

On 2/3/2022, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 5-0 (1 abstain), to approve these minutes as written.

CONSERVATION COMMISSION MEETING MINUTES

January 6, 2022

Members Present: Ed Hoopes (Chairman), Ellie Lawrence (Vice Chairman), Tom Durkin, Rick Bishop, David Bernstein, and Paul Huggins

Members Absent: Patricia Mulhearn

Staff: Kelly Grant

Start Time: 5:00pm

YARMOUTH TOWN CLERK

'22FEB7PM2:30 REC

The Chairman took a roll call vote for Quorum.

Request for Determination of Applicability:

1. Gina Mazza, Trustee, [28 Barkentine Circle](#), Yarmouth, proposed raised foundation of existing dwelling by two feet; renovation of second floor; addition of new stairs, walk, covered entrance, sunroom; grading and landscaping within land subject to coastal storm flowage.

The Commission reviewed the request in the applicant's absence.

Commissioner Lawrence made a motion to issue a negative 2 determination. The motion was seconded by Commissioner Bishop. The motion carried unanimously 6-0.

2. Nextgrid Inc. c/o Daniel Serber, [4 Bayview Street](#), Yarmouth, proposed installation of an elevated solar array above an existing paved parking lot within the buffer zone to a bordering vegetated wetland and within land subject to coastal storm flowage.

Presenting: Kieran Healy, BSC Group

The CA commented that there are outstanding COC requests that need to be closed out.

Commissioner Bernstein made a motion to issue a negative 3 determination. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 6-0.

3. Nora Lavori, [97 Pheasant Cove Circle](#), Yarmouth, proposed installation of two new landings, modification of two existing landings; construction of a new 6'x10' shed within the buffer zone to a coastal bank, bordering vegetated wetland and salt marsh.

Presenting: Kieran Healy, BSC Group

Commissioner Lawrence commented that the wetland delineation was not accurate and needed to be revised. The Commission agreed that the wetland delineation was not being approved under this request, only the proposed work.

Commissioner Bishop made a motion to issue a negative 3 determination. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 6-0.

On 2/3/2022, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 5-0 (1 abstain), to approve these minutes as written.

Notice of Intent:

4. *Continued from 11/4/2021, 12/16/2021, SE83-2306* Jeffrey & Beth Fanara, Trs, [116 Mayflower Terrace](#), Yarmouth, proposed elevated walkway with fixed landing within land containing shellfish, land under salt ponds, land containing salt marshes and land subject to coastal storm flowage.

Requested information has not been received by the Commission. Commissioner Bernstein made a motion to continue to January 20 meeting to allow for receipt of requested material. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 6-0.

5. **SE83-2312** Mary Manning, [60 Bray Farm Road North](#), Yarmouth, proposed rebuild of an existing second-level deck with expanded footprint within the buffer zone to a coastal bank, and bordering vegetated wetland, and within land subject to coastal storm flowage.

Presenting: Danny Gonsalves, Down Cape Engineering, Inc

Commission Hoopes commented that no buffer to coastal bank is shown on the plan. This needs to be added. If it is within 35 feet, it will need a variance to the regulations. The deck should be reduced to keep the new section outside the setback.

Commissioner Lawrence commented that delineation sheets for the BVW are not in the application and need to be provided.

The CA commented that there are violations at the site. The area beyond the old work limit line is being maintained as lawn and there is significant dumping of landscaping debris in the BVW and buffer zone.

Commissioner Lawrence made a motion to continue to January 20, 2022 to receive an updated plan correcting these issues. The Enforcement Order is recommended to handle the dumping issue. The motion was seconded by Commissioner Durkin. The motion carried unanimously 6-0.

Stormwater Management Permit Application:

6. *Continued from 10/21/2021, 11/4/2021, 11/18/2021, 12/2/2021, 12/16/2021 SW2021-002* Evan Cohen, [125 & 133 Route 6A](#), Yarmouth, proposed redevelopment of an existing commercial site including parking, drainage and septic improvements; existing building #125 to be converted to doctor's office; existing #133 will have minimal improvements including new utility connections.

No new material has been received. Commissioner Lawrence made a motion to continue to January 20, 2022. The motion was seconded by Commissioner Durkin. The motion carried unanimously 6-0.

Certificate of Compliance:

7. Commissioner Bishop made a motion to approve COC requests for:
SE83-1356 [165 Mayflower Terrace](#), Yarmouth
SE83-872 [48 Grandview Drive](#), Yarmouth
SE83-2220 [122 Mayflower Terrace](#), Yarmouth

The motion was seconded by Commissioner Bernstein. The motion carried unanimously 6-0.