

**Conservation Commission Meeting Minutes  
September 3, 2015**

**Members Present:** Ed Hoopes, Chairman, Tom Durkin, Phil Johnston,  
Rick Bishop, Audrey Russano

**Members Absent:** Joan Carr

**Staff:** Kerry Muldoon, Conservation Administrator

**Start Time:** 7:00 p.m.

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**Request for Determination of Applicability:**

1. **National Grid, 29 Wadsworth Lane, Yarmouth Port, MA Propose gas main extension within a buffer zone to Miss Thacher Pond.**

Mr. Michael Bowes of Coastal Engineering was present at the meeting on behalf of the applicant National Grid. Mr. Bowes explained the wetland resource areas and the proposed project. The project is proposed to take place in one day. There were no further comments from the Commission or audience. Commissioner Johnston made a motion to approve the project and issue a negative 2. Seconded by Commissioner Durkin. All in favor. Motion carries.

Approved document: Request for Determination of Applicability, Determination of Applicability, Plan tilted Sketch Plan Showing Proposed Gas Main Extension & Service Connections Wadsworth Lane to #29 dated 8/18/2015

**Notice of Intent:**

1. ***Continued from 8/20/2015, SE83- 2032, Robert and Ann F. Childs, 154 South Street, South Yarmouth, MA, Propose seawall toe protection in Bass River.***

Mr. Bob Perry of Cape Cod Engineering was present at the meeting with the applicant, Mr. Robert Childs. Mr. Perry explained the wetland resource areas and the proposed project. The plan has been revised to reduce the encroachment into the coastal beach, as previously discussed at the 8/20/2015 meeting. Mr. Perry stated the rip rap is on the coastal beach and submitted a picture of the site showing the existing rip rap. The encroachment has been reduced. If the wall is to be replaced in total, the wall can be replaced to the old wall location. Mr. Perry discussed the planting plan as proposed on the revised plan. There were no comments from the audience. The Agent suggested the following conditions 1. Access can be via barge and land access through the yard, 2. Any future work that proposes to replace the wall must replace it in its former wall location, not the proposed toe wall protection location. This is on on-going condition that does not expire with the Certificate of Compliance, 3. Bearberry should be planted 12 inches apart and the American Beachgrass can have 2 or 3 culms per hole. There were no further comments from the Commission or audience. Commissioner Durkin made a motion to issue an Order of Conditions and approve the plan with the following conditions 1-7,9,16,17,19,25,26,35,36, with

conditions as stated by the Agent. Seconded by Commissioner Russano. All in favor. Motion carries.

*Approved Documents:* Notice of Intent, Order of Conditions, Plan titled Site Plan Showing Proposed Sheathing Application and General Repairs to an Existing Concrete Seawall at 154 South Street South Yarmouth, MA, prepared by Cape Cod Engineering, Signed and Stamped by Robert Perry, revise date 8/13/2015

2. ***Continued from 8/20/201, SE83- 2033, Stratton and Trent Lloyd, 228 Pleasant Street, South Yarmouth, MA 02664, Propose to construct a pile supported pier, ramp and float with dredging in Bass River.***

We received an email dated 9/3/2015 from Mr. Bob Perry of Cape Cod Engineering, requesting that the public hearing scheduled for 9/3/15 be continued until 10/1/15. There were no further comments from the Commission or audience. A motion was made by Commissioner Russano to continue the hearing to 10/1/2015. Seconded by Commissioner Bishop. All in favor. Motion carries.

3. **SE83-2034, Mary Bronski, 751 Willow Street, South Yarmouth, MA Propose to raze garage, construct breezeway and garage, lift existing house, construct new foundation and raise grade within Land Subject to Coastal Storm Flowage.**

Michael Aucoin of Oceanside Septic was present at the meeting along with Mr. Ed Stafford, builder of the project, on behalf of the applicants. Mr. Aucoin explained the wetland resource areas and the proposed project as stated in the Notice of Intent application. The project also proposes drainage and a retaining wall. The project will also be before Zoning Board of Appeals. Commissioner Durkin asked if the large tree to the rear of the property will be saved. The representative stated the tree will remain. The retaining wall will not be on the property line. If the project changes with the Board of Appeals then the applicant is required to come before the Commission with a revised plan. Mr. James Scott Martins, the abutter to the south, stated he has very big concern with the retaining wall compromising the existing trees on his property and water from 751 Willow Street going onto his property. Mr. Aucoin stated the retaining wall is proposed so water will not run onto abutting property. The work will be hand dug. Chairman Hoopes stated the Commission can condition the project so that runoff will not go onto abutting properties or roadways. The Commission stated the project meets the performance standards of this Commission and explained the Board of Appeals would be a correct Board for him to express his concerns. There were no further comments from the audience. The Agent stated the file number is SE83-2034. Commissioner Durkin made a motion to issue an Order of Conditions and approve the plan with the following conditions 1-7,12,14,15,16,17,18,19,28,29 and 30. Seconded by Commissioner Johnston. All in favor. Motion carries.

*Approved Documents:* Notice of Intent, Order of Conditions, Plan titled Proposed Site Plan 751 Willow St., South Yarmouth, MA, prepared by Oceanside Spetic, signed by Linda Pinto, dated 8/20/2015

4. ***Request for Continuance to 9/17/15, SE83-2027, Robert L. Greene, 15 Ship Shop Way, South Yarmouth, MA (Map 51 Lot 80), construct a bulkhead on a coastal bank on Bass River.***

We received an email dated 8/31/2015 from Mr. Bob Perry of Cape Cod Engineering. He is requesting that the public hearing scheduled for 9/3/15 be continued until 9/17/15. The applicant is exploring an alternate method. There were no further comments from the Commission or audience. A motion was made by Commissioner Russano. Seconded by Commissioner Johnston. All in favor. Motion carries.

**Certificate of Compliance:**

1. ***Continued from 8/6/2015, SE83-1953, Matthew Grew, 319 Weir Road, Yarmouth Port, MA***

The Commission has not heard back from the applicant and discussed a deadline for submitting an as-built. The Commission asked for a letter to be sent to the applicant stating the Commission requested the as-built be submitted for review no later than September 28, 2015. The Commission will review the as-built on the October 1, 2015 meeting. If the Commission does not receive the requested paperwork, the Commission can deny the Request and you will need to refile the paperwork and submit another filing fee. There were no further comments from the Commission or audience.

**Request Plan Change:** 310 South Shore Drive, Yarmouth, MA

Mr. Howard Stafford and Mary Jo Stafford, property owners were present at the meeting with a revised plan. Mr. Stafford stated a previously approved deck that was 14 feet out towards the north and wraps around the east side of the house. He would like to propose a smaller deck 12 feet out and four 4 out to the east side. The ramp was proposed at 4 feet and now is proposed to 6 feet. The Chairman stated the Commission needs to review an as-built of the property with any changes added to the plan. The Commission and Mr. Stafford discussed the site. The Agent submitted her comments on the project. Mr. Stafford requested to be continued to the next meeting to revise the plan. There were no further comments from the Commission or audience. A motion was made by Commissioner Durkin to continue the hearing to 9/17/2015. Seconded by Commissioner Bishop. All in favor. Motion carries.

**Violation Update:** 34 Charles Street, South Yarmouth, MA

The Commission reviewed pictures of the site as of September 2, 2015. The Commission stated the applicant needs to stop cutting the resource area via a demarcation line. The Commission reviewed an email from the property owner dated 8/2/2015 which asked for a continuance to 9/17/2015. There were no further comments.

**Discussion:**

Template Conditions: As discussed at the last meeting, the Commission reviewed the changes made to the special conditions. The Commission agreed with the proposed changes and stated the new conditions will be used at the next meeting.

Grants Awarded – We received the requested funding for three grants through the Barnstable County Land Management Grant Program. These projects focus on invasive species removal which directly correlates with the goals of the LCP, Open Space and Recreation Plan and the Town's land management plan.

**Staff Updates**

The next Conservation Commission meeting will be on Thursday September 17, 2015

The Commission will hold an informal "meet and greet" with a potential candidate for the vacant Commission seat on the October 1, 2015 Conservation Commission meeting.

There were no further comments.

A motion was made by Commissioner Russano to adjourn the meeting. Seconded by Commissioner Durkin. All in favor. Motion carries. Meeting adjourned at 9:20 pm.