

On 7/8/2019, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 5-0, to approve these minutes as presented.

CONSERVATION COMMISSION MEETING MINUTES

June 6, 2019

Members Present: Rick Bishop (Chairman), Tom Durkin, Ellie Lawrence, Philip Johnston, Paul Huggins, and Patricia Mulhearn

Member(s) Absent: Cris Luttazi

Staff: Kelly Grant – Conservation Administrator

Start Time: 6.30pm

YARMOUTH TOWN CLERK

'19JUL24PM2:38 REC

Request for Determination of Applicability:

Christine Meimaris, **55 Sullivan Road**, West Yarmouth, proposed landscaping within the buffer zone to Big Sandy Pond. Ms. Shannon Goheen of The S&E Inc. addressed the Commission and presented the proposed work. Ms. Meimaris was also present. Privacy plantings are proposed for the eastern edge of the property; plantings to the right of the deck; vegetated buffer between moss area and house; colonial grass between buffer and house; slightly raised crushed-stone area to the east of the deck for grilling area; remove one white pine on west side boundary and install viburnum hedge. Commissioner Mulhearn was not in favor of the removal of the tree, but liked the rest of the plan. Commissioner Huggins was happy with the plan. Commissioner Lawrence asked for confirmation that the moss area would remain untouched. She also noted that the boardwalk will need maintenance in the future. Commissioner Durkin was not concerned with removal of the center pine tree, as the trees are all mature and crowding each other. Ms. Goheen added that the applicant would like to irrigate the lawn area. The Commission was supportive of irrigation above the delineated buffer area, but barred the use of fertilizer. The Conservation Administrator (CA) noted that one of the white pines is outside the 100' jurisdiction, but two are within jurisdiction. She explained that the removal of a tree when accompanied by native mitigation plantings is typically approved. The boardwalk and steps to the water were not on the approved plan when the house was built, but the area is currently stable. The moss area was outside of the work line limit when the house was built, and should have been left undisturbed. Obviously that has not been the case, and it is an area of Natural Heritage Habitat for Rare or Endangered Species. She recommends allowing the area to naturalize. Commissioner Bishop clarified that if the Commission approves the removal of one white pine, the one outside jurisdiction could also be removed. The CA concurred.

Commissioner Durkin made a motion to issue a Negative 3 Determination for the project. The motion was seconded by Commissioner Johnston. The motion carries unanimously.

Commissioner Bishop closed the RDA hearing and opened the Request for Certificate of Compliance hearing for the same applicant, out of agenda order.

Request for Certificate of Compliance:

SE83-289, 55 Sullivan Road, West Yarmouth. Commissioner Bishop noted the ongoing condition that the deck shall not be enclosed for habitation. The CA also noted an unpermitted structure in the water for boat storage. Commissioner Lawrence made a motion to issue a Certificate of Compliance for the project with the condition that the platform in the pond be removed until permitted, the 35-foot buffer be left to naturalize, and ongoing Condition 14. The motion was seconded by Commissioner Durkin. The motion carries unanimously.