



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: September 1, 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 John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

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

I OLD & NEW BUSINESS

A. Craigville DCPC implementing regulations – joint review with Board of Health

The Chairman recognized the Chair of the Board of Health, Dr. Wayne Miller, and the Board of Health members. JoAnne Buntich, Interim Planning Director, and Town Attorney Ruth Weil attended.

A brief overview of the “Proposed Implementing Regulations” took place.

Questions, comments, and concerns:

- An appreciation of the Town Council and Growth Management Department was expressed for taking this matter forward.
- The Boards’ comments will be presented to the Cape Cod Commission.
- The requirement that view corridors be kept free of taller vegetation seems to verge on the area of Conservation Commission regulations. A revision to the proposed language will be considered.
- Do DCPC regulations limit installation of sewer systems? – The answer is no. Nor do they [regulations] impose “flow-neutral” conditions. They do, however, restrict footprints.
- Septic tanks cannot be placed in the velocity zone.
- BOH Chairman Miller expressed the opinion that it was “an excellent and commendable job.”

A joint letter from the two Boards to the Cape Cod Commission will be forthcoming.

A motion was made to close the Board of Health meeting.

Seconded and voted unanimously.

II MINUTES FOR APPROVAL

A. August 4, 2009

(Minutes, cont'd.)

A motion was made to approve the minutes.

Seconded and voted unanimously.

III REQUESTS FOR DETERMINATION

Irene Uzgiris. Construct detached garage at 37 Coddington Rd., Centerville as shown on Assessors Map 086 Parcel 059. **DA-09052**

The applicant was represented by Jack Vacarro

Issues discussed:

- Floodplain construction only
- Not in Craigville DCPC area

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Christopher Pike. Permit existing path between properties; tree removal, reducing crowns and removing invasive vines and weeds at 876 Main St., Cotuit as shown on Assessors Map 035 Parcels 085, 088 and 084. **DA-09054**

The applicant attended the hearing.

Issues discussed:

- A strategy was suggested in which closer staff consultation and planting of native species would be employed.
- Replanting would done in accordance with the Commission's list of desired species

A motion was made to issue a negative determination.

Seconded and voted unanimously.

IV NOTICES OF INTENT

Thomas DeVesto. Modifications to existing dock: place 2 outhaul pilings, install boat lift, add 8' x 25' float (with ramp) at 835 Old Post Rd., Cotuit as shown on Assessors Map 073 Parcel 006-002. **SE3-4837**

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

Issues discussed:

- A report from Tom Marcotti was read into the record.
- The absence of applicant's shellfish report.
- A question of whether there are any unique circumstances for the boat lift.
- A new deed with a permanent restriction precluding a pier at the adjacent property (also owned by the applicant).
- Float restricted to non-motorized vessels
- A need for floatstops
- The application regarded as a substantial improvement (expansion)
- A revised plan to eliminate boat lift
- Floatstops to provide minimum 24" clearance to bay bottom
- A deed restriction in keeping with the Town Order requiring the pier to be shared by the adjoining lot
- Explicit limits for Grady-White at inside – ell berth
- Requiring a sign for limitations

(DeVesto, cont'd.)

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

Seconded and voted unanimously.

Town of Barnstable/D.P.W. Minor site improvements at three sites operated by Hyannis Water District at water supply well pump stations. 1st site, activities to include paving existing access drive within same footprint and installing generator on existing concrete pad at 132 Smith St., Hyannis as shown on Assessors Map 267 Parcels 190 and 099; 2nd site, activities limited to paving existing access drive within same footprint at 228 Straightway, Hyannis as shown on Assessors Map 268 Parcel 099; 3rd site, activities limited to replacing existing propane tank and replacing existing generator at 656 Mary Dunn Rd., Hyannis as shown on Assessors Map 331 Parcel 003-X04. **SE3-4838**

The applicant was represented by Amy Ball, P.W.S.

Commissioner Tom Lee recused himself.

Issues discussed:

- A revised plan was submitted
- Natural Heritage and Endangered Species (NHESP) sign-off was obtained
- Re-planting using native material, in consultation with staff.

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

Seconded and voted unanimously.

Fred S. Jenkins & J. A. Jenkins & Son Cranberry Co., LLC. Permit and maintain agricultural water control structures and sluiceway; seasonal removal of 4 – 6 yards of leaf/sand debris at inlet of culvert at 0 Pleasant Pines Ave., Centerville as shown on Assessors Map 234 Parcel 018-T00 **SE3-4840**

The applicant was represented by Dan Ojala, P.E.

Issues discussed:

- Dredge spoil to be deposited in an upland burrow area to the north

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

Seconded and voted unanimously.

Town of Barnstable/D.P.W. Repair and maintenance of existing boat ramp and timber pier at 263 Millway, Barnstable as shown on Assessors Map 300 Parcel 027. **SE3-4839**

The applicant was represented by Russell Titmus, P.E.

Issues discussed:

- In addition to ramp reconstruction, 8 – 10 pier pilings would be replaced.
- An articulated concrete pad to be placed at the terminus of the ramp.

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

Seconded and voted unanimously.

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

- | | | | | |
|----|------------------|----------|----------|---|
| A. | Bayside Building | SE3-1663 | (coc,ez) | construct single-family dwelling * |
| B. | Dixon | SE3-4371 | (coc,ez) | construct sunroom to sfd * |
| B. | Carey | SE3-4515 | (coc,ez) | raze & construct single-family dwelling * |

A motion was made to approve the above (“A – B”) certificates.

Seconded and voted unanimously.

VI OLD & NEW BUSINESS (Continued)

- A. Clarification on 2 piers: Dodge SE3-4836, and McDonough SE3-4824

Arlene Wilson attended the meeting.

Additional bathymetry provided (and accepted) indicates adequate depth for both boats to berth bow-in, as requested by the Commission

A revised seasonal pier concept (using helical anchors and fiber glass piling) was presented. The innovative approach was thoroughly discussed, with the biggest concern being that, perhaps, too much pier in terms of design. A finding would be attached to the Order, citing this as an innovative technique and a site-specific application.

For Dodge, a motion was made to allow this experimental pier design. The motion was seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:38 p.m.