

On 7/21/2022, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 7-0, to approve these minutes as written.

## CONSERVATION COMMISSION MEETING MINUTES

June 16, 2022

**Members Present:** Ed Hoopes (Chairman), Ellie Lawrence (Vice Chairman), Tom Durkin, David Bernstein, Paul Huggins (via Zoom)

**Absent:** Patricia Mulhearn and Rick Bishop

**Staff:** Karen Greene

**Start Time:** 5:00 pm

YARMOUTH TOWN CLERK  
22JUL27AM10:56 REC

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### Continued Notice of Intent

1. *Continued from 2/17/2022, 3/2/2022, 3/17/2022, 4/7/2022, 4/21/2022, 5/5/2022, 5/19/2022*  
Aleksandr Nemanov, [2 Buttercup Lane](#), Yarmouth, proposed raze and replace of a single family dwelling with new septic, landscaping.

Presenting: Wayne Tavares

Mr. Tavares went over the changes that were requested from the previous meeting. These changes included a description of mitigated areas and plants, the fact that the house itself is smaller in square footage and is outside the 35-foot buffer zone, and that a number of dead trees will be removed with hollies being planted in their place. DEP commented and spelled out two conditions (see letter on file). He stated that the current structure is uninhabitable, the septic system will be upgraded, and everything is being removed from the no-build zone.

Commissioner Lawrence made a motion to issue an Order of Conditions with special conditions: 1-12, 14-21, 23, 25, 26, 44-45 and the two conditions outlined by DEP. The motion was seconded by Commissioner Bernstein. The motion carried unanimously 5-0.

### Stormwater Management Permit Application

2. **SW2022-002**, Greg Bilezikian, 225 White's Path Units Two and Three, LLC, [225 White's Path](#), South Yarmouth, proposed upgrading of the interiors of Units 2 and 3, addition of new parking areas, modified loading areas, relocation of the retention/recharge basins, and upgrades to the stormwater treatment and conveyance systems.

Chairman Hoopes read into the record the letter from Scott Arnold of CHA Consulting, requesting a continuance to July 7, 2022.

Commissioner Lawrence made a motion to continue to July 7, 2022. The motion was seconded by Commissioner Durkin. The motion carried unanimously 5-0.

3. **SE83-2284**, Town of Yarmouth, [125 Seagull Beach](#), request for approval of plan revision

Presenting: Todd Turcotte, Coastal Engineering  
Amanda Lima, Town of Yarmouth Engineer

Mr. Turcotte described the changes that were identified during construction as needed on the east culvert including the addition of a Rip Rap. Chairman Hoopes asked whether the western

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culvert was done as proposed and was told it is. Commissioner Bernstein asked about water flow on the west culvert. Commissioner Durkin inquired about scouring. Mr. Turcotte noted that mitigation efforts have been implemented and will be shown on the as-built plans.

Commissioner Lawrence mentioned having noticed de-watering bags on site. Mr. Turcotte noted that these would be removed on 6/17/22. Mr. Turcotte noted that the COC would be filed after July 4, 2022.

Commissioner Durkin made a motion to approve the revised plan as submitted. The motion was seconded by Commissioner Lawrence and was carried unanimously 5-0.

#### **Violations/Enforcement Orders**

4. [45 Lavender Lane](#), Yarmouth

This was put on the agenda by mistake. To be discussed at the next hearing after more research is completed to see if a violation did occur. No vote needed.

5. [30 Higgins Crowell Road](#), Yarmouth

Presenting: Steven Caradimos, owner of Units 2-5  
Sheila Molloy-Warner representing her brother, Daniel Malloy, owner of Unit 1

Commissioner Durkin commented that he was disturbed by the amount of trees cut on the lot. He counted at least 43 stumps. Chairman Hoopes reviewed the Enforcement Order and commented that not only were trees cut within the 100-foot buffer, but also on town-owned property. (See enforcement order on file.)

Mr. Caradimos said he is hiring the BSC group and waiting for their report. Chairman Hoopes told the owners not to touch anything on the east and west side of the buildings, as well as on the north side; and stated that they could clean up the area south of the building since it was beyond the 100-foot buffer zone. Chairman Hoopes emphasized that nothing should be done before BSC group completes their work. He also said that if the owners could not meet the deadlines in the enforcement order, BSC group and the owners should request an extension in writing.

Commissioner Lawrence made a motion to approve the Enforcement Order as issued. The motion was seconded by Commissioner Bernstein. The motion carried unanimously 5-0.

#### **Other Business**

6. Committee member reappointments:

- Chairman Ed Hoopes, regular appointment
- Commissioner Rick Bishop, regular appointment
- Commissioner Paul Huggins, CPC representative

7. Approval of Meeting Minutes: June 2, 2022

Continued to July 7, 2022, meeting

Commissioner Lawrence made a motion to adjourn. The motion was seconded by Commissioner Durkin. The motion carried unanimously 5-0. Meeting adjourned at 6:10 p.m.