



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: JULY 22, 2008 – 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, several resources are available to you: video-on-demand (free on the Town website at town.barnstable.ma.us), audiocassette 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 John Abodeely and Commissioners Peter Sampou, Scott Blazis, Tom Lee, and Louise Foster. Commissioner Larry Morin was away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

- A. June 24, 2008
- B. July 8, 2008

II REQUESTS FOR DETERMINATION

Massachusetts Highway Department. Proposed drainage improvements by addition of catch basins to eliminate puddling/icing on Route 6A. **DA-08068**

The applicant was represented by Tom McGuire.

Issues discussed:

- Invert elevation not shown on plan

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Laurie O'Shea. Vista pruning at 3606 Main St., Barnstable as shown on Assessors Map 318 Parcel 054. **DA-08070**

The applicant was represented by Laurie O'Shea.

Issues discussed:

- Close collaboration with staff to ensure a defined short-crop view shed, otherwise an undulating cut 4 to 7 feet high.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Douglas Fearon. Remove existing house section and construct addition; replace and expand existing terrace at 310 Pine St., W. Barnstable as shown on Assessors Map 176 Parcel 001-002. **DA-08067**

The applicant was represented by Lynne Hamlyn.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Barnstable Land Trust. Remove three small patches of phragmites; cut and bag plants and exposed rhizomes; treat stalks with herbicide Rodeo at 30 Bailey Rd., Cotuit as shown on Assessors Map 003 Parcel 001.

DA-08069

The applicant was represented by Redmond Banfield.

Issues discussed:

- Project well-liked by the Commission.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Linda Hiller. Remove existing garage and construct new garage; modify drive and replace existing deck at 48 Whidden Ave., Hyannis as shown on Assessors Map 324 Parcel 070. **SE3-4748**

The applicant was represented by Lynne Hamlyn.

Issues discussed: No concerns arose.

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

Seconded and voted unanimously.

IV EXECUTIVE SESSION

A. Discussion of current litigation

A motion was made to enter executive session to discuss current litigation.

Seconded and voted by roll call:

Houle	-aye
Abodeely	-aye
Sampou	-aye
Blazis	-aye
Lee	-aye
Foster	-aye

The Chairman informed the public that the Commission would return to public session after a short executive session of approximately thirty minutes.

RETURN TO PUBLIC SESSION

The Commission returned to public session at 8:50 p.m.

V AMENDED ORDERS

Cotuit Oyster. Amend plan by relocating proposed building, shortening pier array & modifying site design as per plans revised through 5/27/08, at 26 Little River Rd., Cotuit as shown on Assessors Map 053 Parcel 009. **SE3-4095**

The applicant was represented by Arlene Wilson and Attorney Mary Elise Kelly.

Issues discussed:

- A revised plan was proposed as part of a settlement agreement. (Cotuit Oyster, cont'd.)
- Use of biodegradable hydraulic fluid for power lift with diked pad beneath.
- No storage of hazardous material beneath the building.

A motion was made to amend the Order of Conditions.

Seconded and voted unanimously.

VI CONTINUANCES

A. **Robert Bothwell.** Modification of existing stairway, pier and float for the installation of two benches, a 6-ft. canoe/kayak rack, a small hand-cranked boat lift, the enlargement of the existing float from 8' x 12' to 10' x 20', and the relocation of two existing 8" timber piles at 252 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 004. **SE3-4740**

The applicant was represented by Arlene Wilson and Attorney Walter Sullivan.

Issues discussed:

- The requested "spec" sheet on the proposed boat was recently submitted
- The proposed boat, a 37-ft. Ocean, drafts slightly less than the Cabo allowed presently at the pier (also has less hp)
- Whether the enforcement order is specific to the Cabo
- Whether the 12-inch draft restriction in the Order of Conditions is all that currently binds the applicant
- The unpermitted status of several features of the existing pier (float size, outhauls, bench, lift)
- How the deep hole occurred, and whether it constitutes Mr. Bothwell's violation
- The importance of the shellfishery.

A motion was made to continue the hearing to August 19th.

Seconded and voted unanimously.

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

A.	Bosworth Associates	SE3-3951	(coc,ez)	construct single-family dwelling *
B.	Cafferky	SE3-4543	(coc,ez)	construct additions, pool, etc. to sfd *
C.	Prescott (Keim)	SE3-3777	(coc,ez)	construct pier, ramp, & float *
	and	BCC-0176		
D.	Dranetz	SE3-4742	(coc,ez)	permit existing stairs and landing over revetment *

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

Seconded and voted unanimously.

VIII OLD & NEW BUSINESS

A. Other

None

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:57 p.m.