marsh, land under the ocean, fish run and riverfront area, and land surface coastal village. Mr. Bertherman clarified the extent of salt marsh impacts, noting that revised calculations reduced the proposed impact area from 55 square feet to approximately 18 square feet.

Commissioner Chamberlain asked whether fill would be brought in for regrading, noting the Commission's heightened concern regarding fill in the velocity zone. Amanda Mallon responded that the existing wall is at approximately elevation 8.4, while a nearby vinyl wall has a top elevation of 10, which the project proposes to match. Fill would be placed only on the landward side of the wall, with an estimated volume of 20 to 25 cubic yards, and more precise calculations could be provided.

Commissioner Hulst asked whether the wall could be pulled back further or installed on the landward side to avoid salt marsh impacts and reduce fill. Ms. Mallon explained that the wall has been placed as close as possible to the existing bulkhead to minimize both permanent and temporary impacts, with the new sheet piles essentially touching the existing structure. The projection beyond the existing wall would be approximately 14 inches, corresponding to the depth of the sheet piles. She noted that installing the wall landward would require crossing the existing wall and potentially using a cofferdam to remove the deteriorated creosote timbers, resulting in a larger temporary impact area than the proposed design. Commissioner Hulst also raised the Commission's typical requirement for a six-foot planting strip landward of bulkheads. Mr. Bertherman stated that this was discussed but was not considered feasible in the narrow area where the bulkhead is being replaced. Mike Demonica, representing the Yacht Club, added that while the immediate area is too narrow to accommodate the planting strip, the Yacht Club is willing to work with the Commission to incorporate plantings elsewhere along the site where feasible.

Agent Boyer noted two concerns: ensuring that there is typically six inches of clearance between the finished grade behind the bulkhead and the top of the bulkhead, and confirming that DEP and DMF preferred the bulkhead to be constructed within the same footprint. Ms. Mallon responded that the proposed alignment is as close as possible to the existing bulkhead and that moving it further landward would increase temporary impacts. Mr. Breckman added that the design follows the Army Corps maintenance standard and that refinements were made to reduce impacts.

Commissioner Hulst asked whether a shellfish assessment would be required. Agent Boyer responded that, consistent with typical bulkhead projects, the Commission could require that any shellfish encountered be relocated, and emphasized that "same footprint" does not necessarily mean the same alignment, noting that in some cases temporary impacts may be preferable to permanent impacts. The discussion concluded with the board requesting additional information regarding the alternative option that would involve larger temporary impacts.

**Motion:**

**Commissioner Hulst moved to continue the meeting.**

**Commissioner Lombardi seconded the motion.**

**Vote: 5-0-0**

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**ADMINISTRATIVE**

- K. DOM-F, LLC – Certificate of Compliance (SE16-2403)  
10 TROTTER PARK ROAD EXTENSION, WEST DENNIS – To close out permit for raze and replace of dwelling.**

**Motion:**

**Commissioner Chamberlain moved to issue the Certificate of Compliance.**

**Commissioner Clark seconded the motion.**

**Vote: 5-0-0**

- L. Pelham Farms, LLC – Enforcement Order Discussion**

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

**M. Conservation Agent's Report**

Agent Boyer reported that there is only one new filing scheduled for the next meeting. The remaining items will be continued hearings, which are not expected to present significant issues. The new filing is an RDA and represents a net improvement. Additionally, he noted that Director Burnham and he met with an employee of the Pelham House to discuss Love Farms and 39 Indian Pond Road, and that the Commission will be updated on that discussion at the next meeting.

<p style="text-align: center;"><b>Hearing Schedule</b> <b>Next Regular Meeting – February 19, 2026</b></p>
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**Motion:**

**Commissioner Hulst made a motion to adjourn.**

**Commissioner Chamberlain seconded the motion.**

**Vote: 5-0-0**

**The meeting was adjourned at 7:00 pm.**