



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

DATE: September 16, 2014 at 6:30 PM

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](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 John Abodeely, Larry Morin, and Louise Foster. Commissioners Peter Sampou and Scott Blazis were away. Rob Gatewood, Conservation Administrator, assisted.

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

The Chair noted a revision to the posted agenda (the addition of item B. under Revised Plans, Barnstable DPW SE3-5212).

The need for the footprint adjustment on this time-sensitive project could not have been reasonably anticipated by the Chairman.

### I MINUTES FOR APPROVAL

A. September 2, 2014

B. September 9, 2014

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

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**Kevin T. & Ellen G. Van Wart.** Allow standard vista pruning at 21 Sand Point, Osterville as shown on Assessor's Map 073 Parcel 014-002. **DA-14053**

The applicant was represented by Charles Rowland, E.I.T. and Peter Sullivan, P.E.

The approved vista pruning on the subject and adjacent parcels will be coordinated and performed at the same time.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Mark Schindler & Angela Shen-Hsieh.** Permit existing decks and spa at 93 Pheasant Way, Centerville as shown on Assessor's Map 228 Parcel 135. **DA-14052**

The applicant was represented by Lynne Hamlyn.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Town of Barnstable/D.P.W.** Remove old piling/telephone pole-type fencing and other timbers on property; replace guardrail; grade lot, and add ¾" native stone topping as needed, at Cross Street Lot, between #264 and #244 Long Beach Rd., Centerville, (no map/parcel). **DA-14054**

The applicant was represented by Frank Zibutis.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Town of Barnstable/D.P.W.** Remove old piling/telephone pole-type fence; replace guardrail at entrance and end of parking lot; regrade lot and add ¾" native stone topping as needed, at (un-named lot), between #280 and #264 Long Beach Rd., Centerville, (no map/parcel). **DA-14055**

The applicant was represented by Frank Zibutis.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Stephen C. & Elizabeth W. Mecke.** Relocate existing dwelling onto new foundation; construct additions, deck and patio; relocate existing shed; extend driveway. Permit and maintain existing free-standing deck and establish lawn to 50' buffer; vista prune, at 51 East Ave., Osterville as shown on Assessor's Map 139 Parcel 062. **SE3-5221**

The applicant was represented by Peter Sullivan, P.E.

#### Exhibits:

A - Proposed site plan

Restorative shrub plantings within the 50-foot buffer, sufficient to completely fill it, will be shown on a revised plan.

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

Seconded and voted unanimously.

**James & Christine Elder.** Demolish existing dwelling; construct new single-family dwelling and driveway with all associated appurtenances and utilities at 344 Bridge St., Osterville as shown on Assessor's Map 093 Parcel 005. **SE3-5222**

The applicant was represented by Charles Rowland, E.I.T.

Jurisdiction was coastal 100-year floodplain only.

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

Seconded and voted unanimously.

**Richard Peterson.** Limited tree removal near Flax Pond; invasive species management; buffer zone restoration; lawn reduction, at 45 Collie Ln., Cummaquid as shown on Assessor's Map 335 Parcel 078-003. **SE3-5225**

The applicant was represented by Michael Ball. Mr. Peterson also attended.

Exhibits:

A - Proposed site plan

Mitigation planting of 2,750 square feet was proposed.

Invasive species will be managed as well, including gray willow.

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

Seconded and voted unanimously.

**Michael & Patricia Lavington.** Reconstruct and relocate existing seasonal pier at 112 Nyes Neck Road East, Centerville as shown on Assessor’s Map 232 Parcel 011-002. **SE3-5224**

The applicant was represented by Mark Burgess.

Exhibits:

A – Proposed site plan

The opening to the old dock, once removed, will be planted in consultation with staff.

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

Seconded and voted unanimously.

**IV CONTINUANCES**

**Town of Barnstable/Conservation Division:** to replace an existing 12-inch pipe beneath Main St., Cotuit with two 15-inch pipes and to adjust inverts to allow flows from properties north of Main St. to discharge into Rushy Marsh as shown on Assessor’s Map 017 Parcel 014. **SE3-5187**

The applicant was represented by Attorney Michael Ford and Sean Reardon, P.E.

Exhibits:

A (1-4) – Approved drainage plans by Michael McGrath

Atty. Ford discussed previously-approved drainage improvements on the fields portion of the parcel.

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

Seconded and approved: 3 votes = Aye; 2 votes = Nay.

**V REVISED PLAN**

**project type**

**revision**

A.	Vedder SE3-5105	Replace pilings/sheeting under cottage	landscaping & mitigation
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The applicant was represented by Stephen Wilson, P.E., Attorney Ted Schilling, et al.

Concern for additional hardscape within the 50-foot buffer was raised.

The Commission desired to have the invasive species control portion of the project continue as needed, over time. To accomplish this, a condition so-requiring will be made part of the future certificate of compliance.

A motion was made to approve the revised plan.

Seconded and approved: 3 votes = Aye; 2 votes = Nay.

B. Barnstable DPW SE3-5212 Replace 18" culvert footprint adjustment

The applicant was represented by Attorney Michael Ford and Sean Reardon, P.E.

Atty Ford discussed a possible solution of re-drawing the easement to put the existing pipe within it. Barring that, the revised plan would enable the reconstruction of the pipe within the existing easement.

A motion was made to approve the revised plan.

Seconded and approved: 4 votes = Aye; 1 vote = Nay.

**VI CERTIFICATES OF COMPLIANCE** (\* = on-going conditions)

- A. Haseotes SE3-5035 (coc,ez) Construct permanent pier, ramp, float, & jet ski float \*
- B. Eastman SE3-4926 (coc,ez) Reconstruct retaining wall & add kayak racks \*

A motion was made to approve all certificates (A and B).

Seconded and voted unanimously.

**VII OLD & NEW BUSINESS**

- A. Assessing the need for Guidelines for private freshwater piers

The matter was tabled to October 14.

- B. Funding for Lumbert Pond Conservation Area parking area

A motion was made to approve release of up to \$40,000 from the Hamblin Conservation Fund for the Lumbert Pond conservation area parking lot.

Seconded and approved, with one abstention.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 8:15 p.m.**