



**Town of Barnstable
Conservation Commission**
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MINUTES – CONSERVATION COMMISSION MEETING

DATE: March 24, 2009 8:30 a.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 Larry Morin, and Louise Foster. Commissioners John Abodeely was away, and Commissioners Peter Sampou and Scott Blazis were teaching. Rob Gatewood, Conservation Administrator, assisted, along with Darcy Karle, Conservation Agent, and Fred Stepanis, Conservation Assistant.

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

I REVISED PLANS

project type

revision

A. ToB/DPW SE3-3867 boat ramp footprint, planting

The applicant was represented by Robert Burgmann, P.E.

Issues discussed:

- Additional dumped rip rap proposed for slope at northern property line;
- Planting rye grass/fescue instead of beach grass
- Addition cross-section needed on plan

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Town of Barnstable Cons. Div. SE3-4754 dune stabilizing footprint

The applicant was represented by Rob Gatewood, Conservation Administrator.

Issues discussed:

- Extending dune-building area to the north.

A motion was made to approve the revised plan

Seconded and voted unanimously.

II EXTENSION PERMITS

A. Stoddard SE3-4087 dormers, deck, etc. 2nd Request; 3 yrs.

The applicant was represented by R. J. O’Hearn, P.L.S. and Jane Stoddard.

(Extension, Stoddard, cont'd.)

Issues discussed: no concerns arose.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

B. Tobin SE3-4494 sfd 1st Request; 3 yrs.

The applicant was represented by John O'Dea, E.I.T.

Issues discussed: no concerns arose.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

C. McGraw SE3-4485 pool, patio, wall, cabana 1st Request; 1 yr.

The applicant was represented by John O'Dea, E.I.T.

Issues discussed: no concerns arose.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

D. Payne SE3-4493 remove invasives, reveg. 1st Request; 3 yrs.

The applicant was represented by John O'Dea, E.I.T.

Issues discussed: no concerns arose.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

E. Seapuit Harbors, LLC SE3-4093 sfd/septic/drive/landscape 2nd Request; 3 yrs.
Request for Continuance

This matter to be taken up on April 14, 2009.

F. Ginsberg (Flagship) SE3-4489 condo complex 1st Request; 3 yrs.

The applicant was represented by Mark Dibb, P.E.

Issues discussed: no concerns arose.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

III ENFORCEMENT ORDERS

A. Carol Onisko (new property owner Jeffrey Krug) – 250 Hollidge Hill Lane, Marstons Mills **DA-07004**
Violation of an enforcement order by failing to submit planting plan and plant, 20' buffer from bank.

(Enforcement, Onisko, cont'd.)

No one appeared at the hearing.

A motion was made to approve an amended enforcement order of this date, March 24, 2009, listing Jeffrey Krug as the new property owner and the responsible party for planting the native shrubs this spring, as stated in the letter dated January 21, 2009.

Seconded and voted unanimously.

- B. Karl Maki – 1700 Main Street/ Rt. 6A, West Barnstable
Alteration of the 50' buffer zone and 100' buffer by clearing understory and placement of a large wood pile.
Dumping wood chips near a wetland and adding to a very large compost pile within the 50' buffer zone.

Attorney Kenny represented the client, Mr. Maki.

A motion was made to approve the enforcement order as written, and also allow Mr. Maki to cut the understory twenty feet off the property boundary near Route 6A, for safety purposes.

Seconded and voted unanimously.

- C. Robert Turnbull – 797 Old Post Road, Cotuit
Alteration of a coastal bank by cutting steps into the bank.

Jarod McMurray of Cotuit Landscape represented the client.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

IV WARNING LETTERS

- A. John Cook, Jr. – 995 Sea View Avenue – unpermitted pier under state and town ordinance/ holds Ch. 91

Steve Wilson, P.E., represented Mr. Cook, who will be filing a Notice of Intent.

A motion was made to approve the written warning as written.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE

(ap = as-built plan) (coc = Certificate of compliance) (ez = no deviations, staff recommends approval) (ok = minor deviations, staff recommends approval) (c = staff recommends approval with contingencies) (d = deviations, staff recommends denial) (* = on-going conditions)

- A. Perry SE3-4130 (coc,d) reconstruct & modify stairs, landing, and un-permitted pier

A motion was made to deny the certificate; a 60-day letter will be sent.

Seconded and voted unanimously.

- B. Canavan SE3-4360 (coc,ok) replace stone wall with bulkhead *

A motion was made to approve the certificate, provided that minor sandbagging or coir logs be placed in front of the east return with at least two weeks advance consultation with, and approval by, the Conservation Agent.

Seconded and voted unanimously.

(Certificates, cont'd.)

C. Gonsalves SE3-4425 (coc,ok) reconstruct elevated stairs (not done) and retaining walls *

A motion was made to approve the certificate.

Seconded and voted unanimously.

D. Reilly SE3-3837 (coc,d) construct single-family dwelling & barn *

A motion was made to deny the certificate; a 60-day letter will be sent.

Seconded and voted unanimously.

E. Steeves SE3-3149 (coc,d) construct addition to single-family dwelling *

A motion was made to deny the certificate; applicant to submit an as-build plan with any proposed mitigation to staff for approval. In addition, applicant to remove fiberglass and replace with latticework, plus-or-minus 9" on the south side. A 60-day letter will be sent.

Seconded and voted unanimously.

F. Sullivan SE3-4418 (coc,ok) replace bank stairs & bulkhead *

A motion was made to approve the certificate, provided that the applicant submit a letter and photo indicating that the purpose of the davit is to raise and lower stairs.

Seconded and voted unanimously.

VI OLD & NEW BUSINESS

A. John and Leslie Wilson – replanting plan review – Continued from Jan. 13, 2009

The concept plan was approved.

B. Request to continue farm use at Cobb parcel, Barnstable village

Staff informed the Commission of the request of the new lessee of the County Farm, Tim Friary of Cape Cod Organics, who would like to hay and pasture lambs on the Cobb conservation land nearby. Mr. Friary could not attend the meeting.

C. DPW request for use of millings for grading projects.

A motion was made to allow the request, pending it's receipt in writing via letter, and found to be acceptable by staff.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:46 a.m.