

On 4/16/2020, on a motion by Commissioner Durkin, seconded by Commissioner Huggins, the Commission voted unanimously, 4:0:2 (abstain Lawrence/Bishop), to approve these minutes as presented.

## CONSERVATION COMMISSION MEETING MINUTES

March 5, 2020

**Members Present:** Ed Hoopes (Chairman), Tom Durkin (vice Chairman), Phil Johnston, Patricia Mulhearn, and Paul Huggins.

**Member(s) Absent:** Ellie Lawrence and Rick Bishop

**Staff:** Kelly Grant – Conservation Administrator (CA)

**Start Time:** 6.30pm

YARMOUTH TOWN CLERK  
20JUN19AM11:27 REC

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### Request for Determination of Applicability:

Mary-Joe Perry, Mass Department of Transportation – Highway Division, **Route 6**, Yarmouth, vegetation cutting for road safety. Mr. David Goldstein of MassDOT presented the proposed work. Tree trimming work is about 50 feet from the wetland resource area. Mr. Tom Baron addressed the Commission as a member of the public. From his previous professional experience he suggested that this tree work should be done routinely rather than as a major project. He also suggested doing it in the fall or winter when there was less foliage. Commissioner Mulhearn made a motion to issue Negative 3 determination. The motion was seconded by Commissioner Durkin. The motion carries unanimously.

### Notice of Intent:

**SE83-2225**, Mark Haggerty, **12 Jessie's Lane**, South Yarmouth, proposed boathouse and piling replacement within the riverfront area of Bass River. Mr. Kieran Healy of BSC Group represented the applicant and presented the proposed work. Commissioner Durkin asked how the new structure would be more storm resilient. Mr. Healy responded that the pilings are in poor conditions and will be replaced. Commissioner Durkin made a motion to issue an Order of Conditions approving the project SE83-2225 at 12 Jessie's Lane with the following standard conditions: 1-8, 10-12, 17-19, 25, 26, 36, 37, and the following Special Conditions:

- There shall be no habitable space within the boathouse;
- There shall be no storage of chemicals, fuel or other hazardous materials;
- A construction protocol be submitted prior to commencement of work;
- Flood Vents are to be added

The motion was seconded by Commissioner Mulhearn. The motion carries unanimously.

**On 4/16/2020, on a motion by Commissioner Durkin, seconded by Commissioner Huggins, the Commission voted unanimously, 4:0:2 (abstain Lawrence/Bishop), to approve these minutes as presented.**

*Continued from 2/20/2020, SE83-2218, Maryellen Mara, Acres of Pines Association, Inc., 65 Lewis Bay Blvd., West Yarmouth, proposed beach nourishment and maintenance in Lewis Bay. Commissioner Durkin recused himself from the hearing. Mr. Mark Burgess of Shorefront Consulting represented the applicant and presented the proposed work. The beach was nourished about twenty years ago and the association wishes to increase to the old profile. All nourishment will be above the mean high water line and is limited to 100 cubic yards. Commissioner Huggins pointed out the negative impacts of removing the stone from the beach. Commissioners Johnston and Hoopes agreed with leaving the stones in place. The Commission agreed that raking should be limited to trash and excess seaweed, to be raked by hand. Commissioner Mulhearn made a motion to issue an Order of Conditions approving project SE83-2218 at 65 Lewis Bay Blvd. (Acres of Pines Beach) with the following standard conditions (as edited): 1-8, 11, 12, 19, 21, 25, 26, 37, and the following Special Conditions:*

- Markers should be placed at the limits of beach nourishment prior to beach nourishment taking place and the CA shall be called for pre-nourishment meeting onsite. Grain size analysis shall be provided five days out to demonstrate nourishment material is compatible. Immediately following completion of each nourishment activity, the project engineer/surveyor shall confirm in writing the volume and grading has been completed per the approved plan.
- This Order of Conditions does not permit the removal or artificial relocation of any stones and cobble with the resource area.
- Grading of the nourishment material shall not impact abutter beach access.
- Raking shall be done by hand only during the season and shall leave some wrack for foraging habitat.

The motion was seconded by Commissioner Johnston. The motion carried unanimously.

*Continued from 2/20/2020, SE 83-2221 Sheryl Locke, 36 Mayflower Terrace, South Yarmouth, proposed reconstruction and relocation of existing dock on Dinah's Pond. Commissioner Durkin returned to the meeting. Mr. Mark Burgess of Shorefront Consulting represented the applicant and presented the proposed work. Commissioner Hoopes had a problem reading the plan due to the overlapping detail and requested more detail on the invasive management and vista pruning plan. The CA commented that there is conflicting information on the coastal bank delineation in the profile and plan view. The CA recommended reducing the float size. It was originally licensed at 40 square feet. It is now being designed at 200 square feet. Given the close proximity to the neighboring dock the float could be reduced in size to lessen the impact. The Commission considered that the benefit of reducing the float size was minimal and therefore allowed the 20 square foot float. The CA asked for more details on the proposed rain gardens. Mr. Burgess stated that they are designed to intercept stormwater flow from the neighboring property. Commissioner Huggins made a motion to continue the hearing to March 19<sup>th</sup> to enable updates to be made to the plan. The motion was seconded by Commissioner Durkin. The motion carries unanimously.*