



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: June 21, 2011 – 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 John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise R. Foster. Rob Gatewood, Conservation Administrator, assisted.

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

I OLD & NEW BUSINESS

A. Commission re-organization

A motion was made to re-nominate Dennis Houle and Tom Lee for Chairman and Vice-Chairman, respectively, for one year.

Seconded and voted unanimously.

II EXECUTIVE SESSION

A. Pending litigation

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

Seconded and voted by roll call:

Houle	- aye
Lee	- aye
Abodeely	- aye
Sampou	- aye
Blazis	- aye
Morin	- aye
Foster	- aye

The Chairman informed the public that the Commission could be expected back in public session as soon as possible.

Return to public session

The Commission returned to public session at 7:25 p.m.

III MINUTES FOR APPROVAL

A. June 7, 2011

A motion was made to approve the minutes.

Commissioners Sampou and Foster abstained from the vote.

Seconded and voted unanimously.

IV REQUESTS FOR DETERMINATION

North Bay Beach Association. Maintain existing beach nourishment area (approx. 800 sq. ft.), raking out sand beyond this area, and plant beach grass on southwest slope at 0 Bay Street, Osterville as shown on Assessor's Map 094 Parcel 002. **DA-11055**

The applicant was represented by Phyllis Cole.

Issues discussed:

- No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Gloria Rudman. Vista pruning in accordance with Conservation Commission Guidelines at 4 Toby Circle, Hyannis as shown on Assessor's Map 325 Parcel 160. **DA-11053**

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

Issues discussed:

- A three-foot path was proposed, to be shown on a revised plan. Allowance to prune the single pussy willow was granted.
- A photo was distributed and noted as Exhibit A.

A motion was made to issue a negative determination.

Seconded and voted unanimously

Steve & Mary Rose. Add 7' x 22' addition to back of house (southwest corner) at 72 Alder Brook Ln., W. Barnstable as shown on Assessor's Map 132 Parcel 044. **DA-11056**

The applicant was represented by Mark Macallister.

Issues discussed:

- No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Stephen M. & Esther C. Lorusso. Connect to gas main at 51 Waterman Farm Rd., Centerville as shown on Assessor's Map 206 Parcel 098. **DA-11057**

(See NOI's, Colonial Gas, below)

Stephen M. & Esther C. Lorusso. Connect to gas main at 61 Waterman Farm Rd., Centerville as shown on Assessor's Map 206 Parcel 096. **DA-11058**

(See NOI's, Colonial Gas, below)

Dianne G. Epstein. Connect to gas main at 68 Waterman Farm Rd., Centerville as shown on Assessor's Map 226 Parcel 001. **DA-11059**

(See NOI's, Colonial Gas, below)

David Brito. Seek confirmation of wetland delineation at #31 and #43 Church Hill Rd., Centerville as shown on Assessor's Map 207 Parcels 138 & 139. **DA-11054**

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

Issues discussed:

- The site plan was displayed and noted as Exhibit A.

Public comment:

- Thomas Nortz expressed concern about possible construction near his lot.

A motion was made to issue a positive determination.

Seconded and voted unanimously.

Town of Barnstable/Growth Management Dept. Aesthetic improvements to Town-owned property on Hyannis Harbor to include native plantings, hardscape elements, interpretive art, and increased public access while allowing commercial fishing vessels and crew to fully conduct regular business at 182 Pleasant St., Hyannis as shown on Assessor's Map 326 Parcel 131. **DA-_____**

WITHDRAWN

V NOTICES OF INTENT

Peter Walter. Raze two dwellings, shed, greenhouse, barn, and replace with single-family dwelling, barn, retaining walls, gates, fencing, driveway, utilities and landscaping at 470 Sea View Ave., Osterville as shown on Assessor's Map 138 Parcel 001. **SE3-_____**

The applicant was represented by Dan Ojala, P.E. and Rob Calderara.

Issues discussed:

- Most of the project resides outside of Commission jurisdiction.
- Driveway width will increase by six inches. It will have country drainage.
- Overhead wires will be removed from the cedar swamp.
- The site plan was displayed and noted as Exhibit A.
- The magnificent white oak stand will be preserved.

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

Seconded and voted unanimously.

Steven Vazza/Blue Diamond Osterville, LLC. Construct single-family house, garage/guest house and landscaping on new lot adjacent to 151 Bunker Hill Rd., Osterville as shown on Assessor's Map 096, portions of Parcels 007-001, 007-002 & 007-003. **SE3-4940**

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

Issues discussed:

- The work limit will reside 87 feet from the bordering wetland and 14 feet from the State coastal bank.

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

Seconded and voted unanimously.

Town of Barnstable/Dept. of Public Works. Reconstruct Bearse's Way, Phase III. Includes reconstruction of Stevens St. from intersection of North St. to intersection with Winter St.; reconstruct Bearse's Way/High School Rd. from roundabout east of Bacon Rd. to High School Rd./Main St. intersection in Hyannis as shown on Assessor's Map 308 Parcel (various). **SE3-4942**

The applicant was represented by Roger Parsons, P.E. and Bill Mertz, P.E.

The proposed plan, sheet 4 of 5, was displayed and noted as Exhibit A.

The proposed drainage filtration plan, sheet 5 of 5, was displayed and noted as Exhibit B.

Commissioner Tom Lee said the stormwater report could have been better supported by calculation.

Mr. Mertz replied that calculations could not be met; it is just a significant betterment.

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

Seconded and voted unanimously.

Colonial Gas d/b/a National Grid. Extend gas main approx. 500 feet to end of Waterman Farm Rd., Centerville as shown on Assessor's Map 207 Parcel (various). **SE3-4943**

The Colonial Gas NOI and the RDA's for Lorusso, Lorusso, and Epstein hearings were opened simultaneously.

The applicants were represented by Peter Sullivan, P.E.

Commissioner Scott Blazis acknowledged his father's contractual relationship with the Rudman's project under SE3-4924.

A copy of the site plan was distributed and noted as Exhibit A.

A motion was made to approve all four projects with special conditions.

Seconded and voted unanimously.

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

A.	Rudman	SE3-0070	(coc,ez)	construct single-family dwelling *
B.	Christodoulo	SE3-4746	(coc,ez)	construct additions & garage to sfd; upgrade septic *
C.	Largay	SE3-2694	(coc,ez)	permit existing pier, ramp, float, bulkhead, & beach house *
D.	Mass Audubon	SE3-4722	(coc,ez)	construct boardwalk & observation platform *

E. TOB/DPW SE3-0088 (coc,ez) construct additional finger floats

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

Seconded and voted unanimously.

VII OLD & NEW BUSINESS (Continued)

B. Workshop on proposed changes to Chapter 704 buffer zone regulation

Consultant Carole Ridley attended and led the discussion.

A revised definition for “hardscape” was proposed.

A “best practices” section was suggested for a couple of items, including the “preference for pervious surface types.”

Under Chapter 704-3 B (1) c., a discussion ensued as to whether landscape alteration in the 50 to 100 foot buffer should be mitigated.

Adding the phrase: “in unique circumstances,” was brought up. Some Commissioners defended the draft as written.

Staff suggested deleting sub-section c.

A motion was made to eliminate sub-section c.

Seconded and approved: 4 votes: “aye;” 2 votes: “nay.”

The item “treatment of pre-existing structures,” will require further investigation. Staff and consultant will work to develop this topic for the next meeting.

With regard to Chapter 704-5 Exemptions, the Commission separated this topic into two parts: property management and marinas.

The consultant was to work on a definition for “water-dependent structures.”

Discussion ensued on changing the “sign-off” policies on the RDA track, with staff position affirmed that the present standards should not be changed. Commissioners took opposing sides on this issue.

In the end, the Commission agreed that the RDA standards should remain the same. Projects incorrectly filed as an RDA run the risk of receiving a positive determination.

The workshop will resume in July.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:30 p.m.