



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: December 1, 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, 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 Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

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

I OLD & NEW BUSINESS

A. Sandy Neck Park Manager's year-end report

Nina Coleman, Sandy Neck Park Manager, presented her end-of-season report which is always of interest to the Commission. It was a banner year for Diamondback Terrapins; not so for Piping plovers. 432 pairs of terns nested, making them the most pressing conflict as far as off-road vehicles use goes. Marsh trail repair (patching) continues under a separate Order of Conditions. The phragmites removal project also continues, as the Town has taken the project back from the Nature Conservancy.

II MINUTES FOR APPROVAL

A. November 3, 2009

B. November 10, 2009

A motion was made to approve the minutes (A and B).

Seconded and voted unanimously.

III REQUESTS FOR DETERMINATION

Kevin Burke. To permit removal and control of invasive species Phragmites at 17 Keating Rd., Hyannis as shown on Assessors Map 306 Parcel 004. **DA-09073**

The applicant attended the hearing.

Issues discussed:

- A licensed applicator to do the work.
- Re-vegetation will be required, as necessary, in consultation with staff.

(Burke, cont'd.)

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Jerome and Marlene Goldstein. Install new casement windows into existing screen porch frame; all windows and new door to fit within existing openings at 199 Meadow Ln., W. Barnstable as shown on Assessors Map 134 Parcel 018-001. **DA-09079**

Commissioner Lee recused himself.

The applicant was represented by Tom Swinson.

Issues discussed:

- No concerns arose.
- No change of use is anticipated.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Robert W. Morey. Replace rotting landscape timber wall with dry-laid stone wall, and replace Arborvitae border with Inkberry at 18 Mt. Vernon Ave., Hyannisport as shown on Assessors Map 287 Parcel 115. **DA-09077 \$16.50**

The applicant was represented by Craig Condinho.

Issues discussed:

- Some cut vegetation was dumped near the wetland.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

IV NOTICES OF INTENT

David G. Mugar. Construct and maintain timber pier, ramp and float at 114 Peppercorn Ln., Cotuit as shown on Assessors Map 004 Parcel 009-001. **SE3-4851**

The applicant was represented by John O'Dea, P.E.

Issues discussed:

- The Waterways Committee had no issue with the project.
- The project required a waiver for exceeding 20% of a linear waterway.
- Letters from MA Division of Fisheries & Wildlife, the Harbormaster, MA Division of Marine Fisheries , and the Town Shellfish Constable indicated that no concerns emerged with regard to the project.

Discussion ensued with regard to shortening the pier by ten feet to bring it into compliance with regulations. Others said that granting the waiver would result in an adverse impact.

The necessity of proposed tie-off pilings was discussed

The float area was discussed; 200 sq. ft. was deemed necessary.

A motion was made to approve the project with special conditions, minus the tie-off piling. A revised plan will be submitted.

(Mugar, cont'd.)

Seconded and voted unanimously.

Peter Prygocki and Joann Johnson. Construct walkway, pier, platform, mooring post and line; maintain existing bank access path at 242 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 005. **SE3-4854**

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

Issues discussed:

- A variance was requested to berth and use an inflatable (with no more than a 7-inch draft, motor extended)
- Few shellfish were found, although rated high value habitat (9)
- No Waterway’s issues were noted, other than the lack of expectation for a mooring to be attached to the pier
- No boats would be stored on the beach
- No motorcraft would be used or berthed at the pier and its outhaul.

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

Commissioner Morin was absent for the vote.

Seconded and voted unanimously.

V CONTINUANCES

Robert Popeo. Clearing and grading within the 100 – 50-foot buffer zone and vista pruning within the 50-foot buffer zone at 150 Carriage Rd., Osterville as shown on Assessors Map 071 Parcel 015-002. **SE3-4848**

The applicant was represented by Michael Wasser and Jason Clough.

Issues discussed:

- Peter Sampou was not on the quorum
- Revised plans were submitted
- No concerns arose.

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

Seconded and voted unanimously.

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

A.	TOB / DPW	SE3-1562	(coc,ez)	repair bulkhead at Bismore Park
B.	Pascucci	SE3-3973	(coc,ez)	raze & construct single-family dwelling *
C.	Ratkowski	SE3-0804	(coc,ez)	construct single-family dwelling (not done)
D.	Griffith	SE3-0384	(coc,ez)	construct single-family dwelling *
E.	TOB / DPW	SE3-4790	(partial coc,ez)	repair bulkhead at West Bay Road. Osterville *

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

Seconded and voted unanimously.

VII OLD & NEW BUSINESS (continued)

A. FY2011 Budget

The Chair relayed to the Commission a suggestion by the Town Manager that Boards be proactive in the budget process in defense of their Division's programs.

A parking permit program was suggested for supplementing the budget.

The Commission encouraged the development of "cold, hard statistics" in its letter and presentation to the Town Council. They also encouraged the delineation of "hard" program costs from "softer" costs.

A letter will be drafted by the Chair following input from Commissioners.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:32 p.m.