



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE : July 19, 2011 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, 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 Foster. Rob Gatewood, Conservation Administrator, 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 (6:30 P.M.)

A. Discussion of litigation strategy

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

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 would return to public session as soon as possible.

II RETURN TO PUBLIC SESSION (approx. 7:00 P.M.)

The Commission returned to public session at 6:55 p.m.

III MINUTES FOR APPROVAL

A. June 14, 2011

B. June 21, 2011

A motion was made to approve the minutes.

Seconded and voted unanimously. [Commissioner Foster abstained from voting on the June 14th minutes].

IV REQUESTS FOR DETERMINATION

Robert Colantuoni. Seeks permit to control/remove phragmites invasive species by licensed professional at 35 Blue Heron Dr., Osterville as shown on Assessor's Map 117 Parcel 002. **DA-11060**

The applicant was represented by John O'Dea, P.E.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Allen Halliday, Tr./Pillow Realty Trust. Pump dry and remove two existing failed cesspools; install new Title-5 sewage disposal system at 154 Eel River Rd., Osterville as shown on Assessor's Map 115 Parcel 010-001. **DA-11065**

The applicant was represented by Jason Sousa.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Mass. Conference of UCC. Replace retaining wall at 186 Lake Elizabeth Dr., Craigville as shown on Assessor's Map 226 Parcel 184. **DA-11064**

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

Issues discussed: No concerns arose.

Public comment:

- Jim Lane, President of Christian Camp Meeting Association, spoke in favor of the project.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Mary B. Hash. Mow and maintain paths through invasive species phragmites and existing grass area; maintain path to dock area at 1199 Craigville Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 053. **DA-11061**

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

Issues discussed:

- Prior consultation with staff required before initial mowing;
- The approval here modifies special condition #11 of SE3-4401, regarding mowing.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Frederick Wrightson. Remove invasive plants and vines, including white poplar, honeysuckle, autumn olive, oriental bittersweet, etc.; replant with native species at 217 Seapuit River Rd., Osterville as shown on Assessor's Map 070 Parcel 016. **DA-11063**

The applicant was represented by Steve Wilson, P.E. and Bruce Besse.

Issues discussed:

- Prior on-site consultation with staff required.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

V NOTICES OF INTENT

Edward C. Dimock, III. Permit and maintain existing seasonal floating pier in and over waters of Lake Wequaquet at 36 Lakeview Dr., Centerville as shown on Assessor's Map 214 Parcel 049. **SE3-4944**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- The long-approved fixed pier was removed and replaced with a floating pier, but not in the precise configuration.
- This application would approve the existing pier footprint.

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

Seconded and voted unanimously.

Ronald & Suzanne Doyle. Remodel existing house; build additions, porch, shower; reconstruct porch; build raised walk, ramp; tree removal, at 35 Sail-A-Way, Centerville as shown on Assessor's Map 230 Parcel 097. **SE3-4941**

The applicant was represented by Tim Brady, P.E.; Mr. and Mrs. Doyle attended the hearing.

Issues discussed:

- Mr. Brady summarized the project.
- Some mitigation planting was proposed to offset shrub trimming near the garage.
- The lack of lawn (what is present is very rough) provided the basis for a lowered mitigation amount.
- Two canopy trees will be provided for the two trees proposed to be removed, along with the shrubs.

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

Seconded and voted unanimously.

Blue Heron Drive LLC. Proposed additions to first and second stories; proposed detached garage and driveway extensions; proposed pool and patio; proposed removal/control phragmites at 19 Blue Heron Dr., Osterville as shown on Assessor's Map 094 Parcel 004. **SE3-4946**

The applicant was represented by John O'Dea, P.E. and Tom Swinson.

Issues discussed:

- The proposed site plan was displayed and noted as Exhibit A.
- The Commission suggested replanting, in addition to proposed removal of phragmites, as mitigation.
- The planting plan would be developed in consultation with staff.
- A revised plan reducing the proposed waiver for the garage will be submitted.

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

Seconded and voted unanimously.

Paul Roiff/40 Crossway LLC. Construct new pile-supported pier with ramp and float; maintenance of existing path to water at 160 Peppercorn Ln., Cotuit as shown on Assessor's Map 004 Parcel 011. **SE3-4948**

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

Issues discussed:

- Grated surface will be used over the marsh.
- Boat specs will be provided later.
- A boat draft not to exceed 20" was requested.
- Mass. Division of Marine Fisheries requested composite materials or local hardwoods, such as black locust.
- The Commission requested that the applicant consider shifting the pier westward in order to remain within the riparian line.

A motion was made to continue the hearing to August 30th.

Seconded and voted unanimously.

James Hawley. Construct single-family residence at 259 Main St.,Route 6A, W. Barnstable, as shown on Assessor's Map 134 Parcel 013. **SE3-4947**

The applicant was represented by Jack Vaccaro and Steve Kirk.

Issues discussed:

- The existing house would be removed, and a new, larger house constructed.
- The proposed plan was displayed and noted as Exhibit A.
- Approximately 1000 square feet of mitigation plantings are proposed on a separate buffer zone restoration plan.
- The split rail fence will be reconfigured on the landward edge of the planting.

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

Seconded and voted unanimously.

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

A.	Greenman	SE3-1331	(coc,ez)	construct single-family dwelling *
B.	Warren	SE3-4799	(coc,ez)	raze & construct single-family dwelling *
C.	R & M Partnership	SE3-2496	(coc,ez)	reconstruct revetment *
D.	Curran	SE3-4562	(coc,ez)	replace garage with a pool (not done)

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

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

A. Proposed CR from and grant support for: BLT at parcel 061.009 Middle Pond

Jaci Barton, Executive Director of the Barnstable Land Trust, attended the hearing.

The Middle Pond parcel proposed for acquisition has long been on the Land Trust's priority list. Public access is proposed.

A motion was made to extend the Commission's intent to hold and support a future Conservation restriction on the parcel, and to support the Land Trust's grant application to EOEEA.

Seconded and voted unanimously.

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

Carole Ridley, consultant, attended the hearing.

Ms. Ridley explained the latest changes contained in draft of 7/5/11, which are mostly organizational in nature. The Commission discussed these latest changes.

In the end, several changes were incorporated and will be reflected in a draft for public hearing.

A motion was made to move the draft regulation to the public hearing on August 30th.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:07 p.m.