

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

July 7, 2022

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

Absent: Ellie Lawrence (Vice Chairman)

Staff: Karen Greene

Start Time: 5:00 pm

YARMOUTH TOWN CLERK
22JUL27 11:40 REC

Notice of Intent

1. Tyler Gaudreau, Environmental Landscape Solutions, [18 Hawes Run Road](#), Yarmouth, proposed reconstruction of retaining wall outside existing footprint; dry well installation with associated mitigation plantings in land bordering vegetated wetland and within riverfront area.

Presenting: Tyler Gaudreau, Environmental Landscape Solutions, LLC

Mr. Gaudreau reviewed the plans about rebuilding the retaining wall, adding downspouts, cutting trees and mitigation plans. Commissioner Hoopes asked for a single split rail fence to be added in front of the wall and to run from one side of the property to the other, delineating the wetland resource area boundary. There was concern about the stairs leading to the wetland; Commissioner Hoopes commented that the steps are okay but the path to town-owned land needs to be added to a revised plan, and the path is no wider than four feet. Commissioner Bishop commented that he wanted to see an updated plan before voting. There is no DEP file number as of the meeting. The plan should show the no disturb zone, and language to note mitigation.

Commissioner Bishop made a motion to continue to July 21, 2022. The motion was seconded by Commissioner Bernstein. The motion carried unanimously 6-0.

2. Paul & Anna Spuria, Trustees of Paul & Anna Spuria Family Trust, [3 Windemere Road](#), Yarmouth, proposed raze and replace of existing dwelling with new modular dwelling with decks, new septic system, driveway, landscaping, utilities and appurtenances in the buffer zone to a bordering vegetated wetland, within riverfront area and land subject to coastal storm flowage.

Presenting: Robin Wilcox, Sweetser Engineering

Mr. Wilcox commented that the site was a small site, about 5,000 sq. ft. There is a proposed alternative/innovative septic system on the plans. The proposal also includes the elimination of front wall so parking will be done on the property. The new house, a modular building, will have a foundation that is 14 feet rather than the present 12.9 feet. Commission Chair Hoopes asked about the need for the patio in the rear of the house.

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.

Commissioner Durkin made a motion to issue an Order of Conditions with special conditions: 1-8, 10-22 (14' from top), 25-27, 44, 45. The motion was seconded by Commissioner Bernstein. The motion carried unanimously 4-2.

Stormwater Management Permit Application

3. Continued from 6/16/2022, **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.

Presenting: Attorney Eliza Cox
Kelly Killen, CHA Consulting
Greg Bilezikian, Trustee

The proposal was reviewed, which includes a new concrete pad and stormwater management system. The project was peer reviewed by ESS, who noted that general compliance with the regulations is being met. Kelly Killen stated that there is improved parking, two ramps and a concrete pad; additional provisions of trailer/van storage up to 35,000 square feet; abandoned fill existing infiltration basin; the oil/water separator will remain.

Commissioner Bishop asked about roof run-off.

Kathy Williams, Yarmouth Town Planner, outlined conditions, noting a recommend change to be incorporated into the general conditions, and recommended a five-year requirement of looking at the property.

Commissioner Bishop made a motion to issue a Stormwater Management Permit with conditions as recommended by Kathy Williams. The motion was seconded by Commissioner Huggins. The motion carried unanimously 6-0.

Certificate of Compliance

Commissioner Bernstein made a motion to issue Certificates of Compliance for the following:

4. **SE83-1566**, [426 Highbank Road](#), Yarmouth
5. **SE83-2018**, [57 Lewis Bay Road](#), Yarmouth
6. **SE83-2031**, [104 Wharf Lane](#), Yarmouth

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

7. Approval of Meeting Minutes: June 16, 2022

Commissioner Durkin made a motion to approve the Minutes as edited. The motion was seconded by Commissioner Bishop. The motion carried unanimously 6-0.

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