



**Town of Barnstable
Conservation Commission**
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MINUTES

CONSERVATION COMMISSION MEETING

DATE: July 9, 2013 6:30 p.m.

LOCATION: 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 6:35 p.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners John E. Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA

MINUTES FOR APPROVAL

A. June 18, 2013

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

Seconded and voted unanimously, with one abstention.

II REQUESTS FOR DETERMINATION

Evelyn McPeake. Remove existing outdoor shower and ground-level deck; remove existing large deck; reconstruct shower area and lower deck; remove concrete step/replace with deck material; remove bush and connect door deck to large deck; remove/replace existing small lakeside deck; remove/replace roof shingles and sidewall at 162 Tern Ln., Centerville as shown on Assessor's Map 212 Parcel 016. **DA-13043**

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

Exhibits:

- A – Proposed plan

Issues discussed:

- Synthetic composite deck

A motion was made to issue a negative determination.

Seconded and voted unanimously.

David B. & Joan B. Hill, Trustees. Relocate 1 holly bush and replace 4 Austrian pine trees with 4 Japanese black pines; plant 2 or 3 additional Japanese black pines on coastal bank at 9 Island Ave., Hyannisport as shown on Assessor's Map 265 Parcel 022. **DA-13044**

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

MN070913

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Peter Tritsch. Vista pruning for a view of Bearse's Pond at 46 Holly Point Rd., Centerville, as shown on Assessor's Map 233 Parcel 038. **DA-13045**

The applicant was represented by Judy Goodman.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Susan E. Moore. Remove existing garage, decks, bulkhead and paved driveway; construct garage, porch and foyer; construct pervious driveway, bluestone patio and stone walkways; replace septic tank and add plantings at 256 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 031. **SE3-5099**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- A correction in drainage pattern was proposed to assist a neighbor;
- A four-foot-wide path is allowed;
- The project satisfied the buffer zone regulations.

A motion was made to approve the project with standard and special conditions

Seconded and voted unanimously.

Robert J, Jr. & Molly U. Tarr/ Trustees of MUT Realty Trust II. Maintenance dredging within a portion of a previously approved dredge channel and basin for purposes of docking a vessel at 141 Eel River Rd., Osterville as shown on Assessor's Map 115 Parcel 008. **SE3-5101.**

The applicant was represented by John Churchill, P.E. and George Gilmore.

Issues discussed:

- Proposed maintenance dredging to an average of -4.5 feet.

Public comment:

- MA Division of Marine Fisheries recommended a time of year restriction of January 15 – May 31;
- The Harbormaster office had no concerns for the project;
- The existing shellfish stock to be assessed and removed/relocated to protect it, in consultation with the Town Shellfish Biologist;
- A post-dredge survey shall be provided.

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

Seconded and voted unanimously.

Suzanne W. Genest. Remove and replant vegetation approx. along edge of wetlands behind existing single-family residence at 116 Scudder's Ln., Barnstable as shown on Assessor's Map 259 Parcel 012. **SE3-5100**

The applicant was represented by John Churchill, P.E. and Steve Heywood.

Issues discussed:

- Expanding the project to remove the pioneer Phragmites invasion;
- Existing densities will be reproduced, but may take several seasons to establish. Planting density will be increased to 3 feet o.c.;
- Any phragmites removal to be done in consultation with the Conservation agent;
- Annual monitoring reports for three years;
- Several eastern red cedars to be planted in consultation with the Conservation agent.

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

Seconded and voted unanimously.

IV CONTINUANCES

Three Bays Preservation, Inc. & Mass. Audubon Society, Inc. Proposed barrier beach management plan to include maintenance dredging and beach nourishment and other activities to enhance wildlife habitat and maintain integrity of barrier beach; proposing to remove the western-most 800 ft of Sampson's Island via dredging, and to use this sand to fortify the eroding front beach at Dead Neck. **SE3-5053**

The applicant was represented by John O'Dea, P.E. Lindsey Counsell, Atty. Barry Fogel, and John Ramsey, P.E.

Exhibits:

- A – Proposed Plan
- B – Wave modeling study of June 28, 2013 by Sean Kelley, P.E. and John Ramsey, P.E.
- C – Five-year phasing plan.

Issues discussed:

- A site visit for the end of July is expected with Natural Heritage and Endangered Species Program;
- A summary of his previously submitted report was provided by John Ramsey, P.E.;
- The first year of the proposed phased dredging would be 150 linear feet (40,000 cu. yd.);
- For 2013, bird counts are way down, with only two pair of nesting plovers, down from twenty-six pair;
- The possibility of dredging much more in Phase 1, then taking a 2-year break.

Public comment:

- Waterways Committee/Harbor Master found no problems with the project. They also advised dredging the outer entrance channel;
- An email from the Wheelwrights of Cotuit was received;
- Leslie Fields, representing five Cotuit waterfront property owners said she had met several times with the project proponents. She described their discussions as "productive;"
- Rick Boden cited a danger to swimmers in the existing conditions;
- George Gilmore said it is becoming extremely difficult to bring the fireworks barge through;
- Warren Wheelwright said that 150 linear feet of dredging would suffice, but 800 feet would destroy important wildlife habitat;
- Brad Wheelwright described the project as far too big and unnecessary;
- Susan Hardy said that removing 800 feet of the barrier would place Cotuit Harbor in jeopardy;
- Suzie Wheelwright said the 800 feet of barrier beach contained more than ninety-nine boats;
- Mr. Counsell described the project as the sustainable option.

A motion was made to continue the hearing to September 17th.

Seconded and voted unanimously.

Tia Lilly. Rehab existing 5-bedroom single family dwelling; upgrade septic, vista pruning; remove existing swimming pool; construct new deck, patio and walkway; landscaping; repave driveway, and appurtenances at 24 Bay Rd., Cotuit as shown on Assessor's Map 020 Parcel 118. **SE3-5094**

The applicant was represented by Brad Hall.

Issues discussed:

- A revised plan and mitigation calculations were received earlier.
- A defined vista pruning corridor was indicated;
- The existing pool deck (concrete) will be topped with loam and planted.

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

Seconded and voted unanimously, with one abstention.

V OLD & NEW BUSINESS

A. Unauthorized trails at West Barnstable conservation area

Paul Caruso and Bruce Estrella attended.

Exhibits:

- Bike trail map provided by Mr. Estrella.

Issues discussed:

- The great growth of the number of bike trails was displayed in the bike trail map.
- Several said they share a fondness for this area and a concern that wildlife habitat is quickly being lost. By 2006, thirty-two miles of trails were in existence.
- Mr. Caruso was the long-time chair of the Conservation Commission land management subcommittee. He said that in 1988, only two miles of trails existed, and in the 1988 land management plan, mountain bikes were not even mentioned.
- Taking some existing unauthorized trails out of commission needs to proceed. Enforcement can play an important role, and video surveillance may assist us.
- Solutions are difficult to arrive at: taking time and personnel, perhaps involving the bike clubs and the W. Barnstable Deer Club, as well as Natural Resource officers.
- Marking trails we want open, rendering everything else closed;
- Commissioner Sampou offered to take a lead in outreach.

A motion was made for Commissioner Peter Sampou to lead the effort working with staff, user, and support groups.

Seconded and voted unanimously.

VI CERTIFICATES OF COMPLIANCE

A.	Town of Barnstable/DPW	SE3-1019	(coc,eZ)	repair bulkead
B.	Stevens	SE3-0461	(coc,eZ)	construct addition to single-family dwelling
C.	Welsh	SE3-1101	(coc,eZ)	repair existing revetment

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

Seconded and approved unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:12 p.m.