



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: August 18, 2009 – 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 Vice-Chairman Tom Lee and Commissioners John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, 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. July 21, 2009

A motion was made to approve the minutes.

Seconded and voted unanimously. Commissioner Lee abstained from the vote.

II REQUESTS FOR DETERMINATION

Daniel A. Salvatore & Roxanne Pappas. Rebuild pre-existing patio with natural pavers and stone dust; remove poison ivy; clear area and plant 5 trees at 110 Prince Ave., Marstons Mills as shown on Assessors Map 077 Parcel 048. **DA-09046**

The applicant was represented by Roxanne Pappas.

Issues discussed:

- Whether a 3:1 mitigation should be provided. (In the final analysis, it was not).

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Catherine Tucke. To permit as-built drain installed in driveway, and to push back or cut vegetation encroaching onto Marie Ave. at 20 Marie Ave., Centerville as shown on Assessors Map 226 Parcel 132. **DA-09050**

The applicant was represented by Attorney James Quirk.

Issues discussed:

- Any Conservation Commission approval would not convey any right of trespass.
- Loaming and seeding

(Tucke, cont'd.)

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Lewis & Nancy Solomon. Renourish beach with clean sand added above high water line at 28 Heath Row, Marstons Mills as shown on Assessors Map 064 Parcel 047. **DA-09049**

The applicant attended the hearing.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Massachusetts Highway Department. Proposed improvements for the Route 149 intersection with the Route 6 westbound and eastbound on-ramps in West Barnstable, Massachusetts. The purpose of the work is to improve safety and operations of both roadways. All work will take place within existing state owned highway rights-of-way. **DA-09051**

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

Issues discussed: No concerns arose. The project was well-received.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Town of Barnstable/DPW. Install sewer extensions; replace existing water infrastructure; construct pump station in Area of Concern identified as Area H-1 by the Final Wastewater Facilities Plan: 160 Marston Ave., Hyannisport and Stewart's Creek as shown on Assessors Map 180 Parcel 00A; roadways/r.o.w.'s. **SE3-4833**

The applicant was represented by Jeff Greg, P.E.

Issues discussed:

- The project was well-received by the Commission
- The reliability of grinder pumps
- The need for effective conservation coordination
- The need for a dewatering protocol in consultation with staff.

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

Seconded and voted unanimously.

Asemena T. Dodge. Replace and extend existing pier with pile-supported pier, ramp and float; maintain existing path and stairs at 56 Sand Point, Oyster Harbors, MA as shown on Assessors Map 073 Parcel 017. **SE3-4836**

The applicant was represented by Arlene Wilson, P.W.S.

Issues discussed:

- A net increase in length of 19 linear feet was proposed
- Berthing to the south of the float where deeper water is found
- A Shellfish survey by the applicant found moderate productivity

(Dodge, cont'd.)

- Existing on-going permit conditions prohibits no-bottoming out
- As proposed, a 12" clearance would be provided, prop to bay bottom
- Preservative-free materials proposed
- The pier application falls under the new regulations
- The need for more detailed bathymetry adjacent to floats
- Keeping the new pier seasonal

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

Seconded and voted unanimously.

Joan DelNegro. To permit, post facto, a wooden retaining wall, pool, pool deck, and patio at 99 Rosemary Ln., Centerville as shown on Assessors Map 147 Parcel 007-010. **BCC-0190**

The applicant was represented by Amy Ball.

Commissioner Tom Lee recused himself from the proceedings.

Issues discussed:

- Work was essentially as-built
- Mitigation proposed was 1:1 with project footprint
- Placing a half-rail fence along wetland edge (not required, in the end)
- Revegetate most of existing gravel area
- A mitigation plan in consultation with staff

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

Seconded and voted unanimously.

F. Borden & Michele C. Walker. Repair/replace existing foundation; construct additions, connect existing front and rear porches; landscaping improvements including but not limited to walkways, parking, and relocation of existing grill and outdoor shower at 253 Sea View Ave., Osterville as shown on Assessors Map 138 Parcel 019 **SE3-4834**

The applicant was represented by Peter Sullivan, P.E., and Patrick Ahern, R.A.

Issues discussed:

- Waivers were requested
- Planting mitigation was proposed at approximately 3:1

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

Seconded and voted unanimously.

Rachel L. Mellon. Construct additions to single-family dwelling at 19 Indian Trail, Osterville as shown on Assessors Map 070 Parcel 009-003. **SE3-4835**

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

Issues discussed:

- A large intact buffer exists

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

Seconded and voted unanimously.

IV CONTINUANCES

Town of Barnstable/DPW. Construct approximately 894 feet of sidewalk on south side of Ocean Avenue. The sidewalk will typically be a 7-foot hot mix asphalt walkway; also install highway guard rails, curbing and berms at Ocean Ave. from Keyes Beach parking lot, 894 feet past Stewart’s Creek. **SE3-4797**

The applicant was represented by Roger Parsons, P.E.

Issues discussed:

- Entire 894 feet of sidewalk will be composite wood decking
- Sidewalk width is five feet
- Most large trees and shrubs to be preserved
- A revised plan to be submitted.

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

Seconded and voted unanimously.

V REVISED PLANS

project type

revision

A.	C-O-MM SE3-4804	intersection improvements	upgrade water lines
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The applicant was represented by Craig Crocker.

A motion was made to approve the revised plan

Seconded and voted unanimously.

B.	Joyce SE3-4482	deck, patio, porch	patio
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The matter was withdrawn for the present; to be taken up at the next morning meeting of September 8, 2009.

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

A.	Svenson	SE3-4721	(coc,ez)	construct boardwalk, pier, ramp, & float *
B.	Svenson	SE3-4438	(coc,ez)	raze & construct single-family dwelling; pool *

A motion was made to approve all certificates.

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

A. Proposed CR: Community Bank to Town of Barnstable Conservation Commission

Arlene Wilson, P.W.S. represented Community Bank.

A motion was made to endorse the conservation restriction as currently drafted, and as may be revised in discussion with other Town departments.

Seconded and voted unanimously.

B. Other

- Coastal Resources final report was noted. The Commission discussed caution in taking an individual stance on the matter;

(Old and New, cont'd.)

- Future changes in open meeting law were noted. A listing of all meeting discussion items will be implemented immediately
- Craigville DCPC regulations to be reviewed September 1st
- A proposed sign at Centerville River Bridge is disallowed by legal restriction
- The Bridge Street ramp dinghy rack was built as a tie-down rail, as shown on the plan, but the Commission pictured a stand-up rack.

VIII EXECUTIVE SESSION

- A. The Commission may enter executive session at the conclusion of the above agenda items, for the purpose of discussing potential land acquisition

A motion was made to enter executive session at 9:35 p.m.

Seconded and voted by roll call:

Houle	- "Aye"
Lee	- "Aye"
Abodeely	- "Aye"
Sampoo	- "Aye"
Blazis	- "Aye"
Morin	- "Aye"
Foster	- "Aye"

The Chairman informed the public that the Commission would not be expected back in public session.