

On 7/6/2023, on a motion by Commissioner Bernstein, seconded by Commissioner Lawrence, the Commission voted 5-0, to approve these minutes as written.

YARMOUTH TOWN CLERK

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## CONSERVATION COMMISSION MEETING MINUTES

June 15, 2023

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

**Absent:** Patricia Mulhearn

**Staff:** Brittany DiRienzo

**Start Time:** 5:00 pm

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Before the business of the meeting began, Chairman Hoopes announced that Dr. Thomas Durkin was stepping down after 15 years of service on the Conservation Commission. Commissioner Durkin has offered outstanding leadership and knowledge to the Commission over the years and will be missed. A standing ovation of respect and appreciation followed Chairman Hoopes' comments.

### **Request for Determination of Applicability**

1. Amanda Lima, Town of Yarmouth, [400 Center Street](#) proposed gravel turnaround area in the buffer zone to a bordering vegetated wetland.

Presenting: Amanda Lima

Discussion: The turnaround is for those who must turn around their cars and/or boat trailers when they decide not to pay the fee. By adding a turnaround, people will be able to leave in a safe manner. People will now have a 400 sq ft graveled area to accomplish this. The proposal also included plans to replace the nine parking spots lost due to the change. No trees will be lost, and all work will be outside the 50-foot buffer.

Commissioner Lawrence made a motion to issue a negative 3 determination.

The motion was seconded by Commissioner Bernstein

The motion carried 6-0

2. Richard Grady, Grady Consulting LLC, for Thomas Fitzpatrick [12 Burch Road](#) Proposed patio and plunge pool with associated equipment and fencing in land subject to coastal storm flowage

Presenting: Thomas Fitzgerald and Ben Lamora

Discussion: The Commission asked to describe the fence which will be a combination of vinyl fence and stockade fence, floodwaters will be able to pass through where it was able to prior to work. It will be a saltwater pool.

Commissioner Bishop made a motion to issue a negative 2 determination

The motion was seconded by Commissioner Durkin

The motion carried 6-0

### **Continued Notice of Intent**

3. **SE83-2395** John Bologna, Coastal Engineering Co. Inc., for RJ Resorts Beach Resort Owner LLC, [28 South Shore Drive](#) proposed demolition of existing pool and walkways, renovation and additions to existing hardscape and buildings, and stormwater

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management facilities in the riverfront area, coastal dune, coastal bank, and land subject to coastal storm flowage

Presenting: John Bologna

Discussion: NHESP comments were received before the meeting. They added 4 conditions which were acceptable to everyone.

Commissioner Bernstein made a motion to issue the order of conditions with special conditions.

The motion was seconded by Commissioner Lawrence

The motion carried 6-0

4. **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: This latest plan lowered the bulkhead to the agreed height and added a row of fiber rolls with typical anchoring above. The owner asked to put down a 2 ft wide gravel buffer strip at the top of the bank and the mitigation plan was revised with a planting schedule.

The purpose of the gravel strip was discussed. Plantings would perform the same purpose, and more hardscape on the bank is not beneficial. The gravel will be omitted from approval in the special conditions. CA will approve plantings for restoration of the access road that are not specified on the plan.

Commissioner Lawrence made a motion to issue the order of conditions with special conditions and CA approval of plantings. The gravel strip is not approved and will be noted in the special conditions.

The motion was seconded by Commissioner Bernstein

The motion carried 5-1

5. **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

Commissioner Bernstein made a motion to continue to July 6 as requested by the petitioner.

The motion was seconded by Commissioner Bishop

The motion carried 6-0

6. **SE83-2394** Jean Duff-Still, Cape and Islands Engineering, for William Mackey and Lucinda Abrecht [4 Malfa Road](#) proposed beach and dune stabilization in a coastal beach, coastal dune, and land subject to coastal storm flowage

Presenting: Seth Wilkinson and Jeremy Schaub, Wilkinson Ecological Design

Discussion: This is a dune stabilization and enhancement project in an effort to protect the resource area from a fast rate of erosion, at a rate of 4 ft a year for 5 years. The plan is to re-establish the high marsh area using a reinforced strategy of cobbles beneath, stabilize the dune with fiber rolls on the coastal beach, and build dune volume back up by adding sediment, nourishing annually, and planting beach grass.

The Commission thanked Mr. Wilkinson for his thorough and clear presentation which addressed the performance standards and DEP comments in detail.