



Town of Barnstable Conservation Commission

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AGENDA – CONSERVATION COMMISSION MEETING

DATE: MAY 8, 2007, 6:30 p.m.

LOCATION: TOWN HALL HEARING ROOM

The meeting was called to order at 6:30 p.m. by Chairman Dennis Houle. Also attending were Vice-Chairman John Abodeely, and Commissioners Peter Sampou, Scott Blazis, Tom Lee, and Louise Foster. Darcy Karle, Conservation Agent, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, Hyannis, MA

I MINUTES FOR APPROVAL

A. April 10, 2007

A motion was made to table the minutes of April 10th until the May 22nd hearing.

Seconded and voted unanimously.

B. April 17, 2007

A motion was made to approve the minutes of April 17th.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

William Swift. Relocate existing house; construct small addition and deck; construct driveway with underground utilities; clear 12 feet each side of driveway at 1670 Hyannis Rd., Barnstable as shown on Assessors Map 299 Parcel 062, 094, 091. **DA-07028**

Mr. Swift attended the hearing, as well as Zackary Swift.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Robert C. Betti. Seeks to confirm delineation of vegetated wetlands at 62A & 63A Tisquantum Rd., Barnstable as shown on Assessors Map 352 Parcel 016. **DA-07030**

The applicant was represented by Lynne Hamlyn.

No concerns arose. The subject area was confirmed as a resource area.
(Betti, cont'd.)

MN050807

A motion was made to issue a positive determination.

Seconded and voted unanimously.

William & Laurie Danforth. Convert existing shed roof over screened porch #1 to deck; convert screened porch #2 to mud room at 246 Carriage Rd., Osterville as shown on Assessors Map 071 Parcel 018. **DA-07034**

The applicant was represented by Leonard Savery.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Joseph F. & Susan G. Fallon. Landscaping improvements to include: remove pool fence along bank and install new pool fence around pool; replace wooden fence along property line; place pavers around pool and entrances to house; re-shell and expand driveway and add lighting; relocate sheds; add plantings around dwelling and along property lines at 33 Maywood Ave., Hyannisport as shown on Assessors Map 287 Parcel 129. **DA-07035**

The applicant was represented by Peter Sullivan, P.E. and John O’Dea, E.I.T.

Discussion: John O’Dea requested to have the stairs issue – as mitigation for the project – be dropped, since other project requests could be approved easily with a determination.

Vice-Chairman Abodeely stipulated that no CCA-treated materials be used.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Town of Barnstable/Growth Management Dept. Construct new 2,400 sq. ft. “Harbormaster Building” at Bismore Park and remove existing structure; remove/replace existing one-space “lollipop” parking meters with new multi-space “pay and display” meters; install walkways, vehicle access, and associated landscaping at 180 Ocean St., Hyannis as shown on Assessors Map 326 Parcel 068. **SE3-_____**

The applicant was represented by John Juros and Jack Glassman.

Discussion: Scott Blazis asked about trash receptacles, while John Abodeely asked about alternatives to asphalt.

Commissioner Blazis questioned pump-out facilities and whether things could be improved. He also mentioned the existence of “no-fishing” signs, and said that these should be removed. John Abodeely commented that the signs are, most likely, not within the Commission’s jurisdiction, and could be there for safety purposes. Pete Sampou said this concern should be addressed in “Phase II.”

A motion was made to approve the project with special conditions: receipt of a revised plan showing roof run-off containment. Fishing, trash receptacles, paved surfaces and pump out facilities will be discussed during Phase II.

Seconded and voted unanimously.

Alice D. Mattison. Replace existing permitted removable pier with new permanent pier and to place two piles at 501 Eel River Rd., Osterville as shown on Assessors Map 114 Parcel 017. **SE3-4628**

The applicant was represented by Bob Braman, Alice Mattison, and Roger Donnahue.

Discussion: Commissioner Louise Foster commented on two large cut trees. Ms. Mattison said that they were damaged in the last nor'easter.

Chairman Houle said he noticed that vegetation on the bank had been cut, to which Ms. Mattison replied that cutting of the bank has taken place for over 25 years. Chairman Houle remarked that Rob Gatewood considers the bank a "dune."

Commissioner Blazis asked about the size of the boat, and questioned why pilings would be positioned so far apart. Ms. Mattison replied that it would be for a 23-foot Seacraft.

The applicant stated that there are many docks in the area which are changing from seasonal to permanent docks.

John Abodeely asked whether the house was for sale and that, for the record, the applicant should state her intention. He also asked why pilings were so far apart. The applicant said there were two other sail boats. The Vice-Chairman said the applicant must provide "specs" on the boats.

Dennis Houls said the Commission encourages seasonal docks, and indicated that the applicant might wish to seek a continuance.

Commissioner Blazis referred to the tree-cutting violation and the need for mitigation.

Commissioner Sampou said the applicant could seek an affidavit from an arborist regarding the damage to the trees.

A motion was made to continue the project until May 22nd.

Seconded and voted unanimously.

John Driscoll. Construct addition to single-family house at 75 Long Beach Rd., Centerville as shown on Assessors Map 206 Parcel 020. **SE3-_____**

The applicant was represented by Steve Wilson, P.E.

Discussion: Steve Wilson stated that the applicant will replant disturbed areas with beach grass in consultation with staff.

Public Comment: Joyce Oliveri, of 67 Long Beach, was concerned about her loss of a view. She wondered about a privacy fence. Chairman Houle recommended that the fence discussion be taken up at another time.

Scott Blazis asked that synthetic fertilizer be banned at this location.

A motion was made to approve the project with special conditions: submission of a revised plan with notes addressing the replanting.

Seconded and voted unanimously.

Catherine DeSimone. Construct stairs to beach over revetment at 159 Harbor Bluffs Rd., Hyannis as shown on Assessors Map 325 Parcel 094. **SE3-_____**

The applicant was represented by Bernard Young.

(DeSimone, cont'd.)

Discussion: Commissioner Blazis stated that no work on the stairs should commence until replanting is completed, to comply with a previous enforcement order and filing.

Vice-Chairman Abodeely asked about the ballasters and rails on the plan, and whether they were necessary. Chairman Houle stated that rails are usually approved, but not ballasters.

Scott Blazis thought the design of the stairs should keep in character with other stairs in the area.

A motion was made to approve the project with special conditions: submission of a revised plan showing stairs in keeping with the character of other stairs in the area; all mitigation planting to be completed before the work begins; all work in consultation with staff.

Seconded and voted unanimously.

Philip & Veronica Cote. Construct single-family home and associated driveway, septic, utilities, landscaping, deck and patio at 94 Waters Edge, Barnstable as shown on Assessors Map 062-045. **SE3-_____**

The applicant was represented by Steve Cote.

Discussion: Commissioner Blazis would like to see the work-limit line brought closer to the structure.

Commissioner Sampou said that single haybales might not be suitable, due to the steepness of the area.

Chairman Houle stated that the vista pruning and path request be submitted at a later date as an RDA.

A motion was made to approve the project with special conditions: the property owner shall submit either written or verbal reports every two weeks on erosion-control measures and their results.

Seconded and voted unanimously.

Francis M. & Eileen M. Ward. Construct stone wall to protect toe of coastal bank at 193 & 201 Bridge St., Osterville as shown on Assessors Map 093 Parcels 036-003 & 036-004. **SE3-4829**

The applicant was represented by John O’Dea, E.I.T and Peter Sullivan, P.E.

Discussion: Chairman Houle read Rob Gatewood’s concern about the inability to armor the bank.

Commissioner Blazis would like a history of the filing attempts with a “soft approach” to discourage erosion.

Chairman Houle read D.E.P. comments into the record. He suggested that someone look into the superseding order with regard to the property.

Vice-Chairman Abodeely wished to challenge the notion that erosion is the result of boating in the area.

A motion was made to continue the project until June 26th.

Seconded and voted unanimously.

IV AMENDED ORDER OF CONDITIONS

Frank & Nancy Selldorff. Amend permit ART-0166 to expand project footprint as follows: demolish and rebuild single-family dwelling; upgrade utilities, construct pool and pool house and all associated appurtenances at 102 Bluff Point Dr., Cotuit as shown on Assessors Map 034 Parcel 071. **ART-0166 (continuance)**

(Selldorff, cont’d.)

The applicant was represented by Peter Sullivan, P.E.

A motion was made to continue the project until June 26th.

Seconded and voted unanimously.

No testimony was taken.

V REVISED PLANS

A. Jason E. Stone – time extension and vertical support discussion for dock **SE3-4158**

Mr. Stone attended the hearing.

A motion was made to approve a revised plan showing a traditional seasonal pier with 4 x 4 posts, and to allow a time-extension for installation until June 8, 2007.

Seconded and voted unanimously.

VI ENFORCEMENT ORDERS

A. Stephen Regan – 230 Clamshell Cove Road, Cotuit – **SE3-2360**
Non-conforming float

Darcy went over the history of the enforcement order.

Chairman Houle read two letters into the record submitted by Mr. Regan, dated March 14, and April 17, 2007.

A motion was made to amend the enforcement order to read that the un-permitted float must be removed by June 1st and relocated to an upland site; the original approved float may be placed back on the dock. An NOI may be filed at a later date to seek approval for the larger float.

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

A. Uniform abutter notice concept, continued

Commissioner Blazis objected to the idea of sending a second notice, but was amenable to the 300-foot notification limit.

Vice-Chairman Abodeely and Commissioners Sampou and Lee were satisfied with the 100-foot limit.

The final recommendation from the Commission was to keep with the current 100-foot notification limit for NOI's.

B. Morning meeting May 15, 8.30 a.m.

Noted.

C. Other

Pete Sampou announced that the beach clean-up at Sandy Neck was a huge success. The Commissioner expressed his concern for the expansion of trails in the West Barnstable Conservation Area, and the use of mountain bikes on (C. – Other, cont'd.)

trails. He asked for the Commission's approval to re-assess the management plan, and to study trail growth, with the possibility of re-marking the trails.

Noted.

D. Commissioner Blazis requested an update from Conservation Staff regarding the Crocker Neck gate issue, namely, abutters' access to the area.

Noted.

VIII CERTIFICATES OF COMPLIANCE (ez = staff recommends approval) (* = on-going conditions)

- | | | | | |
|----|-------------------|----------|----------|--|
| A. | Holmquist (Hayes) | SE3-0142 | (coc,ez) | construct beach area * |
| B. | Branca | SE3-4349 | (coc,ez) | construct single-family dwelling * |
| C. | Kapp (Drew) | SE3-0487 | (coc,ez) | construct addition to single-family dwelling |

A motion was made to approve all the above certificates of compliance.

Seconded and voted unanimously.

A motion was made to adjourn the meeting.

Seconded and voted unanimously.

The time was 9:27 p.m.