

On 8/4/2022, on a motion by Commissioner Durkin, seconded by Commissioner Bernstein, the Commission voted unanimously, 6-0, to approve these minutes as written.

CONSERVATION COMMISSION MEETING MINUTES

July 21, 2022

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

Staff: Dawn-Marie Flett and Brittany DiRienzo

Start Time: 5:00 pm

YARMOUTH TOWN CLERK

'22AUG11PM12:21 REC

Continued Notice of Intent

1. *Continued from 7/7/2022*, **SE83-2348** Tyler Gaudreau, Environmental Landscape Solutions, LLC, 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

Continued from previous meeting. Revised plans included 1-foot tall wooden fence, and 4-foot wide path to river from stairs

Commissioner Lawrence made a motion to issue an Order of Conditions with the following conditions: 1-7, 14-19, 20-23, 26, 44,45. The motion was seconded by Commissioner Durkin. The motion carried unanimously 7-0.

Notice of Intent

2. **SE83-2348** Andrew P. Lane, NE QOZ 698 LLC, 23 Crow Street, proposed raze and replace of existing single-family dwelling, installation of new septic system, driveway, utilities, landscaping, appurtenances within land subject to coastal storm flowage.

Presenting: Robin Wilcox, Sweetser Engineering

Mr. Wilcox described the present house as having the first floor fallen into the basement. The new structure is four bedrooms, subject to coastal flooding and has a new septic designed to deal with flooding if it happens. Commissioner Lawrence asked for a better plan with trees and a change of size of the structure. Chairman Hoopes asked about the square footage of the present house versus the new structure. Mr. Wilcox said the present house is 880 square feet and the new structure is going to be 1460 square feet.

Comments by those attending the meeting:

1. Abutter, Tim Prevost, of 24 Crow Street, Yarmouth, stated that the town website has the present house at 948 square feet and the new dwelling is much larger than the size Mr. Wilcox mentioned. He was also concerned by the plan having an impervious driveway versus a pervious one. His main concerns were runoff and the issue of flooding in a flood prone area, as well as stormwater mitigation.

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2. John Huff, of 115 Ocean Street, Yarmuth, abutter on the eastern side of the property, stated that he is concerned about flooding; and that rainstorms cause flooding and the elimination of trees may cause larger problems.
3. Abutters Mike and Anna Argento, 64 Mattachee Road, Yarmouth, stated that they are also concerned about the cutting of trees, and mentioned that at the present time most people in the neighborhood have to pump water from their houses.
4. Patty Prevost mentioned the size of the new houses in the area, and brought up access for construction and demo, and the lack of space for equipment.
5. The Commission received three letters from neighbors who have the same concerns.
6. On Zoom Don and Julie Amonte echoed the other comments and concerns.

Commissioner Bishop mentioned that the relevance is elevation and flood control more than the size of the house. Commissioner Huggins commented that what needs to be done is a scientific study to look at the flooding issue. Commissioners Bernstein and Mulhearn said they would like to see better plans. Chairman Hoopes asked Mr. Wilcox if he would present better plans which includes the type of driveway, the size of existing dwelling, as well as the new dwelling. Elevations are also needed.

Commissioner Lawrence made a motion to continue to August 4, 2022. The motion was seconded by Commissioner Mulhearn. The motion carried unanimously 7-0.

3. **SE83-2343** David Palmer, Crest Valley Development, [17 Crest Circle](#), Yarmouth, proposed raze and replacement of a single-family dwelling within the buffer to a coastal bank and bordering vegetated wetland, and within riverfront area and land subject to coastal storm flowage.

Presenting: Kieran Healy, BSC Group

Mr. Healy described the highlights of the plans as moving the house closer to the street with a dirt driveway. He also mentioned that the mitigation is 2 to 1.

Commissioner Bernstein made a motion to issue an Order of Conditions with the following conditions: 1-7, 8-12, 14-19, 20-21, 23, 25-26, 44-45. The motion was seconded by Commissioner Bishop. The motion carried unanimously 7-0.

4. **SE83-2344** David Palmer, Crest Valley Development, [24 Valley Road](#), Yarmouth, proposed raze and replacement of a single-family dwelling and inground pool within coastal bank, riverfront area and land subject to coastal storm flowage.

Presenting: Kieran Healy, BSC Group

Mr. Healy stated that the new house is four bedrooms in one building, as opposed to three bedrooms in one building and one bedroom in another; the septic is being replaced and moved away from the river; the driveway will run along the side of the house to the garage; the driveway will be impervious with a trench drain and a 500-gallon drywell. He was asked to add another 500-gallon drywall, which he agreed to do. The Commission asked for a new plan to be submitted.

Commissioner Bishop made a motion to continue to August 4, 2022. The motion was seconded by Commissioner Durkin. The motion carried unanimously 7-0.