



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

DATE : April 10, 2012, 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](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 6:30 p.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners Peter Sampou, Larry Morin, and Louise Foster. Commissioners John Abodeely and Scott Blazis were away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Selectmen's Conference Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

### I MINUTES FOR APPROVAL

A. March 27, 2012

A motion was made to approve the minutes.

Seconded and voted unanimously.

B. April 3, 2012

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

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**Robin Brown.** Mow phragmites in wetland area and treat with herbicide approved for sensitive areas at 250 Smoke Valley Rd., Osterville as shown on Assessor's Map 097 Parcel 002. **DA-12026**

The applicant was represented by Justin O'Connor.

Issues discussed: (No concerns arose).

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Jeffrey Oppenheim.** Seek confirmation of wetland delineations on Lots 1, 2, 3, 4, 5, 6, 7 High Noon Dr., Centerville as shown on Assessor's Map 193 Parcels 215, 216, 219, 220, 221, 222, and 223. **DA-12027**

The applicant was represented by Lynne Hamlyn.

Public comment:  
MN041012

- Guy Morris' letter was read into the record. It expressed concern for underestimating the extent of the wetland.
- Tom Castiello, abutter, expressed concern for the buildability of the lots.

Staff found the delineation to be accurate, in no way underestimating the wetland boundary at the site.

A motion was made to issue a positive determination.

Seconded and voted unanimously.

**Polly E. Behrens Trust.** Construct workshop addition to detached garage at 1715 Main St., Cotuit as shown on Assessor's Map 016 Parcel 003. **DA-12028**

The applicant was represented by Jack Vaccaro.

Issues discussed: (No concerns arose).

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Town of Barnstable/D.P.W.** Overlay existing pavement with 1-1½ inches of new asphalt on Ames Way between Rte. 28 and Deepwood Circle, as shown on Assessor's Map near 189 and Parcel 007. **DA-12029**

[DA-12029 and DA-12030 were heard simultaneously]

**Town of Barnstable/D.P.W.** Overlay existing pavement with 1-1½ inches of new asphalt on Bridge St., Osterville as shown on Assessor's Map 072 Parcel (various). **DA-12030**

The applicant was represented by Joe Orciuch of the DPW.

Issues discussed: (No concerns arose).

A motion was made to issue a negative determination for both projects.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Laura Trust, Tr./183 Bay Street Realty Trust.** Proposed 15-ft. ramp and 8' x 16' float for existing permitted dock at 183 Bay St., Osterville as shown on Assessor's Map 117 Parcel 152. **SE3-\_\_\_\_\_**

Via email, the applicant requested a continuance to May 22<sup>nd</sup>.

A motion was made to continue the hearing to May 22<sup>nd</sup>.

Seconded and voted unanimously.

No testimony was taken.

**Coleman Limited Partnership, L.P.** Restoration and revegetation of storm-eroded bank and dune at 27 Marchant Ave., Hyannisport as shown on Assessor's Map 286 Parcel 025. **SE3-5001**

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

Issues discussed:

- Photos of the beach at the locus were provided and noted as Exhibit A (1 – 2).
- No concerns arose.

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

Seconded and voted unanimously.

**Mark M. Christopher, Tr./Sea View Realty Trust.** Proposed landscape improvements and retaining wall; dry-laid patio; temporary irrigation system at 861 Sea View Ave., Osterville as shown on Assessor’s Map 113 Parcel 001. **SE3-5000**

The applicant was represented by Peter Sullivan, P.E., Jennifer Exner, and Seth Wilkinson.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- The proposed hardscape area within the 50 – 100-foot buffer will be mitigated for in the required 3:1 ratio.
- The landscaping plan was summarized. A temporary irrigation system was proposed.
- The existing toilet will be tied-in to the proposed septic system.

Public comment:

- Attorney James Goodhue expressed concern for the proposed work, now proceeding outside of jurisdiction, but proposed to be completed within the 50 – 100-foot buffer.

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

Seconded and voted unanimously.

**Alexander & Jeanette M. Gleyzer.** Provide new foundation system for existing cottage; replace shed with boathouse at 386 Shootflying Hill Rd., Centerville as shown on Assessor’s Map 214 Parcel 051. **SE3-\_\_\_\_\_**

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

Issues discussed:

- Ms. Wilson first outlined the cottage pile foundation replacement. De-watering will likely be required, as will a Chapter 91 license.
- For the proposed boathouse, no elevation view was provided. Four trees will need to be removed. Boats include a 16-foot catamaran, a couple of day sailors, a rowboat, and others. The purpose for the structure would be boat storage. The footprint would be 20 – 28 feet.
- The Commission was concerned about filling up the last remaining grow part of the parcel with a boathouse, whether the boathouse was a “water-dependent use” under Chapter 704.
- The Commission added the necessity of elevation views.

A motion was made to continue the hearing to May 22<sup>nd</sup>.

Seconded and voted unanimously.

**Town of Barnstable/D.P.W.** Reconstruct and maintain concrete boat ramp in Centerville River at end of Hayward Road adjacent to #40 Hayward Rd., Centerville, as shown on Assessor’s Map 186 Parcel 056. **SE3-5002**

**Town of Barnstable/D.P.W.** Reconstruct and maintain concrete boat ramp in Prince Cove at 230 Prince Ave., Marstons Mills as shown on Assessor’s Map 076 Parcel 019. **SE3-5003**

[The two DPW boat ramp applications were opened simultaneously.]

Issues discussed:

- The proposed plans were displayed and noted as Exhibits A and B.
- A letter from the Division of Marine Fisheries was noted. The Division requested a time-of-year restriction:
- January – June for winter flounder.
- Consultation with staff was, instead, recommended for winter flounder protection.
- Boulders will be re-sized at the lower side of the Hayward Road ramp.

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

Seconded and voted unanimously.

**IV REVISED PLANS**

A. Bergeron SE3-4709 pier timing, to May 31

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

Issues discussed: (No concerns arose).

A motion was made to approve the revised plan, allowing work to occur through June 1<sup>st</sup>.

Seconded and voted unanimously.

B. Popeo SE3-4959 pier timing, to May 31

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

Issues discussed: (No concerns arose).

A motion was made to approve the revised plan.

Seconded and voted unanimously.

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

A. Hirsch SE3-4779 (coc,ez) construct additions to sfd (not done)

B. TOB/DPW SE3-4673 (coc,ez) reconstruct Keveney Lane Bridge \*

C. Donahue SE3-4987 (Partial coc,ez) permit as-built conditions \*

D. Shay SE3-4046 (coc,ez) construct stairway; permit existing pier & float \*

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

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

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