



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

**DATE: JULY 10, 2007, 6:30 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.

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 MINUTES FOR APPROVAL

A. June 26, 2007

A motion was made to approve the minutes.

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**Norman E. Leen, Jr.** Kill/remove/control invasive species; replant with native plants; plant grass at rear at 127/131 Country Club Drive, Barnstable/Yarmouth Port as shown on Assessors Map 350 Parcel 038. **DA-07046**

The applicant attended.

Issues discussed:

- Delay (due to illness) in getting the site "spruced up;"
- Best methods for knotweed removal;
- Advance consultation with staff on knotweed removal.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Max Kumin.** Remove existing landscape timber retaining wall; construct stone retaining wall with steps; install arbor; remove hazardous tree; remove honeysuckle bushes; plant native species at 3826 Main St. (Rte. 6-A), Cummaquid as shown on Assessors Map 335 Parcel 018. **DA-07045**

The applicant attended.

(Kumin, cont'd.)

Issues discussed:

- Dumping by old concrete foundation

A motion was made to issue a negative determination..

Seconded and voted unanimously.

**Joan Terkelson.** Repair failed leaching facility behind house at 34 Swallow Hill Rd., Barnstable as shown on Assessors Map 335 Parcel 064. **DA-07047**

The applicant was represented by David Flaherty.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Alan J. Dalby.** Construct and maintain seasonal dock and access path at 944 Shootflying Hill Rd., Centerville as shown on Assessors Map 211 Parcel 006. **SE3-4646**

The applicant was represented by Arlene Wilson.

Issues discussed:

- Previous pier permit recently expired
- No concerns from Harbormaster
- MNHESP sign-off obtained

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

Seconded and voted unanimously.

**Steven & Kathleen Haley.** Raze existing house; construct new house, pool, retaining wall and landscaping at 233 Seapuit River Rd., Osterville as shown on Assessors Map 051 Parcel 001. **SE3-4645**

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

Issues discussed:

- Mitigation planting for pool located within the 50-100-ft. buffer
- Landscape architect Kathryn Field presented her planting plan
- Planting mitigation was approximately 2:1 – new native landscaping to proposed pool hardscape

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

Seconded and voted: 6 votes “aye;” 1 vote “nay.”

**Jeffrey Annis.** Kitchen addition and garage with studio above at 74 Captain Baker Rd., Marstons Mills as shown on Assessors Map 125 Parcel 031. **SE3-4648**

The applicant was represented by Gordon Peabody.

(Annis, cont'd.)

MN071007

Issues discussed:

- Need for a clear distinction between lawn and meadow on the plan

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

Seconded and voted unanimously.

**Brian & Nancy Webb.** Construct residential addition with site preparation and relandscaping at 946 Craigville Beach Rd., Centerville as shown on Assessors Map 226 Parcel 008-002J. **SE3-4649**

The applicant was represented by Arlene Wilson.

Issues discussed:

- No additional bedrooms were proposed
- Landscaping in consultation with staff
- Single rail fence at work-limit
- A revised plan will be submitted pushing the work-limit line back to just ~ 10 feet off the cottage

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

Seconded and voted unanimously.

#### **IV CONTINUANCES**

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

A continuance was requested via letter.

A motion was made to continue the project to September 11, 2007.

Seconded and voted unanimously.

No testimony was taken.

**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 Braman.

Issues discussed:

- Enforcement milestones for June 28<sup>th</sup> were not met
- Need for a work-limit with sediment controls
- Re-design of deck – pulling it back by five feet
- The order would not be released until the enforcement order is complied with

A motion was made to approve the project with special conditions, and with a condition precedent requiring compliance with the conditions of the enforcement order.

Seconded and voted unanimously.

**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**

(Three Bays Preservation, cont'd.)

A continuance was requested via e-mail.

A motion was made to continue the project until September 11, 2007.

Seconded and voted unanimously.

No testimony was taken.

**V OLD & NEW BUSINESS**

A. Rain barrels to satisfy requirement for drywells or graveled trenches to accommodate roof run-off

Rain barrels were found to be an appropriate alternative method of accumulating rainwater on a site-specific basis.

B. Mykrantz SE3-4567 – request for reconsideration

This matter has been scheduled for the July 17<sup>th</sup> morning hearing.

C. 7/17 morning meeting – reassigned to basement of School Administration Building

Noted.

D. Other:

1) The Gaspard adjudicatory appeal hearing will be held on July 17<sup>th</sup> and 18<sup>th</sup> in Boston.

2) A subcommittee was formed to draft a clarification on what constitutes a substantial change as to pier modifications. The subcommittee consists of Tom Lee, Dennis Houle, John Abodeely, and Rob Gatewood.

The Committee will report back to the Legal Department and, of course, to the full Commission for acceptance of the

draft amendment.

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

A. Eldredge SE3-4141 (coc,ez) construct addition to single-family dwelling \*

B. Mele SE3-4288 (coc,ez) permit several as-built hardscaping features; modify dock \*

C. Lanman SE3-4166 (coc,ez) construct addition and extend deck to single-family dwelling; upgrade septic \*

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

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

The time was 7:50