



**Town of Barnstable  
Conservation Commission  
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**MINUTES – CONSERVATION COMMISSION MEETING**

**DATE: June 17, 2008 8:30 a.m.**

**LOCATION: TOWN HALL, SELECTMEN’S CONFERENCE 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 8:45 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman John Abodeely and Commissioners Larry Morin and Tom Lee. Rob Gatewood, Conservation Administrator, assisted.

**I REVISED PLANS**

project type

revision

A. Miller SE3-4638

foundation

larger footing/cap

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

Issues discussed: No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Johnson Tree SE3-4737

reduce buffer

pervious section of drive

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

Issues discussed: No concerns arose.

A motion was made to approve the revised plan

Seconded and voted unanimously.

**II EXTENSION PERMITS**

A. Pandit SE3-3918

sfd

1<sup>st</sup> Request; 2-yrs.

The applicant did not attend the hearing.

A motion was made to approve a three-year extension, contingent upon favorable findings on the pending site visit, and upon placement of a sign alerting contractors that the site is a “sensitive area.”

Seconded and voted unanimously.

B. Crosby Yacht Yard SE3-4411

remove pier, shed

1<sup>st</sup> Request; 3-yrs.

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

Issues discussed: No concerns arose.

A motion was made to issue a three-year extension.

Seconded and voted unanimously.

### **III ENFORCEMENT ORDERS**

A. Denise G. Swan – 32 Windswept Way, Osterville. [Continued from May 20, 2008 hearing]

John Segalla – contractor for Denise G. Swan – 32 Windswept Way, Osterville  
Alteration of a protected resource area, as defined as a coastal bank, and the Town of Barnstable Conservation Commission's 50' undisturbed buffer zone by cutting 84 trees without prior authorization.

Denise Swan attended the hearing, as well as Eric Wodlinger, Esq., Lee Weishar, and Steve Wilson, P.E. Also present was Larry Murphy, Esq., representing Oyster Harbors Club.

Opened simultaneously was an enforcement order issued to John Segalla, contractor for Mrs. Swan. The chairman read Mr. Segalla's letter into the record.

A motion was made to issue a warning letter to John Segalla.

Seconded and voted unanimously.

Baxter & Nye filed an RDA for wetland delineation for the wetland across from Cove Lane, to be heard at the July 8<sup>th</sup> hearing.

Mr. Murphy submitted a letter on behalf of the Oyster Harbors Club.

Staff recommended amending the RDA to include coastal bank delineation, and continuing the enforcement hearing to July 15, 2008.

A motion was made to approve the continuance to July 15.

B. Bayview Farm and Russell Ross Trust c/o J. McGowan – 1220 Main Street / RTE. 6A West Barnstable  
Unauthorized fill placed within the Barnstable Conservation Commission 50' undisturbed buffer zone and 100' from a wetland and within a possible wetland area.

Mr. McGowan attended the hearing.

A motion was made to amend the order to have Mr. McGowan file an RDA with a plan for resolving the issue of water drainage from abutting lots and also include wetland delineation. An RDA must be filed by September 1, 2008 or fill removed by the same date.

Seconded and voted unanimously.

C. Jefferey Ingram McCourt – 1524 Main Street, Cotuit  
Alteration of the Town of Barnstable Conservation Commission's 50-foot buffer zone, from a coastal dune area, by razing a structure and rebuilding without prior authorization of the Conservation Commission.

A motion was made to continue the enforcement order to July 15, 2008, and have the Conservation Agent send a letter to the attorney requesting the date of birth of the contractor and contact information.

D. Adele R. Barraro – 18 Briarcliff Lane, Centerville. Violation of a warning letter. Landscape debris in stream.

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

Seconded and voted unanimously.

#### **IV 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. Eskandarian SE3-3790 (coc,ok) reconstruct seasonal pier; dredging \*

A motion was made to approve the certificate.

Seconded and voted unanimously.

B. Oyster Harbors Golf SE3-3705 (coc) various course improvements

A motion was made to approve the certificate with on-going conditions.

Seconded and voted unanimously.

#### **V OLD & NEW BUSINESS**

A. MOU for Essential Vehicle Escorts at Sandy Neck

B. Perk tests – Tom Lee suggested that perk test requests be accompanied by photos (before and after) to determine whether restoration is necessary.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 10:40 p.m.**