

On 3/16/2023, on a motion by Commissioner Bernstein, seconded by Commissioner Mulhearn, the Commission voted 5 - 0, to approve these minutes as written.

YARMOUTH TOWN CLERK

## CONSERVATION COMMISSION MEETING MINUTES

'23MAR20AM11:05 REC

February 2, 2023

**Members Present:** Ed Hoopes (Chairman), Ellie Lawrence (Vice Chairman), Patricia Mulhearn, , David Bernstein, Rick Bishop,

Absent: Paul Huggins and Thomas Durkin

**Staff:** Brittany DiRienzo

**Start Time:** 5:00 pm

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### Request for Determination of Applicability

1. Jeffrey Wojcik, Wojcik Construction Co. Inc., for Eva and Christos Rogaris 15 Southwest Drive Proposed rear addition, front bump out, new septic system, and new deck in land subject to coastal storm flowage.

Presenting: Jeffrey Wojcik

Discussion: Mr. Wojcik described the project which included adding a rear deck and 16X18 addition. There is also a new septic system.

Commissioner Bishop made a motion to grant a negative 2 determination.

The motion was seconded by Commissioner Lawrence.

The motion carried 5-0.

### Continued Notice of Intent

2. Thomas Young, 71 Arrowhead Rd. Proposed 15 x 28 and 9x9 decks on sonotubes in the buffer zone to a bordering vegetated wetland  
An email request to continue to February 16, 2023 was read into the record.

Commissioner Lawrence made a motion to continue to February 16, 2023

The motion was seconded by Commissioner Bernstein.

The motion carried 5-0.

3. **SE83-2371** Bob Perry, Cape Cod Engineering, for Susan and Dewitt Davenport 62A Pleasant Street Proposed swimming pool in the riverfront area (inner riparian zone), land subject to coastal storm flowage, and the buffer zones to a salt marsh and coastal bank

A written request to continue to the February 16, 2023 meeting and read into the record .

Commissioner Mulhearn made a motion to continue to February 16, 2023.

The motion was seconded by Commissioner Lawrence.

The motion carried 5-0.

### Continued Stormwater Management Permit Application

4. Town of Yarmouth, 669 Route 28 Proposed event space and park with trails, parking, bath house and art shanties.  
An email request to continue to February 16, 2023 was read into the record.

On 3/16/2023, on a motion by Commissioner Bernstein, seconded by Commissioner Mulhearn, the Commission voted 5 - 0, to approve these minutes as written.

Commissioner Bishop made a motion to continue to February 16, 2023.  
The motion was seconded by Commissioner Lawrence.  
The motion carried 5-0.

#### **Certificate of Compliance**

5. SE83-2071, [278 South Sea Ave](#), Yarmouth
6. SE83-2243, [63 Park Ave](#), West Yarmouth
7. SE83-1405, [63 Park Ave](#), West Yarmouth

The three COC's were taken together.

Commissioner Bernstein made a motion to issue the Certificate of Compliances.  
The motion was seconded by Commissioner Lawrence.  
The motion carried 5-0.

#### **Other Business**

8. Approval of Meeting Minutes: January 4, 2023, and January 19, 2023  
Minutes of 1/4/2023 were tabled to next meeting.  
Minutes of 1/19/2023: Commissioner Bernstein made a motion to accept the minutes as written, seconded by Commissioner Lawrence. The motion carried 5-0.
9. Review draft updates to Seagull Beach Management:  
CA proposed three changes for discussion.
  - A. Once a week raking rather than twice a week
  - B. 15 feet from Dunes for raking
  - C. Material raked should be taken off site for disposal.

The commissioners discussed and agreed on decreasing beach raking frequency to once a week and disposal of beach debris offsite.

Chairman Hoopes proposed to keep the raking distance at 10 feet from toe of dune and clearly define the toe of dune for the DPW. If the DPW gets closer than 10 feet at any point in the future, an enforcement order will be written, and the Commission will stop allowing raking the beach.

10. Announcement of Public Meeting for Open Space and Recreation Plan updates  
February 8<sup>th</sup>, 6:00pm at Town Hall and remote.
11. Other business not reasonably anticipated.
  - A. Commissioner Bishop asked about Lobster Boat parking lot which the commission approved an emergency order. CA said that minor work was completed to stabilize the revetment. Chairman Hoopes commented that we can not compel them to fix anything if it doesn't affect the river area.
  - B. Emergency notification granted to Ship Shop: No work was done and there will be an NOI coming to the Commission.
  - C. A reminder to sign up for MACC virtual conference sessions through CA.

Adjourned at 5:30