

On 6/17/2021, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 6-0, to approve these minutes as written.

CONSERVATION COMMISSION MEETING MINUTES

June 3, 2021

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

Member(s) Absent:

Staff: Kelly Grant

YARMOUTH TOWN CLERK

Start Time: 5:00pm

'21JUL6AM10:59 REC

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

The June 3, 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 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, Rick Bishop and David Bernstein.

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.

Please be patient as we work to overcome any technological challenges. To reduce confusion, all participants 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 who in the audience has any public comments or questions.

On 6/17/2021, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 6-0, to approve these minutes as written.

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 and 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:

1. Public Comment on Revised Town of Yarmouth Stormwater Bylaw

No comments were received

Continued Notice of Intent

- 2. SE83-2284** Town of Yarmouth, 125 Seagull Beach Road, West Yarmouth, MA, proposed ecological restoration and culvert reconstruction within the buffer zone to wetland resource areas and land subject to coastal storm flowage

Presenting: Roger Michniewicz, Coastal Engineering

Work is to be completed in fall timeframe; Commissioner Lawrence asked for an alternate to chain link, such as a split rail.

Commissioner Bishop made a motion to issue a Restoration Order of Conditions approving the project with conditions. The motion was seconded by Commissioner Lawrence.

Roll Call: Hoopes, Durkin, Huggins, Mulhearn, Bernstein, Bishop and Lawrence.
The motion carried unanimously 7-0.

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3. **SE83-2282** Anthony Feola, [1 Malfa Road](#), West Yarmouth, MA, proposed construction of a retaining wall, with fill and plantings within the buffer zone to a coastal beach and coastal bank, and within land subject to coastal storm flowage

Dan Ojala requested an extension to allow more time to complete the revised plan.

Commissioner Bernstein made a motion to continue to the June 17 meeting. The motion was seconded by Commissioner Lawrence.

Roll Call: Hoopes, Durkin, Huggins, Mulhearn, Bernstein, Bishop and Lawrence.
The motion carried unanimously 7-0.

4. **SE83-2287** Kristen Cerosimo Kosofsky, [39 Crosby Street Extension](#), South Yarmouth, MA, proposed addition and renovations to an existing single family dwelling within riverfront area

The application was found to satisfy riverfront area regulations requirements.

Commissioner Lawrence made a motion to issue an Order of Conditions approving the project. The motion was seconded by Commissioner Huggins.

Roll Call: Hoopes, Durkin, Huggins, Mulhearn, Bernstein, Bishop and Lawrence.
The motion carried unanimously 7-0.

5. **SE83-2285** Thiago Paraguay, [15 Wadsworth Lane](#), Yarmouth, MA, proposed construction of a single family dwelling with utilities, driveway, septic system and appurtenances in the buffer zone to a bordering vegetated wetland and within riverfront area

Request to continue to provide revised plan and supporting material.

Commissioner Durkin made a motion to continue to June 17 meeting. The motion was seconded by Commissioner Mulhearn.

Roll Call: Hoopes, Durkin, Huggins, Mulhearn, Bernstein, Bishop and Lawrence.
The motion carried unanimously 7-0.

Notice of Intent:

6. **SE83-2286** Julianne Nevins, [35 Merchant Avenue](#), Yarmouth, MA, proposed replacement of existing wood walls with stone walls and addition of native plantings, and replacement of existing patios and steps within a riverfront area, coastal bank and land subject to coastal storm flowage

Presenting: Phil Cheney, Cheney Landscaping Designer

Commissioner Bishop asked for trees to be shown on the plan.