



# Town of Barnstable Conservation Commission

200 Main Street  
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

## MINUTES – CONSERVATION COMMISSION MEETING

**DATE: MAY 22, 2007, 6:30 p.m.**

**LOCATION: TOWN HALL HEARING ROOM**

Scrivener's note: For those wanting additional detail on matters heard on this agenda, video-on-demand (free on the Town website at [town.barnstable.ma.us](http://town.barnstable.ma.us)), audiocassette and DVD recordings of the proceedings are available. Please contact the Conservation Division at 508.862.4093 for assistance.

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, Larry Morin, Tom Lee, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

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

### **I REQUESTS FOR DETERMINATION**

**Samuel & Sharon Carpenter.** Connect property to sewer main, located at intersection of Clark Ave. and Lake Elizabeth Dr., at 10 Clark Ave., Centerville, MA as shown on Assessors Map 226/049 **DA-07036**

The applicant was represented by Carmen Shea.

- timing of work (before or after summer)
- repair of street following work.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**John F. Fitzgerald, Tr. for Bluff Point 1999 Trust #2.** Set security camera in bird house on 4 x 4 post at 128 Bluff Point Dr., Cotuit as shown on Assessors Map 034 Parcel 069. **DA-07039**

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

- 110-volt electric power will be trenched down the existing path.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Peri S. Wentworth.** Remove existing 10' x 25' deck and replace with new 16' x 32' deck and stairs at 52 Stanley Way, Centerville as shown on Assessors Map 228 Parcel 157. **DA-07037**

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

- work will be by hand.

(Wentworth, cont'd.)

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Bruce & Susan McPherson.** Various landscaping and environment hardscaping at 38 Hawthorne Ave., Hyannisport as shown on Assessors Map 286 Parcel 008. **DA-07038**

The applicant was represented by David Flaherty and Suzanne O'Keefe.

Issues discussed:

- none

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Theodore & Jane Grauel.** Construct an 18' x 13' second- floor addition on posts over existing deck and over existing parking area; site work limited to 5 hand-dug sonatubes at 379 Lakeside Drive West, Centerville as shown on Assessors Map 232 Parcel 048. **DA-07040**

The applicant was represented by Patrick Coffee.

Issues discussed:

- none

Seconded and voted unanimously.

**Town of Barnstable/Recreation Division.** Install 30' x 72' seasonal modular (wood) handicap ramp upland behind bathhouse and 55 feet from mean high tideline at Craigville Beach, 997 Craigville Beach Rd., Centerville as shown on Assessors Map 206-013. **DA-07041**

The applicant was represented by David Curley.

- a revised (smaller) footprint was proposed
- no CCA-treated material will be used

A motion was made to issue a negative determination.

Seconded and voted unanimously.

## **II NOTICES OF INTENT**

**Barnstable Harbor Ventures.** Construct single-family residence, pool, poolhouse and landscaping at 140 Main St., Osterville as shown on Assessors Map 165 Parcels (portions of) 074-001, 074-002. **SE3-4634**

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

Issues discussed:

- there may be a future need for water access. That would require a new filing.

A motion was made to approve the project with special conditions.  
(Barnstable Harbor Ventures, cont'd.)

Seconded and voted unanimously.

**Roselee Trust.** Construct in-ground pool at 744 Sea View Ave., Osterville as shown on Assessors Map 114 Parcel 012-002. **SE3-4635**

A letter request for a continuation was read.

A motion was made to continue the project until July 10.

Seconded and voted unanimously.

**Diane L. Glick.** Construct addition to residence in area currently occupied by wooden deck at 285 Baxter Neck Rd., Marstons Mills as shown on Assessors Map 075 Parcel 010-002. **SE3-4630**

The applicant was represented by Robert A. Braman, Jr., P.L.S.

Issues discussed:

- buffer zone landscaping in violation of previously issued enforcement order and the subsequently approved landscape mitigation plan.
- the Commission's reluctance to proceed with action on the present project until the violation is addressed.
- the possibility of additional required project mitigation within the 50-foot buffer.

A motion was made to continue the project until July 10.

Seconded and voted unanimously.

### **III CONTINUANCE**

**Three Bays Preservation.** Maintenance dredging in the Seapuit River Channel, Osterville, and placement of the dredge spoil material on beneficial re-use area located on Dead Neck, Osterville. **SE3-4626**

A letter request for a further continuance was read.

A motion was made to continue the project until July 10.

Seconded and voted unanimously. Commissioners Abodeely and Lee abstained.

**Alice D. Mattison.** Replace existing permitted removable pier with new permanent pier and to place 2 piles at 501 Eel River Rd., Osterville as shown on Assessors Map 114 Parcel 017. **SE3-4628**

The applicant was represented by Robert A. Braman, Jr., P.L.S.

A letter request for a continuance was read.

Rob Braman informed the Commission of a landscaping mitigation plan submitted for the recent cutting.

A motion was made to continue the project to July 24.

Seconded and voted unanimously.

Larry Morin abstained.

#### **IV OLD & NEW BUSINESS**

- A. **Town of Barnstable/Conservation Division.** Seeking allowance under permit SE3-3658 for treatment of 2 coves in the northwest corner of Wequaquet Lake near Johnson Lane, Centerville, using aquatic herbicide Sonar to control invasive fanwort infestation. Treatment would begin in June, 2007, and extend through the summer. Limno-barriers will be placed across the coves for the duration, but will be crossable by boats at dead-slow speed.

The applicant was represented by Rob Gatewood, Conservation Administrator.

Issues discussed:

- 2005 attempt at fanwort control using benthic blankets failed
- this request is for sonar herbicide use, as was done at Bearse's Pond and Gooseberry Cove areas of Wequaquet Lake
- observations by University of Florida researchers of increasing herbicide resistance in hydrilla
- University of FLA researchers looking to Africa for biological controls that may prove effective for combating U.S. hydrilla
- Public comment dealing with keeping the limno barriers properly deployed.

A motion was made to approve the project.

Seconded and voted unanimously.

- B. Timothy Kandianis – 24 Leonard Road, West Barnstable – Enforcement hearing continued

Mr. Kandianis attended and was represented by Attorney William Henchy and Stan Humphries.

Staff up-dated the Commission on the enforcement issues.

Mr. Humphries said that the cut branches have been removed from the slope; he flagged the “significant” dune. The filing of an RDA for approval by the Commission may be forthcoming soon.

A mitigation plan was proposed, which the Commissioners found inadequate. The idea of mitigation via financial support of the phragmites-control effort by The Nature Conservancy in the Sandy Neck swales was discussed.

The Commission discussed the need for an appropriate civil fine. It was agreed that further discussion is needed.

A motion was made to continue the project until the July 17<sup>th</sup> morning meeting.

Seconded and voted unanimously.

- C. Steven Hirsch – Correction to amended order SE3-4324

A motion was made to correct the Amended Order.

Seconded and voted unanimously.

- D. Minutes discussion

The Commission provided clarification of several minutes-taking improvements which they would like to see implemented. Of primary concern was that staff denote specific and outstanding issues which underscore the reason(s) a continuance is being sought.

(Old & New Business, cont'd.)

E. Other

A Sandy Neck update was provided by the Commission's representative to the Board.

**V MINUTES FOR APPROVAL**

A. April 10, 2007

A motion was made to approve the minutes of April 10<sup>th</sup> as revised.

Seconded and voted unanimously.

Commissioners Abodeely and Foster abstained.

B. April 24, 2007

A motion was made to approve the minutes of April 24<sup>th</sup>.

Seconded and voted unanimously.

Commissioner Abodeely abstained.

C. February 27, 2007

A motion was made to approve the minutes of February 27<sup>th</sup> as revised

Seconded and voted unanimously.

Commissioners Abodeely and Foster abstained.

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

A. Sullivan SE3-4149 (coc,ez) construct sfd on existing foundation \*

B. Sullivan SE3-4403 (coc,ez) permit as-built conditions \*

A motion was made to approve the certificates of compliance ("A" and "B").

Seconded and voted unanimously.

**A motion was made to adjourn the meeting.**

**Seconded and voted unanimously.**

**The time was 8:42 p.m.**