



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: AUGUST 19, 2008 – 6:30 P.M.

LOCATION: TOWN HALL HEARING 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, Larry Morin, Tom Lee, and Louise Foster. Commissioner Scott Blazis was away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, Hyannis, MA.

I MINUTES FOR APPROVAL

A. August 5, 2008

A motion was made to approve the minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Miguel Gomes. Construct wooden deck 17' x 22' supported by sona tubes at 42 Tonela Ln., Cummaquid as shown on Assessors Map 336 Parcel 066. **DA-08074**

The applicant attended the hearing.

Issues discussed:

- Drywells needed for new additions
- Planting mitigation as previously indicated by staff

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/DPW. Install leaching basin and drainage trench in grass strip along road 15± feet from edge of resource area at 71 Bridge St., Osterville as shown on Assessors Map 116 Parcel 119. **DA-08075**

The applicant was represented by Silvio Genao.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

MN0801908

(ToB/DPW, cont'd.)

Seconded and voted unanimously.

Izabel Marrero & Thays Fernandes. Upgrade existing septic system at 4 Saint Francis Cir., Hyannis as shown on Assessors Map 291 Parcel 225. **DA-08076**

The applicants were represented by Mike Pimental.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Thomas J. DeVesto & Angela Hahn. Vista pruning in accordance with Commission guidelines at 821 Old Post Rd., Cotuit as shown on Assessors Map 073 Parcel 007. **DA-08077**

The applicants were represented by Steve Wilson, P.E.

Issues discussed:

- Standard allowance requested.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Cindy Keifer. Remove 5 tagged oaks and 1 tagged oak stem; remove low limb and low deadwood; remove low large dead wood from oak; stump grinding below grade at 172 Ralyn Rd., Cotuit as shown on Assessors Map 022 Parcel 054. **DA-08072 (CONTINUANCE)**

The applicant was represented by Natascha Bachelor.

Issues discussed:

- Several of the trees are located within the 50-ft. buffer. The Commission expressed concern for felling those. Staff to meet on site and determine scope of cutting/pruning for the Commission.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Richard B. & Audrey P. Egan, Trs. To locally permit State and Federally approved reconfiguration zones, and to move a dock within that zone at 41 Cockachoiset Lane & 330 West Bay Road, Osterville as shown on Assessors Map 116 Parcels 009 & 013. **SE3-_____**

A continuance was requested via letter.

A motion was made to continue the hearing to September 2, 2008.

Seconded and voted unanimously.

Alan Green. Construct stairway to lake, construct new deck, reset seasonal dock (SE3-0656), vista pruning and landscaping at 140 Connors Rd., Centerville as shown on Assessors Map 251 Parcels 014 & 015. **SE3-4755**
The applicant was represented by Steve Wilson, P.E.

(Green, cont'd.)

Issues discussed:

- Comments by Natural Heritage and Endangered Species (NHESP), especially regarding foregoing the use of haybales
- Replacing at-grade steps with elevated stairs
- Revised plan for pier, walkway and deck detail, work-limit for deck
- Concern over handrail for stairs
- Pier permitting as part of this application
- Consultation with staff on correcting leaf pile problem on applicant's adjacent lot.

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

Seconded and voted unanimously.

Town of Barnstable/Conservation Division. Reduce wind erosion at Estey Avenue way-to-water by re-orienting existing dune pathway and adding on-site sand to end of adjacent dune (lending a SE-NW orientation to both), planting with beachgrass and installing snow fencing to stabilize. Future maintenance allowance also requested. **SE3-4754**

The applicant was represented by Rob Gatewood.

Issues discussed:

- Limiting path to 4-ft. width
- Using snow fencing only on an as-needed basis to stabilize dune

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

Seconded and voted unanimously.

Prudence Pigott. Raze existing house, construct new house and landscaping at 71 Sunset Ln., Barnstable as shown on Assessors Map 301 Parcel 024. **SE3-4756**

The applicant, Mrs. Pigott, attended and was represented by Steve Wilson, P.E.

Issues discussed:

- The Commission wanted to see mitigation planting seaward of the house
- No tree clearing – just some pruning proposed
- Drywells for runoff, as per notes.

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

Seconded and voted unanimously.

IV CONTINUANCES

Jane Thompson. Construct wooden bridge to provide vehicle access to residential lot owned by applicant. Bridge to be supported by timber piles to elevate bridge over scrub-shrub wetland. Work includes construction of pervious access driveway into lots at 203 and 205 Scudder Ln., and 58 Calves Pasture Ln, Barnstable as shown on Map 259 Parcels 007-001, -002, -004. **SE3-4717**

A continuance was requested via letter.

A motion was made to continue the hearing to October 28th and require notification to abutters as well as a summary of project changes. Should the applicant prefer, she may withdraw the application.

Seconded and voted unanimously.

(Thompson, cont'd.)

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.

Issues discussed:

- The boat lift and pier bench were deleted from the project.
- The proposed float is 8' x 18'. Two tie-off's are proposed, as they presently exist
- A restriction on boat size: not to exceed 34 3/4" to bottom of propeller.
- A restriction of boat operation between pier and channel when there is less than a 12" clearance under the props
- \$500 worth of softshell seed donated to Natural Resources Division
- The proposal was roundly discussed by the Commission. Bathymetric alternations at the pier could not conclusively be attributed to the applicant, as evidence of unauthorized motorcraft use preceding the applicant's ownership of the parcel was entered to the record.

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

Seconded and voted: 4 votes – aye
 2 votes – nay.

V EXTENSION PERMITS

- | | | | | |
|----|-------------------|----------|--------------------|---------------------------------|
| A. | Kariotis, Michael | SE3-4365 | raze/construct sfd | 1 st Request; 3 yrs. |
| B. | Kariotis, Mary | SE3-4366 | construct sfd | 1 st Request; 3 yrs. |

Extension requests "A – B" were discussed simultaneously.

The applicants were represented by Peter Sullivan, P.E.

A motion was made to approve a 3-year extension for each project.

Seconded and voted unanimously.

- | | | | | |
|----|------------------|----------|------------------|---------------------------------|
| C. | Millway Marina | SE3-4390 | wall; dredging | 1 st Request; 3 yrs. |
| D. | Blair | SE3-4389 | dredging | 1 st Request; 3 yrs. |
| E. | Mattakeese Wharf | SE3-4392 | floats; dredging | 1 st Request; 3 yrs. |

Extension requests "C – E" were discussed simultaneously.

The applicants were represented by Lynne Hamlyn.

A motion was made to approve a 3-year extension for each project.

Seconded and voted unanimously.

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

- | | | | | |
|----|----------|----------|----------|---|
| A. | Giardini | SE3-4695 | (coc,ez) | upgrade septic system to single-family dwelling * |
|----|----------|----------|----------|---|

(Certificates, cont'd.)

B.	Zaino	SE3-1772	(coc,ez)	construct additions & garage & upgrade septic (none done)
C.	Oyster Harbors Marine	SE3-3922	(coc,ez)	bulkhead maintenance and replacement
D.	Balsamo	SE3-4083	(coc,ez)	construct garage; repave driveway; landscape maintenance *
E.	Baker	SE3-4492	(coc,ez)	construct pier, ramp, & float *
F.	Town of Barnstable/DPW	SE3-1799	(coc,ez)	reconstruct roadway and drainage *
G.	Oyster Harbors Marine	SE3-4364	(coc,ez)	replace building *
H.	Town of Barnstable/DPW	SE3-1798	(coc,ez)	construct roadway and drainage *
I.	Healy	SE3-4387	(coc,ez)	construct detached garage *

A motion was made to approve all the certificates (“A – I”).

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

A. Article 1 disposition on 105 Oakmont Rd., Barnstable Village parcel 349.013

A motion was made to decline interest in the land.

Seconded and voted unanimously.

B. Other

Commissioner Sampou asked the Commission if it had any interest in adopting a stricter Chapter 237 methodology for wetland determination.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:58 p.m.