



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: April 7, 2009 – 6:30 P.M.

LOCATION: 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), 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 Vice-Chairman Tom Lee and Commissioners Scott Blazis, Larry Morin, and Louise Foster. Commissioners John Abodeley and Peter Sampou were away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. March 17, 2009

A motion was made to approve the minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Association of the Cotuit Mosquito Yacht Club, Inc. Remove dog leg of straight pier, adding two 12-foot floats to the south and four feet on existing last float in the easterly direction at 95 Old Shore Rd., Cotuit as shown on Assessors Map 036 Parcel 044-002. **DA-09016**

The applicant was represented by Tom Burgess.

Issues discussed:

- The project was a way to accommodate more skiffs and crash boats, given the lack of available mooring space.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Richard P. Callahan, Tr. Replace existing pool with a 10-foot landward expansion and replace pool apron with deck, with a 5-foot expansion at 177 Seapuit River Rd., Osterville as shown on Assessors Map 070 Parcel 014. **DA-09022**

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

Issues discussed:

MN040709

(Callahan, cont'd.)

- Pool disinfection will be upgraded to current Commission standard.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

James W. Padula. Convert existing deck (same footprint) to a 3-season room with 30-inch walls (screens/windows above); the roof to be a 2nd-floor deck with access from 2nd floor bedroom; new sona tubes will be used at 78 Ladd Rd., Centerville as shown on Assessors Map 206 Parcel 078. **DA-09023**

The applicant attended the hearing.

Issues discussed: no concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Joanne Hooker. Repair and replace existing steps at 112 Nye's Neck Rd. East, Centerville as shown on Assessors Map 232 Parcel 011-002. **DA-09024 Withdrawn**

The application was withdrawn.

III NOTICES OF INTENT

Ronald Sidman. Construct stairway and elevated walkway; landscaping; permit existing deck on Middle Pond at 372 Wheeler Rd., Marstons Mills as shown on Assessors Map 081 Parcel 004. **SE3-4806**

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

Issues discussed:

- A revised plan was recently submitted;
- NHESP sign-off was received via letter;
- The pondshore deck was widely discussed; some Commissioners expressed concern for it;
- The use of mulch to prevent erosion was discussed. In the final analysis, it was deleted;
- Path width not to exceed four feet.

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

Seconded and voted unanimously.

Michael Folk. Improvements to existing single-family dwelling, including raze, remove and reconstruct part of structure and modify part of structure to conform to construction standards in flood zone; rebuild decks, upgrade septic system; maintain existing meadow community at 67 Caillouet Ln., Osterville as shown on Assessors Map 141 Parcel 097. **SE3-4811**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- The project would conform with the building code for flood plain construction;
- Septic would be removed from the 100-foot buffer;
- Mitigation proposal found adequate overall;
- Any existing unpermitted deck shall require an additional one-to-one mitigation.

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

(Folk, cont'd.)

Seconded and voted unanimously.

Peter Favat. Permit existing deck addition, two kayak racks, brick cellar access walk, potting bench and rubbish box; remove hardscape, lawn areas and sprinkler heads and replant with native plantings; remove kayak platform, two 4 x 4 posts and easterly stairway from deck at 373 Bay Ln., Centerville as shown on Assessors Map 187 Parcel 002. **SE3-4810**

The applicant was represented by Peter Sullivan, P.E. and Attorney John Kenney.

Issues discussed:

- The filing was in response to enforcement action. A proposed restrictive covenant is presently being worked out with the Town Attorney's office.

Public comment:

- Marilyn Asiaf, abutter, complained about the applicant obtaining an as-built approval of the unauthorized work.

A preliminary vote was taken at the request of the Town Attorney. The project received majority support.

A motion was made to continue the hearing to April 21, 2009.

Seconded and voted unanimously.

Michael & Wendy Kelly. Addition of 10' x 10' deck with spa; driveway expansion; upgrading of wood entrance deck to stone; fence; remove 3 trees; replace shrubs; add privet hedge; mitigation plantings at 63 Folsom Ave., Hyannis as shown on Assessors Map 324 Parcel 056. **SE3-4812**

The applicant was represented by Peter Hansen.

Issues discussed:

- Mitigation planting provided at three-to-one;
- A draw-down basin was required by the Commission for the proposed spa;
- Replacing the oversized spa Norway Spruce with a suitable replacement;
- Defining the no-mow zone with bounds.

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

Seconded and voted unanimously.

IV REVISED PLAN

Town of Barnstable/D.P.W. SE3-4774 HC access deck timing, materials

Issues discussed: no concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

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

- A. Benedetto SE3-3722 (coc,ez) replace and extend culvert *
- B. Silvia SE3-4679 (coc,ez) construct addition to sfd *

(Certificates, cont'd.)

- | | | | | |
|----|---------|----------|----------|---|
| C. | TOB/DPW | SE3-3599 | (coc,ez) | install sewer main & road work |
| D. | Kaneb | SE3-4296 | (coc,ez) | add ramp & float to existing pier; dredging * |

A motion was made to approve all (“A – D”) certificates.

Seconded and voted unanimously.

VI OLD & NEW BUSINESS

- A. Paperwork-reducing NOI’s

A motion was made to approve a paper-reduction policy for Notice of Intent submissions.

Seconded and voted unanimously.

- B. Proposed Galloway, Cotuit, Conservation Restriction

Jaci Barton of the Barnstable Land Trust attended the hearing.

A conservation restriction on the Galloway property, which the Town would hold, was discussed.

A motion was made to approve the Galloway conservation restriction, to be held by the Conservation Commission on behalf of the Town.

- C. Other – None.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:03 p.m.