



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

DATE: December 8, 2009 – 9:30 a.m.

LOCATION: TOWN HALL 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, 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 8:35 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee, and Commissioners John Abodeely, Larry Morin, and Louise Foster. 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 Selectmen’s Conference Room, Barnstable Town Hall, Hyannis, MA.

I REVISED PLANS

project type

revision

A. Trade Winds SE3-4385 condos., pool, etc. roof & footings

The applicant was represented by Tate Eisenstadt.

Issues discussed: No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Audubon Acres SE3-4603 access road footprint

The applicant, Mary Beth Eddy, attended the hearing.

Issues discussed: No concerns arose.

A motion was made to approve the revised plan

Seconded and voted unanimously.

II EXTENSION PERMITS

A. Yachtsman Condo. Tr. SE3-4593 remove/reconstruct ret. wall 1st Request; 2 yrs.

The applicant was represented by Bob Murphy.

Issues discussed: No concerns arose.

(Yachtsman, cont'd.)

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

Seconded and voted unanimously.

B. Town of Barnstable/DPW SE3-4582 dredging 1st Request; 3 yrs.

The applicant was represented by Dale Saad, PhD,.

Issues discussed:

- An extension request to the DEP under its superseding order will be made. A joint field visit will be held at a future date.

A motion was made to reconsider the matter under the State permit; approved by the Town as a three-year extension.

A motion was made to continue the matter, pending the joint site visit with the DEP.

Seconded and voted unanimously.

III ENFORCEMENT ORDERS

A. John D Callas – 300 Smoke Valley Road, Marstons Mills (continued from Nov. 10, 2009)

A motion was made to amend the Enforcement Order, as previously amended, to give staff authority over the final review and approval of the mitigation planting plan.

Seconded and voted unanimously.

IV 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. Three Bays SE3-4540 (coc) dredge channel entrance to Dam Pond *
Preservation

B. Three Bays SE3-4085 (coc) dredge Rowe Channel to West Bay *
Preservation

A motion was made to approve certificates “A” and “B.”

Seconded and voted unanimously.

C. Herrick SE3-4517 (coc,d) construct addition; replace septic system *

A motion was made to approve certificate “C,” contingent upon the submission of a revised plan and the planting of the slope.

Seconded and voted unanimously.

D. Ellis SE3-3856 (ap) as-built flagstone patio

E. Ellis SE3-3856 (coc) construct addition and deck *

(Ellis, cont'd.)

A motion was made to table certificates "D" and "E," until the submission of a landscape mitigation plan.

Seconded and voted unanimously.

F. Bonnybrook SE3-3648 (ap,ok) widen end of pier; add "draw bridge" gate

A motion was made to approve the certificate ("F"), contingent upon submission of a revised plan, showing modification of planks.

Seconded and voted unanimously.

G. Bonnybrook SE3-3648 (coc,ok) construct permanent pier, boat lifts, fender piles *

A motion was made to approve the certificate ("G"), contingent upon the submission of a photograph, showing modification of planks.

Seconded and voted unanimously.

H. Bonnybrook SE3-4458 (ap) modify path lighting; construct stone wall & split-rail fence

I. Bonnybrook SE3-4458 (coc,) replace timber stairs & stockade fence *

A motion was made to approve the certificates ("H" and "I").

Seconded and voted unanimously.

J. Bay Shore RT SE3-4314 (coc,c) stairway, pier, ramp, floats, etc. (continued from 10/13)

The applicant was represented by Attorney Stephen Pizutti and Lynne Hamlyn.

Staff provided some of the background with regard to the case, and the outcome of recent settlement negotiations. Mr. Pizutti said that a new bathymetric study would be completed. Draft restrictions were suggested of 9" on boat #1, and 12" on boat #2.

All standard conditions lacking in the original Order of Conditions would be applied in the Amended Order.

The Commission expressed its interest in the removal of all unauthorized balusters on the pier.

A motion was made to table the certificate of compliance request to February 9, 2010, and to refer the revised pier and draft restrictions to the January 5, 2010 meeting as a request for an Amended Order of Conditions.

Seconded and voted unanimously.

V EMERGENCY AUTHORIZATION

A. Thomas F. Prince, Cove Lane, Barnstable Village Construction of overflow 12" culvert. Riprap at downstream end.

A motion was made to approve the staff-issued Emergency Order.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 11:24 a.m.