

CONSERVATION COMMISSION MEETING MINUTES

May 18, 2023

Members Present: Ed Hoopes (Chairman), Thomas Durkin, David Bernstein, Rick Bishop, Paul Huggins, Patricia Mulhearn

Absent: Ellie Lawrence (Vice Chairman)

Staff: Brittany DiRienzo

Start Time: 5:00 pm

Request for Determination of Applicability:

1. Daniel Ojala, Down Cape Engineering, for Robert Corcoran, [9 Sioux Road](#), West Yarmouth, Proposed addition in land subject to coastal storm flowage
Presenting: Dan Ojala
Discussion: Simple small addition on a home in a flood zone.
Commissioner Bishop made a motion to issue the RDA with a negative 2 determination.
The motion was seconded by Commissioner Durkin and the motion carried 6-0.

Continued Notice of Intent

2. **SE83-2391** Mark Burgess, Shorefront Consulting, for Aunt Edith's Road Association, Inc. [0 Aunt Edith's Road](#) Proposed reconstruction of a pier and float system in the riverfront area, land under the ocean, coastal beach, salt marsh, land containing shellfish, and land subject to coastal storm flowage

Presenting: Mark Burgess and Steve Hathaway

Discussion: Shared use facility by 7 families.

Mr. Burgess told the commission that they are sticking with previously approved floats and therefore there is no expansion. However, he pointed out there are three changes that will stay:

- A. Dock is raised over the marsh to 6 feet.
- B. Pile spacing is increased resulting in a reduction of piles.
- C. \$500 will be donated to the Rainforest Alliance.

Commissioner Bishop made a motion to issue the order of conditions with special conditions
The motion was seconded by Commissioner Bernstein, and the motion carried 6-0.

3. **SE83-2387** Mark Burgess, Shorefront Consulting, for Richard and Ellen Mello [140 Blue Rock Road](#) Proposed bulkhead, garage, and tree removal in land subject to coastal storm flowage, riverfront area and the buffer zones to a coastal dune and coastal bank.

Presenting: Mark Burgess and Richard Mello

Discussion: Mr. Burgess mentioned the following:

- A. There was an onsite meeting with Mr. Mello, an arborist, CA, and 2 Commissioners
- B. Still developing a planting plan showing a combination of trees and shrubs and including invasive plant management to mitigate tree removal, so there will need to be a continuance.

On 6/1/2023, on a motion by Commissioner Bernstein, seconded by Commissioner Lawrence, the Commission voted 7-0, to approve these minutes as written.

- C. Is proposing a compromise from Greg Berman's comments to make the wall 3 feet height with just one row of fiber rolls.

Commissioner Bishop commented that he would support the extra foot of height with fiber rolls. CA and Chairman Hoopes agreed that Mr. Berman's proposal of a two-foot bulkhead with fiber rolls is their preference. Mr. Burgess recommended that he move the wall 1 foot seaward to relieve slope angle.

Commissioner Bishop made a motion to continue to June 15 for the planting/mitigation plans and an updated plan showing the agreed height change of the bulkhead. The motion was seconded by Commissioner Mulhearn, and the motion carried 6-0.

4. **SE83-2390** Robert Perry, Cape Cod Engineering Inc., for David and Daphne Geanacopoulos [24 Frothingham Way](#) Proposed pier, ramp, and float system in riverfront area, land under the ocean, coastal beach, salt marsh, land containing shellfish, and land subject to coastal storm flowage.

Discussion: Chairman Hoopes read a request to **withdraw without prejudice by the applicant**

5. **SE83-2378** Bob Falzarano, Fraser Construction Company, Inc., for Jeffrey Gabriels [18 Roads End](#) Proposed removal and replacement of 21' x 10' deck with 21' x 12' deck in the buffer zone to a bordering vegetated wetland and freshwater pond

Presenting: Bob Falzarano

Discussion: The Commission would like to see diversity of plantings in mitigation area instead of all lowbush blueberries. Inkberry and sweet fern were mentioned. Mr Falzarano will present the new plan to CA.

Commissioner Bernstein made a motion to issue an order of conditions with special conditions pending receipt of a revised plan and CA's approval. The motion was seconded by Commissioner Huggins, and the motion carried 6-0.

Continued Request for Extension

6. **SE83-2230** [28 South Shore Drive](#), Red Jacket Beach Resort, nourishment and raking
7. **SE83-2233** [291 South Shore Drive](#), Blue Water Resort, nourishment and raking
8. **SE83-2231** [327 South Shore Drive](#), Riviera Resort, nourishment and raking

Discussion: All three requests were voted on together. These permits will be extended to May 22, 2025 which is when the NHESP expires.

Commissioner Bishop made a motion to issue the extension permit to May 22, 2025. The motion was seconded by Commissioner Durkin, and the motion carried 6-0.

Notice of Intent

9. **SE83-2392** Paul Mancuso, BSC Group, for Carl Valeri [138 Crowell Road](#) proposed dredging and beach nourishment, in land under the ocean, coastal beach, land containing shellfish, and land subject to coastal storm flowage

Presenting: Kieran Healey

Discussion: The beach association wants to move the channel of the creek to a previous location in a straighter channel and perform beach nourishment. The proposal is to dredge the creek and use that sand for beach nourishment initially and continue to nourish the beach from upland sources when the creek does not require dredging.