



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: April 15, 2008, 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), 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 R. Houle. Also attending were Commissioners Peter Sampou, Scott Blazis, Larry Morin, Tom Lee, and Louise Foster. Vice-Chairman John Abodeely and Conservation Administrator Rob Gatewood, were away. Darcy Karle, Conservation Agent, assisted.

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

Town Councilor James Munafo introduced himself to the Commission as the new Conservation liaison.

I MINUTES FOR APPROVAL

A. April 1, 2008

A motion was made to approve the minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

G. Wade & Mary C. Staniar. Modifications to existing licensed pier to include replacing existing permitted 2' x 12' ramp and 5' x 20' float with 3' x 4' cantilevered platform, 3' x 12' ramp, and an 8' x 16' float at 236 Smoke Valley Rd., Osterville as shown on Assessors Map 097 Parcel 003. **DA-08031**

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

Issues discussed:

- Definition of "substantial modification," as found in pier regulations.

A motion was made to issue a positive determination.

Seconded and voted: 3 votes "aye;" 3 votes "nay."

Due to the vote, no action could be taken on the project.

A motion was made to reconsider the previous vote.

Seconded and voted unanimously.

(Staniar, cont'd.)

A motion was made to continue the hearing to May 13, 2008.

Seconded and voted unanimously.

C. William Carey. Modifications to existing licensed pier to include realignment of existing floats and piles; add four (4) new tie-off piles at 986 Sea View Ave., Osterville as shown on Assessors Map 091 Parcel 002. **DA-08032**

Via letter, a request for a continuance was submitted.

A motion was made to continue the matter until April 29th.

No testimony was taken.

Barnstable Land Trust. Remove staghorn sumac which has invaded vegetation along Parker Pond; remove variety of invasive species established along stone wall, e.g., poison ivy, multiflora rose, barberry. Remove Norway Maple trees from open field at 50 & 100 East Bay Rd., Osterville as shown on Assessors Map 141 Parcels 106 and 107. **DA-08038**

The applicant was represented by Red Banfield.

Issues discussed:

- Use of hand tools
- Question of pulling roots
- Maintenance clause to be added to the Determination
- Work to be done in consultation with staff.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Martin Reasoner. Protect property from storm damage by removing several trees within 50 feet of Lake Wequaquet and grinding their stumps; mitigation planting of native shrubs within the 50-foot buffer at 38 Lakewood Dr., Centerville as shown on Assessors Map 212 Parcel 002. **DA-08046**

The applicant was represented by Ryan Jones.

Issues discussed: None

A motion was made to issue a negative determination, with the revision showing the planting of three native canopy trees and the removal of one tree (#2) in consultation with staff. Shrubs will also be installed, and the remainder of the trees may be pruned under standard vista pruning guidelines.

Seconded and voted unanimously.

Richard & Audrey Egan, Trs./The 72 Crosby Circle Realty Tr. Resurfacing of boat wash area with wash-water recycle system at 330 West Bay Rd., Osterville as shown on Assessors Map 116 Parcel 013. **DA-08039**

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

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Warren Foss. Move existing float, gangway, and float piles at 87 Main St., Osterville as shown on Assessors Map 185 Parcel 062. **DA-08044**

The applicant was represented by Gilmore Marine.

Issues discussed:

- Waterway comments still need to be submitted
- 32-foot Regulator with 2-foot draft
- Permitted SE3-1853 (1991 Certificate of Compliance required 12-inches under boat)

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/Growth Management Div. Parking improvements to small dirt parking area upland of salt marsh to include grading, addition of some gravel, and removal of brush around edges at 248 Navigation Rd., W. Barnstable as shown on Assessors Map 180 Parcel 009. **DA-08027**

The applicant was represented by Alisha Parker and Samantha Hayes.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Hyannisport Club. Invasive plant management and control; vista and selective pruning; removal of vines choking trees; phragmites-control for golf course at 2 Irving Ave., Hyannisport, MA as shown on Assessors Map 266 Parcel 031. **SE3-_____**

The applicant was represented by Attorney Pat Butler, Steve Wilson, and Tom Colombo.

Attorney Butler submitted a letter from MA Audubon in recognition of Hyannisport Club's environmental excellence.

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

Seconded and voted unanimously.

Jane Thompson. Construct wooden bridge to provide vehicle access to residential lot owned by applicant. Bridge to be supported by timber piles to elevate bridge over scrub-shrub wetland. Work includes construction of pervious access driveway into lots at 203 and 205 Scudder Ln., and 58 Calves Pasture Ln, Barnstable as shown on Map 259 Parcels 007-001, -002, -004. **SE3-4717**

The applicant was represented by Attorney Pat Butler, Don Schall, and Mike Borselli.

Issues discussed:

- The effects of shading on 1,400 sq. feet of wetland resource area
- Other possible access points, such as Calves Pasture Road
- The need for wetland delineation on abutting parcel T-3
- Re-examination of height of bridge
- The use of metal grading for light penetration

(Thompson, cont'd.)

Public Comment:

- Bill Cook was opposed to the project
- Ms. Thompson spoke in defense of the project

A motion was made to continue the project to April 29th.

Seconded and voted unanimously.

Elinor E. Svenson. Construct and maintain a boardwalk, pier, ramp and float at 265 Baxter's Neck Rd., Marstons Mills as shown on Assessors Map 075 Parcel 010-001. **SE3-4721**

The applicant was represented by Attorney Mike Ford, John O'Dea, E.I.T., and Peter Sullivan, P.E.

Issues discussed:

- Two waiver requests: "Section J" (whether Ells and J's count towards length); "Section K," as it relates to Waterways letter

Chairman Houle read a staff report issued by Tom Marcotti, Barnstable Shellfish Biologist, and Waterways.

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

- Pier to be shortened by 20 feet
- Berthing layout for five (5) boats
- Note on plan to indicate that no boat shall be allowed to be permanently berthed on the outside of the ell
- A letter or note on plan stating that this is a waiver request
- All power boats must meet 12-inch rule.

Seconded and voted unanimously.

Susan Mykrantz. Pool with landscaping and associated appurtenances; mitigation plantings at 531 Main St., Osterville as shown on Assessors Map 141 Parcel 099. **SE3-4720**

The applicant was represented by Attorney Pat Butler, Peter Sullivan, P.E., and Don Schall.

Issues discussed: None

A motion was made to approve the project with special conditions: dingy will be removed from marsh.

Seconded and voted unanimously.

Mass. Audubon Society, Inc. Construct removable Salt Marsh Educational Boardwalk at Long Pasture Wildlife Sanctuary with associated low-profile signs at 347 Bone Hill Rd., Commaquid as shown on Assessors Map 337 Parcels 010-005 and 010-001. **SE3-4722**

The applicant was represented by Ian Ives and Dan Ojala.

Issues discussed:

- Three-season boardwalk constructed with Thru-Flow decking

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

Seconded and voted unanimously.

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

A.	Delaney (Holmes)	SE3-2870	(coc,ez)	construct single-family dwelling *
B.	TOB/ MEA	SE3-4361	(coc,ez)	replace herring run out outflow structure (not done)
C.	Fitzgerald	SE3-4318	(coc,ez)	raise roof & extend sunroom of sfd; vista pruning *
D.	Keyspan Energy	SE3-4211	(coc,ez)	install 2” gas main and two service connectors *
E.	TOB/ DPW	SE3-1149	(coc,ez)	reconstruct stormwater outfall pipe
F.	Mattison	ART-0022	(coc,ez)	maintain existing pier *
G.	Dranetz	SE3-3325	(coc,ez)	repair stone revetment
H.	TOB/ DPW	SE3-1566	(coc,ez)	replace bulkhead; remove tank; relocate floats

A motion was made to approve all the certificates.

Seconded and voted unanimously.

V OLD & NEW BUSINESS

A. Shooting Range Discussion

EPO Officer Clayton and BPD Sgt. Damery attended the hearing. Officer Clayton had also submitted a letter of concern.

Chairman Houle assured the officers that, until a second shooting range became available, the Commission was willing to allow them to continue practicing at the Town range.

B. Rushy Marsh DEP appeal update

The DEP decision was discussed.

C. Sandy Neck Board Report, by Rich French

Rich French informed the Commission of the cottage owners’ concerns that Natural Heritage remove the “30-minute” clause from the Order of Conditions.

D. CPC Funding

Commissioner Tom Lee reported that CPC funding will be available soon. Notice will be posted on the Town’s web site.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:43 p.m.