

On 4 /1/2021, on a motion by Commissioner Lawrence, seconded by Commissioner Mulhearn, the Commission voted unanimously, 6-0 to approve these minutes as written.

CONSERVATION COMMISSION MEETING MINUTES

March 18, 2021

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

Member(s) Absent: Rick Bishop

Staff: Kelly Grant

YARMOUTH TOWN CLERK

'21APR15AM10:05 REC

Start Time: 5:00pm

Kelly Grant moderated the meeting reading the following into the minutes:

The March 18, 2021 meeting of the Yarmouth Conservation Commission is about to be convened. As a precautionary measure to reduce the spread of coronavirus, all Town buildings are closed to the public; therefore, this meeting will be held by remote participation. My name is Kelly Grant, and I will be moderating participation for this meeting. I will now turn it over to the Chair of the meeting:

Chairman Ed Hoopes opened the meeting, taking a roll call for quorum. The following members confirmed their presence:

Ed Hoopes, Tom Durkin, Ellie Lawrence, Paul Huggins, Patricia Mulhearn, and David Bernstein.

Rick Bishop was absent.

Kelly Grant provided the following instructions for the meeting:

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 23, 2020, Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Yarmouth Conservation Commission is being conducted via remote participation. No in-person attendance will be permitted, but every effort will be made to ensure that the public can adequately access and participate in the proceedings as provided for in the Order. Persons who would like to view this meeting while in progress may do so by watching via this virtual meeting or the live feed on the Town of Yarmouth YouTube Channel. You may also listen to the meeting by dialing in to the number provided on the Notice of Meeting. We will also post a recording of this meeting on the Town of Yarmouth website as soon as we are able.

Please be patient as we work to overcome any technological challenges with the virtual meeting. To reduce confusion during the meeting, all participants of the virtual meeting are muted by the moderator. As participants are called upon to speak, they will be unmuted.

Applicants can use the "Raise Hand" button or press *9 on their phone to identify themselves to the chair. The meeting host will then un-mute applicants when they are called upon to speak. During the portion of the hearing designated for public comment, the Chair or moderator will ask

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who in the audience has any public comments or questions. Members of the public attending this meeting virtually will be able to make comments using the "Raise Hand" button within the virtual meeting.

If you are dialed in to the phone number provided, you can press *9 on your phone to indicate that you would like to comment. Please wait for the Chairman to recognize you before speaking. Members of the public who wish to provide comment are asked to identify themselves by first and last name and affiliation for the public record and then provide their comment. Prior to concluding opportunities for discussion, comment, or question, the Chair will ask a final time if anyone wishes to speak on the matter.

All votes must be roll call votes. After a motion is made and there is a second, the Chair will ask the moderator to take the roll call vote. The moderator will report the roll call vote.

All motions, decisions, documents, and letters will be verbally read into the record. If it appears the meeting cannot or should not proceed, then the moderator will recommend that the Chair request to continue the hearing to a later date and time and/or until public meetings can resume normally. I will now hand the meeting back to the Chair.

AGENDA ITEMS:

Request for Determination of Applicability:

1. Joseph Amorello, [56 Pleasant Street](#), Yarmouth, MA, proposed removal and replacement of existing floats within land containing shellfish

The Conservation Administrator described the proposed work, which is to replace non-compliant floats with compliant floats.

Commissioner Lawrence made a motion to issue a negative 2 determination. The motion was seconded by Commissioner Durkin.

Roll Call: Hoopes, Durkin, Huggins, Mulhearn, Bernstein, and Lawrence.
The motion carried unanimously 6-0

Notice of Intent

2. **SE83-2275**, Kevin & Carol Donahue. [45 Mooring Lane](#), Yarmouth, MA, proposed dwelling addition and associated site modifications within riverfront area and the buffer zone to a coastal bank

Presenting: David Michniewicz, Coastal Engineering

The CA commented that it had not been demonstrated how the project meets the performance standards for redevelopment in the riverfront area. The applicant needed to calculate the current and proposed area of disturbance. Total disturbance is not to exceed 10% of the riverfront area. An updated plan is required to include this information. The proposed path should be gravel. A COC request is required to close out an old permit.

Commissioner Lawrence made a motion to issue an Order of Conditions conditional on confirmation that the projects meet the Riverfront Area performance standards. The motion was seconded by Commissioner Bernstein.