



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

DATE: April 3, 2012 8:30 a.m.

LOCATION: 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 8:30 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners Larry Morin, and Louise Foster. Commissioner John Abodeely was away. Commissioners Peter Sampou Scott Blazis were teaching. Rob Gatewood, Conservation Administrator, assisted, along with Darcy Karle, Conservation Agent, and Fred Stephanis, Conservation Assistant.

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

I REVISED PLANS

Project Type

Revision

A. Shay SE3-4046 float, ramp, walkway, nourish add platform

The applicant was represented by Lynne Hamlyn.

Issues discussed: No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Conservation Div. SE3-4531 Rushy Marsh Pond restoration timing, thru May 31

The applicant was represented by Rob Gatewood.

Issues discussed: No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C. Oyster Harbor Club SE3-4903 demo/rebuild structure location

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

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A. No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D. Regan SE3-4970 renovations; additions smaller additions; patio

The applicant was represented by John Schnaible, R.S.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- The increase in hardscape within the buffer will be calculated, and mitigated for, with plantings in consultation with the Conservation agent.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. Koch SE3-0270 pier, float, ramp configuration

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

Issues discussed:

- Photos were provided and noted as Exhibit A (1 – 4). They showed an at-grade walkway heretofore unpermitted.
- Several pier modifications were explained.

Most importantly, the float array will be returned to approved square ft. area within 30 days of the new floats being constructed.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

F. Burluson /Mitchell SE3-4976 sfd, drive, landscape, pool landscaping

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

Issues discussed:

- The proposed revised plan was displayed and noted as Exhibit A. No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

G. Argy SE3-4729 sfd, appurt. deck footprint

The applicant was represented by Steve Wilson, P.E.

Issues discussed:

- The proposed revised plan was displayed and noted as Exhibit A.
- A section of the approved site plan was provided and noted as Exhibit B.
- No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II ENFORCEMENT ORDERS

A. Joan and Richard Zelman – 110 Allyn Lane, Barnstable

Vista pruning in a wetland and 50' undisturbed buffer zone without prior authorization of the Barnstable (Enforcement, Zelman, cont'd.)

Conservation Commission. Work is in violation of an on-going condition under file SE3-4047, no disturbance of site including cutting beyond approved pathway.

Photos were provided and noted as Exhibits A and B (1 – 2),

An approved site plan for file SE3-4047 was provided and noted as Exhibit C.

A motion was made to approve the “cease and desist” order.

Seconded and voted unanimously.

- B. Lydia Davis – 14 Marsh Lane, Hyannis
Alteration of a wetland by depositing landscape debris into the marsh.

A photo was provided and noted as Exhibit A.

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

Seconded and voted unanimously.

III NON-CRIMINAL CITATIONS

- A. Anthony Milano M.D. – 110 Keveney Lane, Cummaquid
Alteration of a buffer zone by cutting vegetation \$200.00

Staff provided background information with regard to this matter.

A Request for Determination of Applicability (RDA) will be filed shortly, in conjunction with this matter.

IV CERTIFICATES OF COMPLIANCE

- A. Rudman SE3-4992 (coc) permit as-built timber border fence *

Arlene Wilson, P.W.S., represented the applicant.

Photos were provided and noted as Exhibit A (1 – 2).

A requested future maintenance of the landscaping wall was requested. Though unfavorably viewed by the Administrator, the request was acceptable to the Commission after modification by the Conservation Assistant. Any future maintenance under the Certificate would require advance consultation with the Conservation Agent.

A motion was made to approve the certificate.

Seconded and voted unanimously.

- B. Baier SE3-1229 (coc,ok) raze & construct single-family dwelling *

A motion was made to approve the certificate, allowing the buffer to be maintained at 30-feet, and to approve the existing four-foot-wide path.

Seconded and voted unanimously.

V OLD AND NEW BUSINESS

A. Long Pond Community Garden Yearly Report – Donna Lawson
(Old and New Business, Long Pond, cont'd.)

Donna Lawson, of Long Pond Community Gardens, described the gardens as “a beautiful place.” Last season, no problems were experienced. No chemicals are used.

B. Replanting cedars at Fortes Beach

The Chair provided the background to the cutting violation which occurred on Town property. Staff requested that the requirement to re-plant the cut cedars be set aside. The Town Recreation Department has removed the slash and stumps resultant from the cutting.

A motion was made to rescind the re-planting requirement.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:36 a.m.