

On 9/16/2021, 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

September 2, 2021

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

Member(s) Absent:

Staff: Kelly Grant

Start Time: 5:00pm

YARMOUTH TOWN CLERK

'21SEP20AM8:49 REC

Request for Determination of Applicability

1. Brian Harvey, [55 Wampanoag Road](#), Yarmouth, proposed 10'x30' addition to existing home within land subject to coastal storm flowage.

Presenting: David Grew, Grew Building Company

Commissioner Bishop made a motion to issue a Negative 2 Determination approving the project. The motion was seconded by Commissioner Durkin. The motion carried unanimously 7-0.

2. Town of Yarmouth, [669 Route 28](#), Yarmouth, proposed geotechnical soil borings required to design a future pedestrian boardwalk, four within land containing salt marsh and three within land subject to coastal storm flowage and buffer zone.

Presenting: Arek Galle and Laura Krause, BETA Group

Commissioner Lawrence asked if the marsh elder will be cut before the mats are installed. Mr. Galle confirmed that the mats would be placed over the vegetation with no cutting. The equipment will be five feet wide with total mat width of seven feet (three feet mats wide 1 foot in between).

Commissioner Mulhearn asked how long the work will take. Mr. Galle responded that they are planning for 1 day working in the upland and approximately 3 days in the marsh area. The sequence of work will be designed to minimize impacts to vegetation.

Commissioner Bernstein asked how deep they plan to bore. The response was that they would bore to approximately 50 feet.

There was no public comment.

Commissioner Bernstein made a motion to continue to September 16, 2021 to allow for DMF and NHESP comments. The motion was seconded by Commissioner Lawrence. The motion carried unanimously 7-0.

On 9/16/2021, on a motion by Commissioner Durkin, seconded by Commissioner Bernstein, the Commission voted unanimously, 6-0, to approve these minutes as written.

Continued Notice of Intent

3. *Continued from 8/19/2021* **SE83-2293** Daniel Christopoulos, [47 Nickerson Farm Way](#), Yarmouth, proposed single family dwelling with subsurface Title 5 septic system, driveway and landscaping/regrading within the buffer zone to a vegetated wetland.

Presenting: Dan Ojala, Down Cape Engineering

Drainage was provided for paved driveway. Chairman Hoopes asked if there is a vegetation management plan; Dan Ojala said no, it will be brush mowed. Chairman Hoopes stated that we need a protocol in writing. Commissioner Mulhearn asked if a paved driveway is proposed; Dan Ojala responded yes, with full draining system for large storms, 10,000 square feet/25 year event. Commissioner Huggins asked about the large paved area near garage; Dan Ojala responded that it's for parking. Commissioner Bishop asked why grading on the east side; Dan Ojala responded that it is awkwardly steep; 3:1 down grade. He considers it over-handed to require a vegetation management plan in the outer buffer zone. The CA responded that we need documentation on what is proposed for the areas within the work line limit, particularly on the steep slopes, so that the Commission can determine if there are any potential impacts and add any conditions as necessary. Commissioner Bernstein suggested two years of monitoring photos for slope stabilization. The Commission expressed a preference for pervious driveway. The CA commented that a lot of driveway is outside of jurisdiction and with a well-designed drainage system it may be more effective than a pervious driveway which can become compacted over time. Commissioner Huggins asked which is better from a maintenance standpoint. Dan Ojala responded that there are pros and cons to each approach. A paved driveway will produce less stone dust. He suggested a condition for twice-annual inspection and cleaning of the drainage system.

Commissioner Bernstein made a motion to approve with a vegetation monitoring plan for two years with photos. The motion was seconded by Commissioner Huggins. The motion carried unanimously 7-0.

Notice of Intent

4. **SE83-2292** John M. Aubin, Jr., [117 Pawkannawkut Drive](#), Yarmouth, after-the-fact filing for vertical bulkhead repair on Parker's River.

Presenting: Dana Ojala, Down Cape Engineering. The work has been completed and the site is stable.

Commissioner Bishop made a motion to approve with conditions. The motion was seconded by Commissioner Durkin. The motion carried unanimously 7-0.

5. **SE83-2297** James Bloumbas, [194 Pawkannawkut Drive](#), Yarmouth, proposed new single-family dwelling with septic system within the buffer zone to a bordering vegetated wetland and land subject to coastal storm flowage.

Presenting: Hannah Raddatz, BSC Group

COC request coming for old open Order of Conditions. The CA requested that the work limit line be moved to the property line and that slopes be revegetated. Abutter Bob Grossman asked about removing trees for driveway. He is concerned about the contractor accessing the site through his driveway and damaging it. Hannah Raddatz stated that the work line limit will contain