



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: November 15, 2016 @ 6:30 PM

LOCATION: Town Hall Hearing Room, 367 Main Street 2ND Fl., 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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners Peter Sampou, Scott Blazis, and Larry Morin. Commissioner John E. Abodeely was away.

Conservation Administrator, Darcy Karle, assisted.

I REQUESTS FOR DETERMINATION

Frederic B. Lowrie, Jr. Convert a covered porch to a living area; add a bay window by bumping-out by one foot at 125 Calves Pasture Ln., Barnstable as shown on Assessor's Map 259 Parcel 002-001. **DA-16071**

The applicant was represented by Steve Klug of Fine Building & Finishing, Inc.

Exhibits:

A – Section of engineering plan indicating distance from the proposed project to the wetland

Issues discussed:

- The application had omitted a sketch plan indicating the distance of the proposed project to the wetland. Ms. Karle submitted a copy for the file as "Exhibit A" (above);
- The distance to the wetland was 70-feet.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

II NOTICE OF INTENT

Kevin Shea & Kimberly Blake. Improvements to existing single-family dwelling to include construction of addition; relocation of front entry steps; new exterior windows, doors, siding and roofing; removal of concrete retaining walls and stairs on coastal bank at 19 Vine Ave., Centerville as shown on Assessor's Map 226 Parcel 027. **SE3-_____**

The applicant was represented by Lynne Hamlyn of Hamlyn Consulting.

Issues discussed:

- Removal of invasive species, in perpetuity;

- Request to add a few cedars to the planting plan;
- The need for clarification of a revised engineering plan indicating that the historically mowed area will be abandoned, and no mowing will occur in this area;
- Request by the Commission to indicate dry wells or graveled trenches along drip-lines to accommodate roof-runoff.

Comments:

- Roger Hanson, abutter, supports the proposed project;
- Jim Lane, President of Christian Camp Meeting Association, supports the project.

A motion was made to approve the project with special conditions: 1) submit a revised plan showing historically mowed area to be abandoned; 2) three cedars to be planted in consultation with staff; 3) invasives removal allowed in perpetuity, to be stated in a future certificate of compliance as an ongoing condition.

Seconded and voted unanimously.

Michael Prentiss. Construct new single-family dwelling (guest house) with site preparation, utilities and landscape appurtenances, vista pruning, and poison-ivy control at 18 Sand Pt. & 136 North Bay Rd., Oyster Harbors, Osterville as shown on Assessor's Map 073 Parcels 019-001 & 019-002. **SE3-5427**

The applicant was represented by Arlene Wilson of A. M. Wilson Associates, and David Hawk of Hawk Design.

Exhibits:

- A – Proposed sewage disposal plan dated 10/10/16
- B – Packet of aerial photos

Issues discussed:

- At the request of staff, Ms. Wilson submitted a site plan indicating distances from the proposed project to the top of a state bank and building dimensions;
- The plan submitted needs further revision, clearly indicating a state bank, not a town coastal bank, and distances between the project and wetland resources (BVW);
- Ms. Wilson indicated that they are requesting vista pruning, but will return under a revised plan to clarify vista corridor;
- Vegetation is being trimmed and managed between the 0 – 50 foot buffer; applicant asking for hardscape in the 50 – 100-foot buffer. The 50-ft. buffer is not in a natural state;
- The possibility of stump management as part of mitigation;
- A continuance is needed for an accurate site plan, mitigation calculation and mitigation plan.

A motion was made to continue the hearing to November 29, 2016.

Seconded and voted unanimously.

William J. & Michele L. Landes. Construct and maintain a timber pier at 1424 Main St., Cotuit as shown on Assessor's Map 017 Parcel 012. **SE3-5426**

The applicant was represented by Charles (Chuck) Rowland, P.E.

Exhibits:

- A – Map Figure 24: "Docks and Piers with Overlay Districts"

Issues discussed:

- The following concerns were raised regarding the placement of a pier at this location in Nantucket Sound:
 1. Aesthetics – area is a pristine section of beach – no other piers in the area;
 2. The cumulative impact;
 3. Concern for lack of water in an area found to be a significant shellfish habitat, per town Shellfish Biologist;
 4. Potential safety issue if pier is damaged in storms – no protection in that section of Nantucket Sound.

- Although the area is not rated on shellfish-rating maps, it does not mean that it is not a significant habitat; rather, it is just not part of the embayments that were rated;
- Tom Marcotti, Town Shellfish Biologist, commented in his report dated 11/15/16 that the area is a significant shellfish habitat, therefore, the “30-inch Rule” does apply; findings were not based on standing stock, but on actual habitat;
- A report by the MA Division of Marine Fisheries, dated 11/10/16, states that the area is mapped as an important eelgrass habitat;
- The applicant could look into an outhaul or float combination.

Correspondence:

- Letters from Tom Marcotti dated 11/13/16 and 11/15/16;
- Email from abutter, Jim Manzi, opposing the project;
- Letter from MA Division of Marine Fisheries dated 11/10/16.

A motion was made to continue the project to November 29th, 2016.

Seconded and voted unanimously.

III CERTIFICATES OF COMPLIANCE

- A. Minshall SE3-5039 (coc,ez) remove garage & construct addition (not done)
at 14 Bayview Road, Osterville – flood zone

A motion was made to approve the certificate.

Seconded and voted unanimously.

IV MINUTES FOR APPROVAL

- A. November 1, 2016

A motion was made to approve the minutes.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 7:52 p.m.