

On 4/7/2022, on a motion by Commissioner Durkin, seconded by Commissioner Bernstein, the Commission voted unanimously, 6-0, to approve these minutes as written.

CONSERVATION COMMISSION MEETING MINUTES

March 3, 2022

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

Staff: Kelly Grant

YARMOUTH TOWN CLERK

Start Time: 5:00 pm

'22APR25PM8:35 REC

Commissioner Durkin was not present at the start of the Meeting.

Executive Session

1. The Commission entered an executive session to discuss litigation related to **18 Roads End**, Yarmouth. The Commission reconvened in open session at the end of the executive session.

Commissioner Durkin arrived. The Commission returned to regular session at 5:38 p.m.

Request for Determination of Applicability

2. Robert Wilkins, **57 Wharf Lane**, Yarmouth, proposed installation of an LP gas tank and stand-by generator within the buffer zone to bordering vegetated wetland and within land subject to coastal storm flowage

Presenting: Bob Perry, Cape Cod Engineering

LP tank was moved outside of flood zone.

Commissioner Bishop made a motion to issue a Negative 2 and Negative 3 Determination. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 7-0.

Continued Notice of Intent

3. *Continued from 1/20/2022, 2/3/2022* **SE83-2314** John Patrick Python and Julia Loughman, **31 Grist Mill Lane**, Yarmouth, proposed raze and replace of a single family dwelling, with elevated foundation, new driveway and alterations to existing septic system within riverfront area, buffer zone to salt marsh, and land subject to coastal storm flowage.

The Commission received a request to continue.

Commissioner Bernstein made a motion to continue to March 17, 2022. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 7-0.

4. *Continued from 2/17/2022* Aleksandr Nemanov, **2 Buttercup Lane**, Yarmouth, proposed raze and replace of a single family dwelling with new septic, landscaping and mitigation within the buffer zone a coastal bank, and salt marsh.

The Commission received a request to continue.

On 4/7/2022, on a motion by Commissioner Durkin, seconded by Commissioner Bernstein, the Commission voted unanimously, 6-0, to approve these minutes as written.

Commissioner Bernstein made a motion to continue to March 17, 2022. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 7-0.

5. *Continued from 1/20/2022, 2/3/2022, 2/17/2022* **SE83-2319** Patricia Drenzek, [11 Swordfish Drive](#), Yarmouth, proposed reconstruction of existing bulkhead within land under the ocean, coastal bank, land containing shellfish and land subject to coastal storm flowage

Presenting: Mark Burgess, Shorefront Consulting

Revised plans were received.

Commissioner Mulhearn made a motion to issue an Order of Conditions with special conditions. The motion was seconded by Commissioner Bernstein. The motion carried unanimously 7-0.

6. *Continued from 1/20/2022, 2/3/2022* **SE83-2315** Thomas and Lisa Dwyer, [160 Mayflower Terrace](#), Yarmouth, proposed reconstruction of existing pier, ramp and floats within salt marsh, land under salt ponds, land containing shellfish and land subject to coastal storm flowage.

Presenting: Mark Burgess, Shorefront Consulting

Revised plans were received.

Commissioner Bishop made a motion to issue an Order of Conditions with special conditions. The motion was seconded by Commissioner Durkin. The motion carried unanimously 7-0.

7. *Continued from 2/17/2022* **SE83-2323** Alberto & Becky Ann Maitino, [84 Homers Dock](#), Yarmouth, proposed construction of a pool, patio and septic upgrade within the buffer zone to an isolated wetland

Presenting: Dan Ojala, Down Cape Engineering

Revised plan was received.

Commissioner Bernstein made a motion to issue an Order of Conditions with special conditions. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 7-0.

Notice of Intent

8. Bass River Property LLC, [222 Pleasant Street](#), Yarmouth, proposed reconstruction of an existing pile supported pier, ramp and float within land under the ocean, coastal beaches, salt marshes, land containing shellfish and land subject to coastal storm flowage

Presenting: Bob Perry, Cape Cod Engineering

Commissioner Bernstein suggested consideration of monopole design. Bob Perry responded that monopole was not feasible for this location. Commissioner Lawrence stated that a wider platform is not compliant with the regulations. Bob Perry responded that the applicant is not willing to reduce the size. He commented that the applicant should be allowed to keep the current design and that the wording of the regulations is unclear with regard to unpermitted structures.