



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

DATE: APRIL 26, 2011 – 6:30 P.M.

LOCATION: TOWN HALL HEARING ROOM

Note: Final Agenda at meeting may include some last minute filings

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](http://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 Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Commissioner John Abodeely and Rob Gatewood, Conservation Administrator, were away. Fred Stepanis, Conservation Assistant, assisted, along with Claudette Bookbinder, Administrative Assistant.

The meeting was held in the Hearing Room, 2<sup>nd</sup> Floor, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

### I MINUTES FOR APPROVAL

- A. April 5, 2011
- B. April 12, 2011

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

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**Peter N. Menounos.** To seek approval for continued vista pruning following Conservation Commission vista pruning guidelines at 176 Clamshell Cove Rd., Cotuit as shown on Assessor's Map 005 Parcel 031. **DA-11033**

The applicant attended the meeting.

Issues discussed:

- No permit for vista pruning has been issued in the past
- No mitigation required
- Three trees infested with beetles – staff approved removal, but was not contacted by landscaper, Greener Image, prior to work
- Historically, there has been extensive topping of trees
- **Future vista pruning must adhere to Conservation Commission guidelines**
- View corridor to be determined with help from staff
- Oak trees most likely candidates for vista pruning.

A motion was made to issue a negative determination.

MN042611

Seconded and voted unanimously.

**Philip D. & Eileen F. Griffin.** Construct a one-story family room addition (12'x 13½') at 14 Estey Ave., Hyannis as shown on Assessor's Map 324 Parcel 086. **DA-11035**

Mr. Griffin attended the hearing.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Town of Barnstable/M.E.A.** Construct and install a 10'x 12' wood shed at Barnstable Harbor Marina at 110 Freezer Rd., Barnstable as shown on Assessor's Map 300 Parcel 022. **DA-11041**

The applicant was represented by Eric Shufelt, Assistant Harbor Master.

Issues discussed:

- No concerns arose.
- Shed will be used for staff to observe harbor activity
- Future goal to consolidate new shed with one adjacent to pumpout unit

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Ann Pucciatti.** To seek approval to rebuild an existing boat landing consisting of landscape timbers and clean fill at 75 Katherine Rd., Centerville as shown on Assessor's Map 228 Parcel 060. **DA-11042**

The applicant was represented by Sean Hanrahan, applicant's grandson.

Issues discussed:

- Landing was pre-existing
- DEP will accept as simplified Ch. 91 application

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Gerald Entine.** Construct addition 24'x 13½' off east-facing family room at 220 Vineyard Rd., Cotuit as shown on Assessor's Map 015 Parcel 005-001. **DA-11038**

The applicant was represented by Dean Fraser, contractor.

Issues discussed:

- Mr. Fraser to provide more detailed drawings to staff.
- Cutting of vegetation to be addressed as separate enforcement

A motion was made to issue a negative determination, contingent upon receipt of drawings.

Seconded and voted unanimously.

**Philip Hudock.** Proposed vista pruning at 97 and 95 Southgate Dr., Hyannis as shown on Assessor's Map 306 Parcels 264 & 263, respectively. **DA-11039**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- The proposed vista pruning project to be in wetlands
- Tupelos spread horizontally, by nature
- Vista Pruning Guidelines clearly state that no work is allowed in a wetland.
- Rare exception has allowed cutting to enhance wildlife habitat
- Problem with granting exceptions; other people will expect them too
- Suggested further consultation with staff

Ms. Hamlyn said that a certified arborist would be doing the work, and asked that the Commission grant some flexibility in policy.

A motion was made to continue the hearing to May 10<sup>th</sup>.

Seconded and voted unanimously.

**Edmund Lukas.** Remove six trees located more than 50 feet from resource area boundary at 381 Sandy Neck Rd., W. Barnstable as shown on Assessor's Map 136 Parcel 011-002. **DA-11040**

The applicant attended the hearing, and was represented by Attorney William Henchy.

Issues discussed:

- Timeliness of the abutter notification.
- A split-rail fence sits at the 100-foot mark
- Nothing is proposed to be done within the 50-foot buffer zone
- An oak which stands north of the property line will not be touched
- 5 pitch pines and 1 oak are the subject of removal

Conservation Assistant Fred Stepanis pointed out that pitch pines may only be worked on in cold weather due to pine borer beetles. The time period overall is October 1<sup>st</sup> through March 31<sup>st</sup>. In addition, staff must be consulted before any tree work can be done.

A motion was made to issue a negative determination contingent upon consultation with staff. The work on pine trees shall be done between October 1<sup>st</sup> and March 31<sup>st</sup>, and only selected trees shall be removed.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Dennis Ausiello.** Remove invasive plant species and replant with native species; replace roofing, siding, windows, doors of beach house; repair/replace deck and railing; replace roof shingles on viewing platform; replace roofing, siding, windows of shed; replace/expand fence enclosure at 0, 80, and 100 Cross St., and 149 Ocean View Ave., Cotuit as shown on Assessor's Map 033 Parcels 015, 029, 031, 032. **SE3-\_\_\_\_\_**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- The latest revised plan was handed out at the hearing and noted as Exhibit A.
- Two Hirsch properties – 0 Cross Street and 149 Ocean View Ave. – were omitted from the project/restoration plan
- It was noted that the deck on the previous plan was larger than on the new plan – to be reduced, due to a prior certificate of compliance provision
- Native species to replace invasives at 80 Cross St.
- The 100 Cross Street property to be brought back to its natural state; arborvitaes to be removed and replaced with native material
- Existing structures to be rehabilitated only – cannot be altered for historical reasons

- Applicant wished to include vista pruning in the order, as part of the landscaping plan.
- Staff asked about the method of killing invasives.

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

Seconded and voted unanimously.

**IV AMENDED ORDERS**

**Joseph O'Donnell.** Amend landscaping mitigation plan approved under **SE3-4524** at 905 Seaview Ave., Osterville as shown on Assessor's Map 090 Parcel 004.

The applicant was represented by Arlene Wilson, PWS.

Issues discussed:

- The project involves the demolition of a house within 96 feet of the buffer; a new house to be located outside the 100-foot zone.
- The property owner will provide 750 square feet of irregular-shaped buffer
- Aerial photos show some woody materials in the 0 – 50-foot buffer
- The width of the buffer
- Too much mulch was proposed
- Selection of low-bush blueberries was questioned by staff

Ms. Wilson said that the mulch was only temporary, to keep down the weeds till plantings take hold

A motion was made to approve the AOOC with special conditions and the submission of a revised plan to show nothing less than a 4-foot buffer. The planting selection shall be chosen in consultation with staff, and all mulch to be temporary.

Seconded and voted unanimously.

**V REVISED PLANS**

**Project Type**

**Revision**

A. Menounos **SE3-4749** pier, ramp & float extend work window beyond May 1st

The applicant attended the hearing.

Issues discussed: Shipping delay of greenheart piles. Vibratory hammer to be used for driving piles.

- Staff recommended that the applicant be granted an extension to May 20<sup>th</sup>.

A motion was made to approve the revised plan, granting the applicant an extension to May 20<sup>th</sup> to do the work.

Seconded and voted unanimously.

**VI OLD & NEW BUSINESS**

A. Sturgis School SE3-4931 – DEP on-site meeting scheduled for Friday, April 29, 2011 at 10:00 am.

An abutter has appealed the Order of Conditions issued recently by the Commission.

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

A.	Town of Barnstable/DPW	SE3-4728	(coc,ez)	repair Elliott Road, Centerville; replace culvert *
B.	Oyster Harbors Services	SE3-4241	(coc,ez)	reconstruct roads on Grand Island
C.	Popeo	SE3-4848	(coc,ez)	clearing & vista pruning *
D.	Davis	SE3-2632	(coc,ez)	change seasonal pier to permanent
E.	Hostetter	SE3-0385	(coc,ez)	construct Fox Road, Centerville *

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

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 8:12 p.m.**