



**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: February 20, 2007, 8:30 a.m.

LOCATION: Town Hall, Selectmen's Conference Room

The meeting was called to order at 8:31 a.m. by Chairman Dennis Houle. Also attending were Commissioners Larry Morin, Tom Lee and Pete Sampou. Commissioner Scott Blazis was teaching, and Vice Chairman John Abodeely was away. Rob Gatewood, Conservation Administrator, assisted along with Fred Stepanis, Conservation Assistant.

The meeting was held in the Selectmen's Conference Room, Barnstable Town Hall, Hyannis, MA.

<u>I</u>	<u>REVISED PLANS</u>	<u>project type</u>	<u>revision</u>
A.	Oyster Hbrs Club SE3-4398	club house	improvements to tennis court

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

No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B.	John Fitzgerald SE3-4466	bulkhead replacement	install well
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The applicant was represented by Peter Sullivan, P.E.

No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C.	Wm. Cafferky SE3-4543	sfd	add porch and pergola
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The applicant was represented by Kelvin Bolhan.

Discussion: Roof run-off will be directed to drywells.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D.	Arthur Gelb SE3-4340	sfd, garage, fence, landscape	fence to remain in current location
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The applicant was unrepresented.

No concerns arose.

(Gelb, cont'd.)

mn022007

A motion was made to approve the revised plan, contingent upon receipt of stamped plan, and a finding by staff of consistency with the Order of Conditions.

Seconded and voted unanimously.

E. C. J. Riley SE3-4524 pool & pool deck fence, wall & site update

The applicant was represented by Greg Richardson and Eric Joseph.

Discussion: Run-off will be tied to the approved catch basin by way of two area drains.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

F. Michael Benoit SE3-4233 dock chg. alignment of fixed portion of pier

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

No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II EXTENSION PERMITS

A. Wayne Kurker SE3-4217 upgrade elec. & dredge 1st request, 3-yr. ext.

The applicant did not show.

No concerns arose.

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

B. Robert Moore SE3-4254 Phragmites control 1st request, 3-yr. ext.

The applicant was represented by Don Schall.

Discussion: The Commission was up-dated on the progress made on Phragmites control to date.

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

C. Bonnybrook SE3-3648 Fixed pier; outhaul posts 2nd request 2-yr. ext.

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

No concerns arose.

(Bonnybrook, cont'd.)

A motion was made to approve a 2-year extension.

Seconded and voted unanimously.

III OLD & NEW BUSINESS

A. Other

None.

IV ENFORCEMENT ORDERS and ISSUES

- A. Town of Barnstable DPW – **stop work order – DA-06019** - McKeon Field
Excavation of first hole/ test pit for light installation nearest wetland without proper siltation control by Mets. Pit beyond work limit causing disturbance of wetland. Staff working with DPW to correct situation.

Chairman Dennis Houle outlined the enforcement issues here. A recent meeting was held, with Mr. Houle in attendance, between Town agencies and private entities.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- B. Hyannis Mets/Hyannis Athletic Assoc. c/o Jim Hurley/Atty. Mark Boudreau – McKeon Field
Alteration of a wetland, river protection area and Commission's 50' buffer by placing fill and grading to expand bull pen/batting cage.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- C. Troy Bigelow – 29 Forest Glen Road, Hyannis – **SE3-4024 (pool)**
Violation of an enforcement order dated Sept. 20, 2006, by failing to request a Certificate of Compliance.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- D. John and Leslie Wilson Trs. – 151 Irving Ave., Hyannis – **SE3-4119**
Alteration of a wetland resource area and flood zone by removing vegetation and beach grass. Work is beyond an open order of conditions for file SE3-4119, plan of record dated 12/10/03.

The Trustees were represented by Steve Wilson, P.E.

A landscaping restoration plan will be forthcoming.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- E. Joann Kwass – 79 Mountwood Road, Marstons Mills
Alteration of the Commission's 50' undisturbed buffer zone from an intermittent stream by clearing understory.

(Kwass, cont'd.)

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- F. Brian B. Wallace Tr. – 832 South Main Street
Alteration of a wetland resource area, coastal bank, by vista pruning without prior authorization.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- G. John J. Chapman – 122 Cedar Street, West Barnstable
Alteration of the 100' buffer zone and the 50' undisturbed buffer zone by clearing vegetation without prior authorization from the Conservation Commission.

Pete Sampou recused himself, as he is an abutter of Mr. Chapman's. That left the Board with less than a quorum with which to open the discussion. The matter will reappear on an evening meeting agenda.

V CITATIONS

- A. Troy Bigelow – Violation of an Order of Conditions - \$300.00
B. John B. Wilson – Violation of an Order of Conditions - \$300.00
C. Luiz M. Coelho – Alteration of a resource area - \$200.00

The above citations were noted.

VI FIRST DISTRICT COURT CASES

- A. Jay Elias – 582 Shoot Flying Hill Road – Arraignment for BAR 72699 \$300.00, total fines \$1,000.00
Failure to request a certificate of compliance/ violation of 6 enforcement orders
B. Troy Bigelow – 29 Forest Glen Road, Hyannis – Arraignment for BAR 70254 \$300.00 total fines \$600.00,
Default on first fine. Failure to request a certificate of compliance/ violation of enforcement order (house)

The above court cases were noted.

VII WRITTEN WARNING

- A. Laurence J. Cuneo – 227 Scudder Road, Osterville
Brush/leave pile in conservation jurisdiction.
B. Michael Albee – 17 Pond Meadow Drive, Marstons Mills
Removal of two trees within conservation jurisdiction.

The above written warnings were noted.

VIII CERTIFICATES OF COMPLIANCE

(ap = as-built plan) (coc = Certificate of compliance) (ez = no deviations, staff recommends approval) (ok = minor deviations, staff recommends approval) (c = staff recommends approval with contingencies) (d = deviations, staff recommends denial) (* = on-going conditions)

- A. Steeves SE3-3849 (ap, d) convert driveway to patio; omit split-rail fence along no-work boundary

Staff recommended approval, contingent upon the requirement of the fence.

- B. Steeves SE3-3849 (coc, ok) construct addition & deck to single-family dwelling *

- C. Azores SE3-3393 (ap, ok) minor hardscaping deviations

(Certificates of Compliance, cont'd.)

D.	Azores	SE3-3393	(coc,ez)	raze & construct single-family dwelling
E.	Oyster Harbors Marine	SE3-4112	(coc,ok)	reconstruct bulkhead; resurface parking lot; drainage *
F.	Burton	DA-98048	(coc,ok)	raze & construct single-family dwelling *
G.	Silins	SE3-4330	(revised plan, ok)	mitigation plan for as-built deviations

A motion was made to approve the certificates of compliance.

Seconded and voted unanimously.

A motion was made to adjourn the meeting.

Seconded and voted unanimously.

The time was 9:56 a.m.