



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: March 30, 2010 – 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, additional resources are available to you: video-on-demand (free on the Town website at 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 6:30 p.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Commissioner John Abodeely was away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, Hyannis, MA.

I MINUTES FOR APPROVAL

A. March 9, 2010

A motion was made to approve the minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Ernest Whitman. Raze/replace and add 4-foot addition to fire-damaged portion of building; extend 2nd floor dormer; repair septic and upgrade to Title-5 at 329 South Main St., Centerville as shown on Assessors Map 207 Parcel 082. **DA-10016**

The applicant was represented by Michael Aucoin.

Issues discussed:

- Need to tighten up the work limit
- Need to show the electrical conduit

A motion was made to issue a negative determination, contingent upon the receipt of a revised plan.

Seconded and voted unanimously.

III NOTICES OF INTENT

Brett Fournier. Addition to single-family dwelling at 1175 Old Stage Rd., Centerville (Marstons Mills) as shown on Assessors Map 172 Parcel 009-001. **SE3-4877**

The applicant was represented by Jack Vaccaro.

Issues discussed:

- The project is on the side of house away from the wetland
- Only a small portion of the proposed addition falls within the 50-foot buffer
- Requests to remove bittersweet by hand and replant row of native shrubs (200 feet, total amount)
- Proposed mitigation is less than the 3:1 desired by the Commission (shy by a factor of 10)
- Whether accepting less than 3:1 has merit in this case because of the location of the project on the opposite side of the house from the wetland
- Deferring the planting plan to staff, but holding firm on the 3:1 requirement.

A motion was made to continue the hearing to May 4th.

Seconded and voted unanimously.

Mary & Michael Renzi. Seek post-construction approval for extension to existing shed and chain-link fence at 387 Phinney's Ln., Centerville as shown on Assessors Map 230 Parcel 093. **SE3-_____**

The applicant was represented by Ron Cadillac, P.L.S.

Issues discussed:

- The lack of 50-and-100-foot jurisdictional arcs on the plan
- A letter from Mary McNabb, expressing concern for the "as-built" project as it is
- A lengthy enforcement history with regard to this parcel, this being the 5th violation
- The applicants are concerned about selective enforcement in the neighborhood, denying them equitable treatment. The Chairman stated that his Commission does not target individuals
- Removing the fence back to the 50-foot arc
- Mr. Renzi said that the fence was located on the lawn
- Whether the shed addition and planting beds should remain with the 50-foot arc. Mitigation plantings for the shed was discussed
- A revised plan will be submitted prior to the next hearing.

A motion was made to continue the hearing to May 4th.

Seconded and voted unanimously.

IV CONTINUANCES

Priscilla P. Morphy. Landscape improvements to restore view corridor; resurface existing tennis court; restore/extend adjacent arbor and enhance buffer zone at 430 Wianno Ave, Osterville as shown on Assessors Map 163 Parcel 025-002. **SE3-4873**

Issues discussed:

- A joint site visit was held March 25th.
- The Bartlett Tree Company suggested that this was a branch-pruning at the top of the trees – much different than topping.
- Heights and tree species identification were provided
- Pruning would be within 3 – 5 feet of the tops of the largest trees.
- A tree-replacement program was suggested by Bartlett Tree, assuming approval by Mr. McCarthy, property owner
- Providing a diversion edge to the tennis court to send runoff overland with erosion
- Grading native plants into the area of jurisdiction and planting a small wet meadow
- The stairs would be restored, but no path at base would be necessary
- Tree pruning to be done in consultation with staff.

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

Seconded and voted unanimously.

Stuborn Ltd. Partnership. Remove dwelling, concrete pad, concrete foundation, invasive species, debris; construct single-family home with decks, patio, walkways, driveways, fence, grading and utilities at 153 Freezer Rd., Barnstable as shown on Assessors Map 301 Parcel 006. **SE3-4863**

The applicant was represented by Norm Hayes, Kieran Healy, and Attorney John Kenney.

Issues discussed:

- A revised plan was discussed which removed all structures out of the 50-foot buffer
- 37,000 sq. ft. of buffer zone restoration was proposed as mitigation
- Mr. Hayes outlined the mitigation areas and proposed plants

Public Comment:

- John Crowell was concerned about a zoning change in the village
- Ann Canedy expressed concern that the proposed mitigation was *truly* mitigation, not merely clean-up. She also expressed concern for aesthetics and for the ACEC
- Charles Hill expressed concern for potential erosion of fill into wetlands
- Gordon Starr preferred to see the house built at ground level, not with a basement.

A drawdown basin for the pool is provided under the concrete patio. An upland seed mix with the maritime component will be seeded in areas “2” and “3.”

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

Seconded and voted unanimously.

<u>V</u> <u>REVISED PLANS</u>	<u>Project type</u>	<u>Revision</u>
A. Bayside Building SE3-4846	sfd	footprint, location

The applicant was represented by James Bowes and Kieran Healy.

A motion was made to approve the revised plan, contingent upon NHESP approval of same.

Seconded and voted unanimously.

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

A.	TOB/DPW	SE3-0184	(coc,ez)	repair bulkhead at Barnstable Harbor
B.	TOB/DPW	SE3-4625	(coc,ez)	work related to construction of HYCC (not done)
C.	TOB/DPW	SE3-2659	(coc,ez)	improve stormwater drainage in Cotuit Center
D.	TOB/DPW	SE3-3596	(coc,ez)	replace dock; re-align boat ramp at Prince Avenue*
E.	France	SE3-4486	(coc,ez)	reconstruct in-ground swimming pool (not done)
F.	Ausiello	SE3-4596	(coc,ez)	replace fence, patio, & walkway *

A motion was made to approve certificates “A - F.”

Seconded and voted unanimously.

G.	Fish (Kingfish)	SE3-4684	(corrected coc)	allow ongoing nourishment
----	-----------------	----------	-----------------	---------------------------

(COC's, cont'd.)

H. Schuster SE3-4688 (corrected coc) allow ongoing nourishment

A motion was made to approve corrected certificates "G" and "H."

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:58 p.m.