



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

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

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: JANUARY 12, 2016 @ 6:30 PM

LOCATION: TOWN HALL HEARING ROOM, 2nd Floor – 367 Main Street, Hyannis, MA

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 F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle, and Commissioners Peter Sampou, Larry Morin, and Louise R. Foster. Commissioners John E. Abodeely and Scott Blazis were away. Darcy Karle, Conservation Administrator, assisted.

I REQUESTS FOR DETERMINATION

Joseph & Nancy Gill. Maintain existing stockade fence; maintain and extend landscape berm; relocate mulch and compost pile; planting; maintain propane tanks & generator at 42 Burning Tree Ln., W. Barnstable as shown on Assessor's Map 136 Parcel 011. **DA-15072**

The applicants were represented by Arlene Wilson, P.W.S.

Exhibits:

A – Three photos dated 10/7/2015 submitted by Darcy Karle, showing wetland restoration at 350 Sandy Neck Road, W. Barnstable.

Public comment: Abutter Susan Waluck was concerned with fence locations

- Ms. Karle gave a brief history of the Russell violation, including the isolated wetland reclamation on the abutting lot at #350 Sandy Neck Road.
- An abutter issue arose regarding run-off. Jurisdiction is the buffer zone to an isolated wetland.
- There is a sheet flow of water that flows in an easterly direction in the general location of the stockade fence. Matt Creighton of BSC Group had pointed this out to Ms. Karle. She believes the wetland comes closer to the end of the fence than depicted in Ms. Wilson's Exhibit F in the RDA application. However, staff supports the RDA application for the small berm extension within the 50' buffer.
- The issue of run-off had been brought up by Mr. Gill during the Russell violation hearing.

A motion was made to issue a negative determination, with the condition that the cobblestone and brick piles are to be removed from conservation jurisdiction.

Seconded and approved unanimously.

Town of Barnstable/D.P.W. Install updated drainage system in road near #830 River Rd., Marstons Mills as shown on Assessor's Map 044 Parcels (various). **DA-16002**

The applicant was represented by Brian Celia of the DPW.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/D.P.W. Install updated drainage system in road between #232 and #312 Pleasant Pines Ave., Centerville as shown on Assessor's Maps/Parcels (various). **DA-16003**

The applicant was represented by Brian Celia of the DPW.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

II NOTICES OF INTENT

Town of Barnstable/D.P.W. Proposed bulkhead repair at Prince Cove Marina, 230 Prince Ave., Marstons Mills as shown on Assessor's Map 076 Parcel 019. **SE3-5351**

The applicant was represented by Roger Michniewicz, P.E. of Coastal Engineering, and Roger Parsons, Town Engineer.

Issues discussed:

- Roger Michniewicz, P.E. gave a brief history of how the old bulkhead was constructed. The old bulkhead stays in place while the new steel pile sheet pile bulkhead will actually be driven on the outside edge of the old bulkhead.
- Questions were raised by some of the Commissioners about the new lights proposed in the parking area and how they would be directed. Roger Parsons insured the Commission that the new lights will be an improvement; light will be directed only in areas where needed. Questions also were raised with regard to walkways and floats.
- Grading in the parking area will be done away from the edge of the bulkhead, an environmental benefit.
- A floating silt boom will be deployed in the water.
- Work will be done off-season. Anticipated start date is November of 2016.

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

Seconded and voted unanimously.

Zenas Crocker, VII, Tr., Z. Crocker Limited Partnership. Demolish existing single-family dwelling; construct new single-family dwelling, cottage, pool and pool cabana; all associated appurtenances, including driveway, landscaping, grading and utilities at 79 Pirates Cove, Osterville as shown on Assessor's Map 051 Parcel 016. **SE3-5352**

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

Issues discussed:

- John O'Dea stated that they were willing to consider shifting the landscaping wall between the subject and abutting properties. He will also remove the upper retaining wall and stairs (existing overlay on plan still showing) from landscaping drawing ocean side.
- Staff had requested substitution; fewer plants as substitute for larger plants in inland mitigation area (e.g., larger sweet pepper bush instead of the 1-gallon proposed) for more diversity in height.
- Commissioners favored an increase in vertical complexity of mitigation being offered.
- Addition of two trees ocean side.
- Chairman mentioned that contours needed to be corrected by septic.

Public comment: Daniel Ojala, P.E. represented abutters David and Susan Kelly, who supported the project.

A motion was made to approve the project with standard and special conditions, subject to the receipt of a revised plan.

Seconded and voted unanimously.

Jamie, Jeffrey & Andrew Hirsch, Trs., Hirsch Family Irrevocable Trust. Demolish existing single-family dwelling; construct new single-family dwelling at 251 Nyes Neck Rd., Centerville as shown on Assessor's Map 232 Parcel 005. **SE3-5353**

The applicants were represented by John C. O'Dea, P.E.

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

Seconded and voted unanimously.

III CONTINUANCES

Steven E. Hirsch. Dune and beach nourishment along approx. 85 feet of coastline to enhance existing resources and provide a more resilient shoreline at 0 Cross St., Cotuit as shown on Assessor's Map 033 Parcel 031. **SE3-5320**

A request for a continuance to 1/26/16 was received via Email.

A motion was made to continue the hearing to 1/26/16 – the last and final continuance to be granted.

Seconded and voted unanimously.

No testimony was taken.

Evergreen 69 Realty Trust & Pickwick Realty Trust. Dune and beach nourishment along approx. 378 feet of coastline to enhance existing resources and provide a more resilient shoreline at 69 & 71 Ocean View Ave., Cotuit as shown on Assessor's Map 034 Parcels 045 and 045-001. **SE3-5318**

A request for a continuance to 1/26/16 was received via email.

A motion was made to continue the hearing to 1/26/16 – the last and final continuance to be granted.

Seconded and voted unanimously.

No testimony was taken.

Jill F. G. Mitchell. Eliminate existing float and install boat lift in its place at 345 Baxters Neck Rd., Marstons Mills as shown on Assessor's Map 075 Parcel 007-001. **SE3-5341**

The applicant was represented by John C. O'Dea, P.E. and Atty. Michael Ford.

Exhibits:

- A – Copy of DEP correspondence to Bothwells, 6/24/2009
- B – Photo copy of vessel at Bonney Brook pier at 185 Ocean View, Cotuit
- C – Email from J. Abodeely to D. Houle, 1/7/2016.

Issues discussed:

- Draft findings of the Commission, “A – F”
- Aesthetics, and the definition of “natural condition”
- Bylaw issue or aesthetics
- Man-made issue which could be managed; alternative methods should still be explored.

A motion was made to close the hearing and take it under advisement on January 26th.

Seconded and voted unanimously.

IV CERTIFICATES OF COMPLIANCE

(* = on-going conditions)

- | | | | | |
|----|--------------------|----------|----------|---|
| A. | Town of Barnstable | SE3-3867 | (coc,ez) | bulkhead, boat ramp, pier, floats, & dredging * |
| B. | Cook | SE3-5007 | (coc,ez) | raze & construct single family dwelling * |
| C. | Prchlik | SE3-5232 | (coc,ez) | construct addition & garage for sfd * |
| D. | Anderson | SE3-5242 | (coc,ez) | construct garage addition for sfd * |
| E. | Goddard | SE3-4198 | (coc,ez) | private dredging in Lewis Bay (not done) |
| F. | Peterson | SE3-5225 | (coc,ez) | manage invasive species * |

A motion was made to approve the certificates (A – F).

Seconded and voted unanimously.

V MINUTES FOR APPROVAL

- A 12/22/15
- B. 12/29/15

A motion was made to approve the minutes (A – B).

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:28 p.m.