



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: March 3, 2009 – 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 Tom Lee and Commissioners Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Commissioner John Abodeely 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. February 10, 2009

A motion was made to approve the minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Steward Goodwin. Construct 12' x 16' addition to existing house at 801 Old Post Road, Cotuit as shown on Assessors Map 073 Parcel 008-003. **DA-09010**

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

Issues discussed:

- Tightening the work limit

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Micki & Steve Hirsch. Install new septic tank to replace existing one at 149 Ocean View Ave., Cotuit as shown on Assessors Map 033 Parcel 015. **DA-09003**

The applicant was represented by Michael Borselli, P.E.

Issues discussed: None

A motion was made to issue a negative determination.

(Hirsch, cont'd.)

Seconded and voted unanimously.

William Riley/Rycon Group. Construct two new covered porches at 59 Locust Ave., W. Barnstable as shown on Assessors Map 197 Parcel 028. **DA-09005**

The applicant was represented by Donald Schall.

Issues discussed:

- Porches found to be exempted from possible Rivers Act jurisdiction. No ruling has been made on the latter.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

The 33 Maywood Avenue LLC. Construct accessory structure in the floodplain, with associated appurtenances including septic tank, utilities, driveway extension, and native plantings at 33 Maywood Ave., Hyannisport as shown on Assessors Map 287 Parcel 129. **DA-09008**

The applicant was represented by Peter Sullivan, P.E.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Barbara L. Walsh. Install 4 stone stairs above dock and 7 stone steps in lawn between deck and dock; repair/replace retaining wall and fireplace and install 17' x 31' terrace; replace front and side walks at 111 Pond View Dr., Centerville as shown on Assessors Map 229 Parcel 026. **DA-09014**

The applicant requested a continuance via letter.

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

Seconded and voted unanimously.

III NOTICES OF INTENT

William Riley. Construct additions to existing single-family house and garage. Additions to include enclosed living space, screened porches, wooden deck, and work studio attached to existing garage at 73 Locust Ave., W. Barnstable as shown on Assessors Map 197 Parcel 029. **SE3-4798**

The applicant was represented by Donald Schall.

Issues discussed:

- The created landscape feature, now regulated wetland, was constructed between 1938 and 1952.
- All proposed work lies within existing lawn.
- Reduction of lawn proposed for mitigation on a 3:1 basis. Meadow proposed as replacement. It would be ~3,000 sq. ft. in area.
- The 50-foot buffer lacking from plans
- Deck will be 1/4-inch spaced
- To remove glass and metal near wetland flag #21
- The Commission asked that another 3,000 sq. ft. of mitigation be provided, up to a total of 6,000 sq. ft.
- Address of 59 Locust Avenue may also be included in mitigation area, at applicant's discretion

(Riley, cont'd.)

- Mowing to be once a year, in the fall

A motion was made to approve the project with special conditions.
Seconded and voted unanimously.

Robert J. and Susan J. Bothwell. Replace licensed float with new 8' x 18' float; relocate, license, and maintain bench, hand-powered boat lift and kayak rack at 252 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 004. **SE3-4793**

The applicant was represented by Arlene Wilson, P.W.S.

Issues discussed:

- Filing made only under the Massachusetts Wetlands Protection Act
- Ms. Wilson asked that boat-use considerations not be applied to the impending decision
- The record of SE3-4740 was incorporated into this record

A motion was made to incorporate the previous record (SE3-4740) and issue an identical Order of Conditions.

Seconded and voted unanimously.

Jane Smith. Repair existing dock structure on Middle Pond at 60 Flume Ave., Marstons Mills as shown on Assessors Map 061 Parcel 009. **SE3-4800**

The applicant was represented by Kirsten Ryan.

Issues discussed:

- Filing in response to enforcement action
- MA NHESP found no adverse impact
- The existing structure is less than optimal in terms of design
- The Commission discussed possible design changes (deck plank spacing, pile design and deck materials) upon next maintenance

A motion was made to approve the project with special conditions requiring that, upon the occasion of the next maintenance, the applicant shall consult with the Conservation Division regarding deck-plank spacing, pile design and decking materials.

Seconded and voted unanimously.

Alan Shoemaker/Christian Camp Meeting Association. Vegetation management plan involving vista pruning, removal of invasive plants, tree thinning, girdling of trees to enhance wildlife habitat value, etc.; landscape improvements, e.g., lawn restoration at 932 Craigville Beach Rd., 19 and 45 Prospect Ave., Centerville as shown on Assessors Map 226 Parcels 009, 019, and 183. **SE3-4801**

The applicant was represented by Norman Hayes and Brad Holmes.

Issues discussed:

- Project described as vista pruning for wildlife habit improvement
- Landscape improvement proposed in old lawn area at top of bank
- Vegetative management plan was described by Mr. Holmes
- Concern for any shading reduction to the stream – Mr. Hayes said nothing would be touched. Some pitch pine will be girdled for wildlife habitat, but not those over interior wetland.
- The project was well-received.

Alexander & Shulamit Bresler. Raze existing residence; construct new single-family residence with attached garage, porch and patio within same general footprint; install Title-V compliant SAS; remove paved driveway at 120 Pond St., Osterville as shown on Assessors Map 118 Parcel 102. **SE3-4803**

(Bresler, cont'd.)

The applicant was represented by Donald Schall.

Issues discussed:

- No waivers were requested
- Concern was expressed for proximity of work-limit line to steep slope
- Doubled haybales will be provided along the work limit
- Removing floodlight from bank and pondshore area.

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

Seconded and voted unanimously.

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

- | | | | | |
|----|---------|----------|----------|---|
| A. | Neuben | SE3-3871 | (coc,ez) | construct addition to single-family dwelling * |
| B. | Jones | SE3-4457 | (coc,ez) | raze & construct single-family dwelling * |
| C. | Bradley | SE3-4581 | (coc,ez) | raze & construct single-family dwelling * |
| D. | Remmes | SE3-4267 | (coc,ez) | reconstruct retaining wall (not done) |
| E. | Day | SE3-0058 | (coc,ez) | construct concrete boat ramp, add stones |
| F. | Riley | SE3-4374 | (coc,ez) | construct retaining wall, patio, & deck * |
| G. | Faulk | SE3-4430 | (coc,ez) | permit and modify deck, ramp & float and permit existing shed * |

A motion was made to approve all the certificates.

Seconded and voted unanimously.

V OLD & NEW BUSINESS

- A. Request for appearance

The e-mail request for appearance by Mr. Rob Anderson of Cape Cod MX Track, Inc., was discussed. The Commission expressed their appreciation of the request but, in the end, it was not the direction they wished to pursue.

- B. E-filing of applications

The Commission briefly discussed E-filing of NOI's with the DEP. In a related matter, Commissioners expressed an interest in scaling-back the amount of paper they are receiving.

- C. Open Meeting Law

The Chair updated the Commission on the recent Open Meeting Law Workshop. He encouraged Commissioners not to take part in multiple cc's of e-mail on conservation-related issues.

With regard to the shooting range, the Chair informed the Commission that he would seek a meeting with the Town Manager.

A motion was made to adjourn.

(motion to adjourn, cont'd.)

Seconded and voted unanimously.

The time was 8:40 p.m.