



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

**DATE: JUNE 26, 2007, 5:45 p.m.**

**LOCATION: TOWN HALL HEARING ROOM**

Scrivener's note: The following minutes are general in nature. For those wanting specific detail on matters heard on this agenda, several resources are available to you: video-on-demand (free on the Town website at [town.barnstable.ma.us](http://town.barnstable.ma.us)), audiocassette and DVD recordings. Please contact the Conservation Division at 508.862.4093 for assistance.

### **I OPENING OF MEETING FOLLOWED IMMEDIATELY BY EXECUTIVE SESSION**

The meeting was called to order at 5:45 p.m. by Chairman Dennis Houle. Also attending were Vice-Chairman John Abodeely (6:05 p.m.) and Commissioners Peter Sampou, Scott Blazis (5:55 p.m.), Larry Morin, and Tom Lee (5:52 p.m.), and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

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

#### **Executive Session**

A motion was made to enter executive session to discuss pending litigation.

Seconded and voted by roll call:

Houle	– Aye
Sampou	– Aye
Morin	– Aye
Foster	– Aye.

The Chairman informed the public that the Commission could be expected back in public session at 6:45 p.m.

### **II RETURN TO PUBLIC MEETING**

The Commission returned to public session at 6:45 p.m.

### **III MINUTES FOR APPROVAL**

- A. June 12, 2007
- B. June 19, 2007

A motion was made to approve the above minutes.

Seconded and voted unanimously.

#### **IV REQUESTS FOR DETERMINATION**

**William I. Ross.** Construct free-standing deck (12' x 16' platform) in front of cottage secured with footings; will have a nautical appearance, require low maintenance, and will be set away from foot/vehicle traffic flow at 1006 Craigville Beach Rd., Unit #1, Centerville as shown on Assessors Map 226 Parcel 004 CND. **DA-07043**  
The applicant attended.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Champa, Michael A. & Maureen O.** Construct in-ground pool and associated patio at 239 Eel River Rd, Osterville as shown on Assessors Map 115 Parcel 006. **DA-07044**

The applicant was represented by John O'Dea, E.I.T.

Issues discussed:

- Shifting the project footprint and work-limit line so that existing specimen trees can be preserved.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

#### **V NOTICES OF INTENT**

**Dwight, Ogden, & David Miller.** Repair existing foundation footing and replace 4 deck supports with 7 to improve safety and stability of existing deck; no change in gross footprint at 803 South Main St., Centerville as shown on Assessors Map 185 Parcel 016. **SE3-4638**

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

- Need for drywells for roof run-off
- Removing creosote piling
- Keeping the work barge from grounding out
- A work protocol for staff's advance review

A motion was made to approve the project with special conditions.

Seconded and voted unanimously.

**Richard & Shawna Moos.** Remodel home, and construct shed in buffer zone of inland bank at 23 Piney Point Dr., Centerville as shown on Assessors Map 228 Parcel 154. **SE3-4644**

The applicant was represented by Robb Sykes, P.L.S. Mrs. Moos also attended.

Issues discussed:

- Elevation view
- Buffer zone mitigation
- Accommodation of roof run-off

- Delineating the future “no-mow” zone

(Moos, cont’d.)

A motion was made to approve the project with special conditions.

Seconded and voted unanimously.

**The Steamship Authority.** Reconstruct Slip #2 and construct fast-ferry berth. Project will realign Slip #2 to lie parallel to Slip #1, allowing room for fast-ferry to dock along northwest coastal bank. Parking lot changes on west side of terminal will be made for fast-ferry traffic circulation at 71 South St., Hyannis as shown on Assessors Map 326 Parcel 130. **SE3-4642**

The applicant was represented by Wayne Lampson, General Manager, and Bill Cloutier, Facilitating Engineer.

Issues discussed:

- Commissioner Lee recused himself, due to a business relation with the applicant.
- Need for a future Steamship Authority boat pump-out.
- Timing of work
- Appearance of the passenger shed
- No new hardscape obviating the need for new drainage infiltration

A motion was made to approve the project with special conditions.

Seconded and voted unanimously.

**James P. Mills, Jr.** Maintenance dredging with beneficial reuse on Dead Neck, and proposed modifications to existing licensed pier at 1 Indian Trail, Osterville as shown on Assessors Map 090 Parcel 001. **SE3-4643**

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

Issues discussed:

- 12-inch-wide props required
- Stops on all floats
- Revised plan showing additional piles necessary for float stops
- Removing lead caps
- Sharing pier utilities on plan

A motion was made to approve the project with special conditions.

Seconded and voted unanimously.

**Carol Bendetson.** Plant indigenous shrubbery and trees, and remove invasive exotic plants as a mitigation project at 246 Ocean View Ave., Cotuit as shown on Assessors Map 033 Parcel 003-001. **SE3-\_\_\_\_\_**

Via letter, a continuance was requested.

A motion was made to continue the project until August 14, 2007.

Seconded and voted unanimously.

No testimony was taken.

## VI CONTINUANCES

**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.

Issues discussed:

- The bank as vertical buffer vs. sediment source to a beach dune or barrier beach
- The eroded sand ending up in the adjacent channel, rather than accreting on beaches or dunes
- The best design: whether sloping rock vs. vertical sheating
- Whether a wall is really warranted, given the rate of erosion
- A scaling-back of the running length of the project
- Armoring only the more vertical faces, rather than the whole reach of shoreline.

A motion was made to continue the project until August 14, 2007.

Seconded and voted unanimously.

**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**

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

Issues discussed:

Mr. Sullivan reported that the parties were very close to agreement. He requested a continuance.

A motion was made to continue the project until August 14, 2007.

Seconded and voted unanimously. John Abodeely abstained, as he was not on the quorum.

No testimony was taken.

## VII OLD & NEW BUSINESS

A. Support for Self Help grant application; 332.010.002, 755 Independence Dr.

A motion was made to support the proposed self-help application to acquire the subject parcel .

Seconded and voted unanimously.

B. Other

- Staff briefly up-dated the Commission on the Stewart Creek restoration project
- Pete Sampou's statement that, in his opinion, the unsuitable dredge spoil at Millway Beach is of recent origin
- A motion was made to approve and issue to the Town Council the letter from the Commission in support of the proposed Agriculture Commission.

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

- |                                       |              |          |          |                                      |
|---------------------------------------|--------------|----------|----------|--------------------------------------|
| A.                                    | McCoy (Ness) | SE3-4266 | (coc,ez) | convert seasonal to permanent dock * |
| (Certificates of Compliance, cont'd.) |              |          |          |                                      |
| B.                                    | Birmingham   | SE3-3699 | (coc,ez) | construct addition & patio to sfd *  |
| C.                                    | Whelton      | SE3-4503 | (coc,ez) | repair seawall/retaining wall *      |

A motion was made to approve the above certificates of compliance.  
Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 8:55 p.m.**