

On 5/17/2018, on a motion by Commissioner Durkin, seconded by Commissioner Bishop the Commission voted 5-0, to approve these minutes as amended.

CONSERVATION COMMISSION MEETING MINUTES

April 19th, 2018

Members Present: Rick Bishop, Tom Durkin, Cris Luttazi, Philip Johnston, and Megan Schlesinger.

Member(s) Absent: Ellie Lawrence

Staff: Kelly Grant – Conservation Administrator

Start Time: 6.30pm

YARMOUTH TOWN CLERK

'18MAY21PM12:02 REC

Request for Determination of Applicability:

Captain Parkers 658 LLC, **658 Route 28**, West Yarmouth, MA, proposed construction of new handicap ramp and deck; replacement of existing septic system; installation of new drainage system; new driveway; grading; tree planting; within Land Subject to Coastal Storm Flowage. Mr. Kieran Healy of BSC Group represented the applicant and presented the proposed work. Commissioner Schlesinger confirmed size of the septic system. Commissioner Schlesinger made a motion to issue a negative 2 determination. Seconded by Commissioner Durkin. Motion carries unanimously.

Town of Yarmouth, Yarmouth, MA, proposed multi-property, multi-year invasive plant species removal program within salt marsh, BVW and the buffer zone. Conservation Administrator (CA) Kelly Grant represented the Town and presented the proposed work. Commissioner Durkin asked for clarification on funding sources. The CA responded that the funding sources are a combination of remaining CPA funding, previous grant funds and conservation funding. Commissioner Schlesinger made a motion to issue a negative 2 and 3 determination. Seconded by Commissioner Luttazi. Motion carries unanimously.

Notice of Intent:

Cont. from 12/21/2017, 1/11/2018, 1/18/2018, 2/1/2018, 2/15/2018, 3/1/2018, and 3/15/2018, 4/5, 2018
SE83-2135, Town of Dennis, **Bass River**, proposed 10-year Comprehensive Dredge and Beach Nourishment Plan for Bass River. The applicant requested a continuance to the May 3rd meeting to allow for NHESP review. Commissioner Durkin made a motion to continue to the May 3rd meeting. Seconded by Commissioner Schlesinger. Motion carries unanimously.

SE83-2153, Bornstein, Barney, **286 South Sea Ave., Lot 3A**, West Yarmouth, MA new 4-bedroom single-family dwelling within land subject to coastal storm flowage. Mr. Kieran Healy of BSC Group represented the applicant and presented the proposed work. An updated plan was provided to include a symbolic fence requested by NHESP.

Commissioner Schlesinger made a motion to issue an Order of Conditions approving the project with conditions 1-17, 37 and the NHESP conditions. Seconded by Commissioner Luttazi. Motion carries unanimously.

SE83-2155, John Randall, **40 Thacher Shore Road**, Yarmouth Port, MA, proposed repair of existing septic system; removal and replacement of wooden wall with stone within the buffer zone to a salt marsh. Mr. Kieran Healy of BSC Group represented the applicant and presented the proposed work. The septic system hasn't failed, but the owner chooses to upgrade it to improve the current conditions. Commissioner

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Schlesinger asked about access to the site. Access will be partially through the wetland area as this is the only option. Commissioner Durkin, asked about the impermeable barrier. Mr. Healy responded that it is to stop lateral movement of leached water to the adjacent property. Commissioner Luttazi, expressed concern with the access to the work area. Commissioner Bishop asked if access was possible through the abutting property. Mr. Healey responded that it is not likely an option. Commissioner Luttazi asked for clarification on the pump chamber.

Commissioner Luttazi made a motion to issue an Order of Conditions approving the project with conditions: 1-12, 16, 17, 26-28, 30,31, 36, 37, matting across the wetland for access during construction, post and rail or cable fence along wetland line, removal of wrack by hand in the wetland resource area, no further mowing beyond the fence, separate permitting is required for the control of invasive vegetation. Seconded by Commissioner Schlesinger. Motion carries unanimously.

Richard A. & Joan Publicover White, **194 Berry Ave.**, West Yarmouth, MA, proposed repair and reconstruction of concrete wall, concrete patio, and rock revetment. Ms. Catherine Ricks of Coastal Engineering represented the applicant and presented the proposed work. Commissioner Durkin asked about the proposed slope and confirmed there would be no encroachment seaward. Commissioner Luttazi asked if woody vegetation would be replaced with grasses. Ms. Ricks confirmed that existing vegetation would remain and additional woody vegetation would be added. The CA suggested that the slope of the revetment should be no greater than 1.5:1 and should not encroach further seaward. DMF comments were read.

Commissioner Durkin made a motion to issue an Order of Conditions approving the project with conditions 1-12, 17, 19, 20, 25, 28, 36 and DMF conditions, and at least at 1.5:1 slope is required – grouting chinking is prohibited (ongoing condition). Seconded by Commissioner Schlesinger. Motion carries unanimously.

Welch, Robert, **8 Jannor Way**, West Yarmouth, MA, proposed construction of a new 5-bedroom dwelling, driveway, utilities, Title 5 septic, and appurtenances. The applicant requested a continuance to the May 3rd meeting to allow for NHESP review. Commissioner Durkin made a motion to continue to the May 3rd meeting. Seconded by Commissioner Luttazi . Motion carries unanimously.

Request for Certificate of Compliance:

Cont. from 12/7/2017, 12/21/2017, and 1/18/2018, 2/1/2018 **SE83-942**, 11 Elizabeth Lane, West Yarmouth. The applicant requested a continuance to the May 3rd meeting to allow time for planting. Commissioner Schlesinger made a motion to continue to the May 3rd meeting. Seconded by Commissioner Durkin. Motion carries unanimously.

SE83-1277, 40 Thacher Shore Road, Yarmouth Port. Mr. Kieran Healy of BSC Group represented the applicant and presented the request. Commissioner Schlesinger made a motion to issue a Certificate of Compliance with ongoing conditions. Seconded by Commissioner Luttazi. Motion carries unanimously.

SE83-2145, 971 Great Island Road, West Yarmouth. Commissioner Schlesinger made a motion to issue a Certificate of Compliance. Seconded by Commissioner Durkin. Motion carries unanimously.

SE83-1615, North Dennis Road and Knob Hill, South Yarmouth Commissioner Schlesinger made a motion to issue a Certificate of Compliance. Seconded by Commissioner Durkin. Motion carries unanimously.

SE83-1799, Great Western Road, South Yarmouth Commissioner Schlesinger made a motion to issue a Certificate of Compliance. Seconded by Commissioner Durkin. Motion carries unanimously.

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SE83-1819, Shore Road, West Yarmouth Commissioner Schlesinger made a motion to issue a Certificate of Compliance. Seconded by Commissioner Durkin. Motion carries unanimously.

SE83-1821, Highbank Road, South Yarmouth Commissioner Schlesinger made a motion to issue a Certificate of Compliance. Seconded by Commissioner Durkin. Motion carries unanimously.

Meeting Minutes:

4/5/2018 – the minutes were not ready for review.

Staff Updates:

The Chairman asked for an update of the Bass Hole Beach project. The CA provided an update on the timing of the presentation to the Board of Selectman (BOS). Commissioner Bishop expressed concern with the expense to the Town of such a project.

Commissioner Luttazi asked for an update of the Drive-In site project. The CA provided an update on the proposed presentation to the BOS.

Commissioner Luttazi made a motion to adjourn at 7.50pm. Seconded by Commissioner Johnston. Motion carries unanimously.

