

On 8/6/2020, on a motion by Commissioner Durkin, seconded by Commissioner Mulhearn, the Commission voted unanimously, 5-0, to approve these minutes as presented.

CONSERVATION COMMISSION MEETING MINUTES

June 4, 2020

YARMOUTH TOWN CLERK
20AUG25PM2:14 REC

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

Member(s) Absent:

Staff: Kelly Grant

Start Time: 4.30pm

Kelly Grant moderated the meeting reading the following into the minutes:

The June 4, 2020, meeting of the Yarmouth Conservation Commission is about to be convened. As a precautionary measure to reduce the spread of coronavirus, all Town buildings are closed to the public; therefore, this meeting will be held by remote participation. My name is Kelly Grant, and I will be moderating participation for this meeting. I will now turn it over to the Chair of the meeting:

Chairman Commissioner Hoopes opened the meeting, taking a roll call for quorum. The following members confirmed their presence:

Ed Hoopes, Tom Durkin, Ellie Lawrence, Rick Bishop, Paul Huggins, Patricia Mulhearn, David Bernstein

*For the record, Commissioners Bishop and Huggins joined the meeting at 4:40 pm

Kelly Grant provided the following instructions for the meeting:

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020, Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Yarmouth Conservation Commission is being conducted via remote participation. No in-person attendance will be permitted, but every effort will be made to ensure that the public can adequately access and participate in the proceedings as provided for in the Order. Persons who would like to view this meeting while in progress may do so by watching via this virtual meeting or the live feed on the Town of Yarmouth YouTube Channel. You may also listen to the meeting by dialing in to the number provided on the Notice of Meeting. We will also post a recording of this meeting on the Town of Yarmouth website as soon as we are able.

Please be patient as we work to overcome any technological challenges with the virtual meeting. To reduce confusion during the meeting, all participants of the virtual meeting are muted by the moderator. As participants are called upon to speak they will be unmuted.

Applicants can use the "Raise Hand" button or press *9 on their phone to identify themselves to the chair. The meeting host will then un-mute applicants when they are called upon to speak.

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During the portion of the hearing designated for public comment, the Chair or moderator will ask who in the audience has any public comments or questions. Members of the public attending this meeting virtually will be able to make comments using the "Raise Hand" button within the virtual meeting. If you are dialed in to the phone number provided, you can press *9 on your phone to indicate that you would like to comment. Please wait for the chairman to recognize you before speaking. As an alternative to making comments via the online audio or phone, you may also submit comments to the moderator via the virtual meeting "chat" function. To do this click on the "chat" icon and type your message. When prompted, the moderator will read comments and questions into the record.

Members of the public who wish to provide comment are asked to identify themselves by first and last name and affiliation for the public record and then provide their comment.

If you wish to speak during a hearing please consider the following guidelines:

- Do not use speakerphone
- Do not use Bluetooth devices
- Mute all background noises
- Clearly state your name each and every time prior to speaking

Prior to concluding opportunities for discussion, comment, or question, the Chair will ask:

"At this time I did not hear any requests for additional comment, if you wish to speak, please indicate now and I will ask this final time if there is anyone who wishes to speak on the matter at hand."

All votes must be roll call votes. After a motion is made and there is a second, the Chair will ask the moderator to take the roll call vote. The moderator will report the roll call vote. All motions, decisions, documents, and letters will be verbally read into the record. If it appears the meeting cannot or should not proceed, then the moderator will recommend that the Chair request to continue the hearing to a later date and time and/or until public meetings can resume normally. I will now hand the meeting back to the Chair.

AGENDA ITEMS:

1. Initial Review of Proposed Revised Local Stormwater Regulations. Consultant Rebecca Balke of CEI provided a presentation on the proposed changes to the Yarmouth Stormwater bylaw as required under the Town NPDES permit. Commissioner Durkin asked why phosphorous removal is included but not nitrogen. Ms. Balke responded that the NPDES permit currently only requires phosphorous removal, however they must choose BMPs optimized to remove nitrogen if they are discharging to a nitrogen impaired water. Gives the Commission flexibility. The Commission can include a nitrogen removal requirement. Commissioner Durkin commented that nitrogen is significant issue on the Cape and any regulations should recognize that. Ms. Balke responded that septic systems are the major contributor to the nitrogen issue and that Stormwater has been found to be a very small contributor in comparison.

Commissioner Bernstein asked for clarification on the requirements for swimming pools, particularly where pools are discharged to the street, fill storm drains and overflow to a water body. He asked how we know that people have dechlorinated the pool water. Ms. Balke responded that it is a matter of trust unless the Commission wants to require a permit for such