

On 10/1/2020, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 6-0, to approve these minutes as presented.

## CONSERVATION COMMISSION MEETING MINUTES

August 20, 2020

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

**Member(s) Absent:**

Staff: Kelly Grant

YARMOUTH TOWN CLERK

Start Time: 4.30pm

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

The August 20, 2020, 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 Commissioner Hoopes opened the meeting, taking a roll call for quorum. The following members confirmed their presence:

Ed Hoopes, Tom Durkin (indicated by visual hand signal), Ellie Lawrence, Rick Bishop, Paul Huggins, Patricia Mulhearn, David Bernstein (indicated by visual hand signal)

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, G.L. c. 30A, §18, 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. We will also post a recording of this meeting on the Town of Yarmouth website as soon as we are able.

Please be patient as we work to overcome any technological challenges with the virtual meeting. To reduce confusion during the meeting, all participants of the virtual meeting 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

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who in the audience has any public comments or questions. 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. As an alternative to making comments via the online audio or phone, you may also submit comments to the moderator via the virtual meeting "chat" function. To do this click on the "chat" icon and type your message. When prompted, the moderator will read comments and questions into the record.

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.

If you wish to speak during a hearing please consider the following guidelines:

- Do not use speakerphone
- Do not use Bluetooth devices
- Mute all background noises
- Clearly state your name each and every time prior to speaking

Prior to concluding opportunities for discussion, comment, or question, the Chair will ask:

"At this time I did not hear any requests for additional comment, if you wish to speak, please indicate now and I will ask this final time if there is anyone who wishes to speak on the matter at hand."

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 the roll call vote. The moderator will 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:**

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

**1. Olaf Weidhaas, 79 Webster Road, Yarmouth, MA, proposed construction of a shed, retaining wall and associated mitigation within riverfront area and the buffer zone to salt marsh, and land under waterbody.**

Owner representing.

He purchased the property and applied for a building permit for a shed not knowing that it was considered wetlands and needed to go through Con Comm. Removal of phragmites was done exposing a rotting retaining wall which the owner replaced with the same size wall.

Mr Weidhaas submitted a plan that would mitigate the construction of the shed in the resource area.

Commissioner Lawrence commented that the commission should get together with the building dept on granting permits within the wetlands jurisdiction.

The CA replied that building dept is usually very good on looking at the area before granting a permit and the oversight does not happen very frequently.