



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

**DATE: October 18, 2011 8:30 a.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 8:30 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.

The meeting was held in the Hearing Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

**I REVISED PLANS**

**Project Type**

**Revision**

A. McGregor / Bayside SE3-4949 demo/rebuild sfd design modification

The applicant was represented by Jimmy Bowes.

Issues discussed:

- The proposed revised plan downsizes the house.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Roche BCC-0191 permit existing piers add two jet ski lifts

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

Issues discussed:

- The Chair asked if an amended order might be the better track for seeking approval. Ms. Wilson suggested that no alteration would occur.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C. Sauerbrey SE3-4256 construct stairs, pier, etc. add lamp post

Issues discussed:

- No spotlight intensity shall be used.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D. Rehnert SE3-4794 construct pool & cabana add pool fence

The applicant was represented by Phyllis Cole.

Issues discussed:

- The revised plan showing the as-built fence location was distributed and noted as Exhibit A.
- A letter from the Building Commissioner was noted as Exhibit B.
- A letter to the Building Commission from Michele Cudilo was noted as Exhibit C.

The discussion was centered on the location of the pool fence, far a-field at the toe of the coastal bank. The Commission asked why the fence needs to be placed so far away. The aesthetic issues are secondary to wetlands and wildlife issues that exist at the site.

An option of raising the fence six-inches above grade was suggested. However, its merit was disputed among Commissioners.

A motion was made to table the matter to November 15<sup>th</sup>.

Seconded and voted unanimously.

## **II ENFORCEMENT ORDERS**

A. Tom L. Williams – 50 Hyde Park, Centerville (additional cutting on 0 Hyde Park, Hyde Park Assoc.)  
Alteration of the Barnstable Conservation Commission's 50' undisturbed buffer zone by retaining landscaping company to remove two larger trees. Understory layer and smaller trees(indicated by older cut stumps) have been cut and maintained for view purposes over several years.

Mr. Williams attended the hearing.

Issues discussed:

- A sketch plan showing the location of trees to be replanted was distributed and noted as Exhibit A.
- A citation stemming from the tree cutting was paid.
- Two photos of the disturbed area were distributed and noted as Exhibits B and C.

A motion was made to approve the enforcement order.

Seconded and voted unanimously.

## **III OLD AND NEW BUSSINESS**

A. #0 Indian Trail, Barnstable (B.L.T. Property) / Quirk replanting plan. Status of agreement

Staff provided an overview of the case beginning last January.

Issues discussed:

- The approved planting plan was distributed and noted as Exhibit A
- Planting this fall was anticipated.
- The estimated cost (Exhibit B) was \$58,000.
- Exhibit C provided a cost inventory of cut vegetation by Bartlett Tree Company. The value was set at \$86,800.

Attorney Chuck Sabatt, representing Mr. Quirk, said that they are ready to plant. An agreement with the Barnstable Land Trust has not been struck, as yet. One point of disagreement involved who would do the monitoring (Mr. Quirk or the B.L.T.). The other point involved a question of whose list would be planted (Mr. Quirk's via Arnie Johnson, or that of Bartlett Tree).

Attorney Bruce Gilmore said a third area of disagreement involved the replanting of a cut area outside of Conservation Commission jurisdiction. He asked for a little more time to resolve the issues, saying that the Barnstable Land Trust does not want to be involved in litigation with its neighbor.

Mr. Gilmore stressed that the Land Trust is in no way attempting to use the Commission as leverage. The parties were encouraged to resolve their differences within the next two weeks, or face an enforcement order being issued to the Land Trust.

The matter was tabled until November 15<sup>th</sup>.

**B. Long Pond Community gardens – unleashed dogs in garden area**

A request from the gardeners asked dogs to be leashed while within the garden area.

Commissioners wanted the dog policy on Conservation Land reviewed, in light of the Town's leash regulation.

A motion was made to provide the requested signage.

Seconded and voted unanimously.

**C. Clarification on protocol for invasive species removal**

Staff discussed with the Commission various approved methods for invasive species removal. Staff will provide a written summary of the approved methods to be applied when approaching such projects.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 10:10 a.m.**