



# Town of Barnstable Conservation Commission

200 Main Street  
Hyannis Massachusetts 02601

Office: 508-862-4093  
AG032304

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

FAX: 508-778-2412

## MINUTES – CONSERVATION COMMISSION MEETING

DATE : May 8, 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, Scott Blazis, Larry Morin, and Louise Foster. Commissioner John Abodeely was away (he will return to attend the May 15<sup>th</sup> A.M. meeting). 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. April 24, 2012

A motion was made to approve the minutes.

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**Elisha Harris Family LP.** Repair/upgrade septic system at 51 East Ave., Osterville as shown on Assessor’s Map 139 Parcel 062. **DA-12035**

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

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Kenneth Carey.** Repair failed septic system; install septic tank, pump chamber and leach field at 439-441 South Main St., Centerville as shown on Assessor’s Map 207 Parcel 066. **DA-12036**

The applicant was represented by Linda Pinto, P.E.

Issues discussed:

MN050812

- The project has been approved by the Board of Health;
- Cesspools will be filled with clean sand.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Centerville-Osterville, Marstons Mills Fire District, Water Dept.** Construct drinking water pumping facility for existing gravel-packed groundwater well on existing cleared site in Marstons Mills as shown on Assessor's Map 042, 043 Parcel (various). **SE3-5009**

The applicant was represented by Kristin Berger.

Issues discussed:

- The watershed sub areas 1 and 2 were displayed and noted as Exhibit A.
- The proposed plan (sheet ENV-2) was displayed and noted as Exhibit B.

Public comment:

- David Lawler, Prudential Committeeman from C-O-MM spoke in favor of the project.

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

Seconded and voted unanimously.

**B. F. Saul, II, Tr, 395 Eel River Rd. Rlty. Trust.** Additions to existing single-family dwelling at 395 Eel River Rd., Osterville as shown on Assessor's Map 114 Parcel 022. **SE3-5008**

The applicant was represented by Attorney David Lawler and John O'Dea, P.E.

Issues discussed:

- The proposed site plan was displayed and noted as Exhibit A.
- A waiver was requested for an addition and patio within the 50-foot buffer.
- A large oak tree was proposed for removal, due to proximity to the house. A replacement tree was proposed, in consultation with staff.
- Also proposed was allowance to provide 675 square feet of mitigation (of the total 3,100 square feet) in the 50 – 100-foot buffer (instead of the 50-foot buffer).
- Tree removal was relegated to staff discretion. The applicant will provide further justification.

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

Seconded and voted unanimously.

**A. L. Khoury Cape Cod Real Estate Trust.** Landscaping; mitigation planting; construct low retaining walls; reconstruct existing stairway and new stairway for beach access (for 831 Sea View Ave.) at 835 Sea View Ave., Osterville as shown on Assessor's Map 113 Parcel 002-002. **SE3-5010**

The applicant was represented by Stephen Wilson, P.E., Bruce Besse, Rob Calderaro, Arnie Johnson, and Dr. Barry Lehman.

Issues discussed:

- The proposed revised plan was displayed and noted as Exhibit A.
- The proposed landscaping design was displayed and noted as Exhibit B.
- Graphics, highlighting the hardscape additions to the property totaling 1,400 square feet, were noted on and displayed as Exhibit C

- Mitigation planting would exceed the amount required by regulations.
- The lawn would be replaced with fescue, low nitrate, and drought hardy.
- A pocket of photos of the existing cedars to be removed (and replacement species) along with a cover letter was provided and noted as Exhibit D (1 – 10) and Exhibit E, respectively. Five of the trees were damaged specimens within the 50-foot buffer.
- Proposed tree removal was discussed, with the Commissioners’ concern for lack of tree replacement within the lawn area within 50 feet.
- The applicant was requested to develop a tree planting concept in consultation with staff.
- The proposed top-of-stair decks were problematic to the Commission, except for the one on the main property which was left for staff discretion to size appropriately. The easement deck would be removed, but a small landing allowed.

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

Seconded and voted unanimously.

**IV AMENDED ORDERS**

**Town of Barnstable/Conservation Division.** Implementation of Aquatic Plan Management Program at Wequaquet Lake and Bearse Pond to control non-native, invasive fanwort growth. An Amended Order of Conditions is requested allowing hand-pulling and use of suction harvesting, instead of herbicide use. As shown on Assessor’s Map 192, 193, 232, 233 Parcel (various). **SE3-4937**

The applicant was represented by Rob Gatewood, Conservation Administrator.

Issues discussed: No concerns arose.

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

Seconded and voted unanimously.

**V EMERGENCY CERTIFICATION**

- A. **Town of Barnstable Conservation Division SE3-4531 Rushy Marsh Pond Restoration**  
 Emergency Certification for necessary stabilization measures including armoring left side of inlet; backfilling to create former dune/beach profile; sheet piling to protect culvert corners; bottom stones to protect culvert from undermining.

No concerns arose for implementation of the emergency stabilization measures.

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

- A. None

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 8:05 p.m.**