



# Town of Barnstable Conservation Commission

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## **MINUTES – CONSERVATION COMMISSION MEETING**

**DATE: September 15, 2009 – 6:30 P.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, additional resources are available to you: video-on-demand (free on the Town website at [town.barnstable.ma.us](http://town.barnstable.ma.us)), and DVD recordings. Please contact the Conservation Division at 508.862.4093 for assistance.

The meeting was called to order at 6:31 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. Rpb Gatewood, Conservation Administrator was away. Darcy Karle, Conservation Agent, assisted.

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

### **I OPENING OF MEETING FOLLOWED IMMEDIATELY BY EXECUTIVE SESSION**

A motion was made to enter executive session to discuss pending litigation.

Seconded and voted by roll call:

Houle	– aye
Lee	– aye
Abodeely	– aye
Blazis	– aye
Morin	– aye
Foster	– aye

The Chairman informed the public that the Commission could be expected back in public session at approximately 7:00 p.m.

### **II RETURN TO PUBLIC SESSION**

The Commission returned to public session at 7:03 p.m.

### **III MINUTES FOR APPROVAL**

A. August 18, 2009 (and executive session minutes of same date)

A motion was made to approve the minutes, as amended.

Seconded and voted unanimously.

**IV REVISED PLANS**

project type

revision

Town of Barnstable/DPW SE3-4701

re-pave; culvert, etc.

culvert & bank protection

The applicant was represented by Roger Parsons.

Issues discussed:

- Failure of contractor to maintain proper siltation controls and to construct berm;
- Placement of rip-rap on banking needed.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

**V REQUESTS FOR DETERMINATION**

**Town of Barnstable/Conservation Div.** To reclaim and maintain abandoned 4-foot-wide path known as “Cedar Grove Lane” (Assessors Map 20) for the purpose of providing public access to conservation parcel known as “Kitchen Cedar Swamp,” as shown on Assessors Map 021 Parcel 015. **DA-09053**

The applicant was represented by Darcy Karle.

Issues discussed:

- Leslie Kynock, Tr., commented that she had no objections to the project.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Helen Marks Marvill.** Upgrade existing failed older Title-5 septic system to new Title-5 system at 1636 Main St., W. Barnstable as shown on Assessors Map 197 Parcel 025. **DA-09055**

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

Issues discussed: no concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Frederick Steeves.** Reconstruct aging deck with updated materials and increasing width from 8’ to 9’ at 946 Craigville Beach Rd., Bldg. 6, Unit 15, Centerville as shown on Assessors Map 226 Parcel 008-20N. **DA-09056**

The applicant attended the hearing.

Issues discussed: no concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Ann B. Canedy.** Eradicate phragmites invasive species from east property line to west property line by foliar application of herbicide Rodeo. Project to be overseen and certified by MA Audubon Society, to take place at 70 Vanduzer Rd., Cummaquid as shown on Assessors Map 352 Parcel 010. **DA-09057**

The applicant attended the hearing.

Issues discussed:

- Ms. Canedy wished to amend the application to read that the work would be done by Chris Polatin.
- Reference made to conditions set forth in prior Audubon Society permits.

A motion was made to issue a negative determination with the following conditions:

- Work to be overseen by Mass. Audubon
- Work to be done by licensed applicator only, to be approved by Conservation staff
- Contractor to meet with Conservation staff prior to work; should consider wind velocity

Seconded and voted unanimously.

**Cape Cod Village Association.** Eradicate colonies of phragmites invasive species on condominium property, as well as abutters to the east and west, to restore natural habitat of the area at Cape Cod Village Condominiums on Tokamahamon Rd., Vanduzer Rd., and Harbor Point Rd., Cummaquid as shown on Assessors Map 352 Parcels (various). **DA-09058**

The applicant was represented by Karen Moriarty.

Issues discussed:

- It was suggested that a condition be added that the project to be overseen by Mass. Audubon, as in Ms. Canedy's case.

A motion was made to issue a negative determination with the following conditions:

- Work to be overseen by Mass. Audubon
- Work to be done by licensed applicator only, to be approved by Conservation staff
- Contractor to meet with Conservation staff prior to work; should consider wind velocity

Seconded and voted unanimously.

**Harold & Anna Belle Gramse, Trs.** Eradicate phragmites invasive species (2178 sq. ft.) by foliar application of herbicide Rodeo. Project to be overseen and certified by MA Audubon Society, to take place at 98 Vanduzer Rd., Cummaquid as shown on Assessors Map 352 Parcel 061. **DA-09059**

The applicants attended the hearing.

A motion was made to issue a negative determination with the following conditions:

- Work to be overseen by Mass. Audubon
- Work to be done by licensed applicator only, to be approved by Conservation staff
- Contractor to meet with Conservation staff prior to work; should consider wind velocity

Seconded and voted unanimously.

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

- |    |         |          |          |   |
|----|---------|----------|----------|---|
| A. | Woelfel | SE3-4135 | (coc,ez) | modification of existing decks *                      |
| B. | Moos    | SE3-4644 | (coc,ez) | construct shed & addition to single-family dwelling * |

A motion was made to approve all certificates ("A – B").

Seconded and voted unanimously.

**VII OLD & NEW BUSINESS**

A. Discussion on mulch

Discussion involved clarification of special conditions with regard to the use of mulch as a landscaping material.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 8:04 p.m.**