

On 8/18/2022, on a motion by Commissioner Bernstein, seconded by Commissioner Durkin, the Commission voted unanimously, 7-0, to approve these minutes as written.

## CONSERVATION COMMISSION MEETING MINUTES

August 4, 2022

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

**Absent:** Ellie Lawrence (Vice Chair)

**Staff:** Brittany DiRienzo and Karen Greene

**Start Time:** 5:00 pm

YARMOUTH TOWN CLERK  
'22AUG29PM12:41 REC

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### Continued Notice of Intent

1. *Continued from 7/21/2022* **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

Chairman Hoopes opened the discussion to speakers who did not speak at the previous meeting.

Paul Dakin, of 78 Mattachee Road, spoke about his concern of flooding caused by the new building.

Luke Olivieri, of 170 Ocean Ave, presented his concern about the possibility of 65 trees being cut down and its effect on runoff.

Revisions requested were not received due to Robin Wilcox passing away. Chairman Hoopes reminded everyone that there are no performance standards. There were no other comments from the Commission or Conservation Administrator.

Commissioner Huggins made a motion to issue an Order of Conditions with the following conditions: 1-20, 44-45. The motion was seconded by Commissioner Bishop. The motion carried 4-2.

2. *Continued from 7/21/2022* **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 Healey

Mr. Healey reviewed the changes to the plan, which includes a second trench drain.

Commissioner Mulhearn made a motion to issue an Order of Conditions with the following conditions: 1-24, 44-45. The motion was seconded by Commissioner Bernstein. The motion carried unanimously 6-0.

On 8/18/2022, on a motion by Commissioner Bernstein, seconded by Commissioner Durkin, the Commission voted unanimously, 7-0, to approve these minutes as written.

**Notice of Intent**

3. **SE83-2345** Michael & Anne-Marie Mahoney, [45 Cedar Street](#), Yarmouth, proposed addition and Title 5 septic system upgrade within land subject to coastal storm flowage.

Presenting: David Pichette

The plan is to upgrade the septic system and build a 12' x 32' addition on slab. The new septic is in the rear of the property. Added drywalls are also planned.

Commissioner Durkin made a motion to issue an Order of Conditions with the following conditions: 1-20, 44-45. The motion was seconded by Commissioner Mulhearn. The motion carried unanimously 6-0.

**Request to Amend an Order of Conditions**

4. **SE83-2203** Kenneth Rodgers, [11 North Cove Landing](#), Yarmouth, proposed driveway restoration within riverfront area and in the buffer zone to a wetland resource area.

Presenting: Josephine Rodgers and Dr. Kenneth Rodgers

Ms. Rodgers asked to defer any decisions until a new plan could be made which would show the proper property lines and easement. Mr. Robert Perry commented that there was a misunderstanding and requested a continuance until the September 15, 2022, meeting so he could meet with the interested parties and present a new plan.

Commissioner Bishop made a motion to continue to September 15, 2022. The motion was seconded by Commissioner Durkin. The motion carried unanimously 6-0.

5. **SE83-2201** Douglas & Beth Annino, [15 North Cove Landing](#), Yarmouth, proposed driveway restoration within riverfront area and in the buffer zone to a wetland resource area.

Presenting: Robert Perry, Cape Cod Engineering

Mr. Perry requested a continuance until September 15, 2022.

Commissioner Bishop made a motion to continue to September 15, 2022. The motion was seconded by Commissioner Durkin. The motion carried unanimously 6-0.

**Request for Approval of Plan Revision**

6. **SE83-2331** [12 Vermont Ave](#), Yarmouth

Presenting: Robert and Leslie Vigneau

Mr. Vigneau presented the changes to the plan, which were made after the Vigneaus met with the Zoning Board of Appeals. These changes include an increase into the 35-foot buffer zone, a small increase of vegetation, removal of a planned patio and the building of a Farmer's Porch. The planned wall will now be 19.6 feet from the wetland and the farmer's porch will be 21.4 feet from the wetland.

Chairman Hoopes commented that the previously approved Order of Conditions was being changed because of the desires of the ZBA.