



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation@town.barnstable.ma.us

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: September 30, 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, 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, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. September 16, 2014

A motion was made to approve the minutes, as amended, noting an abstention (Commissioner Abodeely) on the matter of funding the Lumbert Pond parking lot.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Walter & Sarah Mayo. Remove invasive vegetation and replace with low-bush blueberry plants; remove grapevine from native holly tree at 92 Phinney's Ln., Centerville as shown on Assessor's Map 209 Parcel 030. **DA-14056**

Applicant Sarah Mayo attended the meeting.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Dan Abraham. Install seasonal dock in Lake Wequaquet at 54 Shirley Point Road, Centerville as shown on Assessor's Map 213 Parcel 010. **SE3-5226**

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

Exhibits:

A - Proposed site plan

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

MN093014

Seconded and voted unanimously.

Joel H. Finley, II. Create/maintain fields, animal enclosures and shelters; maintain old bog road/trail system; cut timber for personal use at 115 Parker Rd., W. Barnstable as shown on Assessor's Map 196 Parcel 003. **SE3-5227**

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

Exhibits:

- A – Proposed site plan
- B – Response to complaint emails

The project seeks to return the parcel to active agriculture.

Public comment:

The following abutters commented on the project – Tara Morales, Meg Laughran, Diane Jones, Heidi Moss.

Among issues raised by abutters were the following: the alleged presence of a dog-training facility; excessive noise from ATV's; an unregistered rental property; and, concern for possible well-contamination from animals.

ATV and motorbike use within the 50-foot buffer was a problem with the Commission.

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

Seconded and approved: 6 votes = "Aye;" 1 vote = "Nay."

William F. Griffin, Jr., Tr., New Rushy Marsh Realty Trust. Construct/maintain 3-ft. x 40-ft. boardwalk extension; path realignment and extension; deck construction and dune mitigation planting. Work to take place on coastal dune, a barrier beach and within 100-feet of coastal beach and bordering vegetated wetlands at 1524 Main St., Cotuit as shown on Assessor's Map 017 Parcel 014. **SE3-5223**

The applicant was represented by Atty. Michael Ford and Michael McGrath, P.E.

Exhibits:

- A (1-2) – Proposed plan detail
- B – Proposed plans (stamped)

The proposed deck on the coastal dune was problematic to the Commission.

Public comment:

Comments were received from abutter, Deborah Weinberger, and from Atty. Eliza Cox for abutter Victoria Hope.

A motion was made to continue the hearing to October 28.

Seconded and voted unanimously.

Glenn Walden Anderson. Construct 4-bedroom single-family dwelling with attached garage, paved driveway, retaining wall, Title-5 septic system, and associated utilities & grading. A portion of paved drive, retaining wall, grading and utilities proposed within 100 feet of bordering vegetative wetland, at 45 Lake Ave., Hyannisport as shown on Assessor's Map 287 Parcel 146. **SE3-5228**

The applicant was represented by Michael Pimental, E.I.T.

A letter from abutters was noted, as was a letter from the Barnstable Health Division, expressing concern for site runoff into Schoolhouse Pond.

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

Seconded and voted unanimously.

A revised plan showing drainage improvements is to be submitted.

IV AMENDED ORDERS

Stuart Bornstein/Stuborn LLC. Propose to amend wetlands permit **SE3-5052** by extending the approved bulkhead and a minor modification to the approved floats to include reduction in piles at 153 Freezer Rd., Barnstable as shown on Assessor's Map 301 Parcel 006.

The applicant was represented by Matthew Creighton, P.W.S., Kieran Healy, and David Porter, Structural Engineer.

Exhibits:

- A (1-7) – Proposed site plan
- B – Detail of proposed site plan

The Commission discussed D.E.P. Program Policy 85-4, "Amended Orders."

The applicant sought a 50-foot extension of the approved vertical bulkhead and small changes to the proposed pier and float system footprint (although it would be no closer to the channel).

Mr. Porter answered numerous questions on hydrodynamics and stability of the structure.

A work protocol and detail on the impact of wave action on the proposed structure will be provided. .

Public comment:

Comments were received by Henry Blair, Kate Van Pletner, Avery Revere, and Ann Canedy.

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

Seconded and approved: 5 votes = "Aye;" 2 votes = "Nay."

William & Christine O'Rourke. Propose to amend wetlands permit **SE3-5204** to include tree removal; add accent lighting on stairwell; change seasonal dock to permanent dock, at 781 Old Strawberry Hill Rd., Hyannis as shown on Assessor's Map 253 Parcel 013-004.

The applicant attended the meeting.

Exhibits:

- A – Proposed site plan

The proposed tree cutting within the 50-100 foot buffer was discussed.

No issue was taken with the proposed pier changes and lighting.

Public comment:

Comment was taken from Paul Harrington.

A motion was made to approve the amendment regarding the proposed permanent pier with grated decking and the proposed stair lighting, but not to approve proposed tree removal within the 50 – 100 foot buffer zone.

Seconded and voted unanimously.

V CONTINUANCES

Three Bays Preservation, Inc. & Mass. Audubon Society, Inc. Proposed barrier beach management plan for Dead Neck & Sampson’s Island to include maintenance dredging and beach nourishment and other activities to enhance wildlife habitat and maintain integrity of barrier beach; proposing to remove 133,600 cu.yd. from the western-most 400 ft of Sampson’s Island via dredging (reduced from a original 800 ft. with 233,600 cu.yd.), and to use this sand to fortify the eroding front beach at Dead Neck, as shown on Assessor’s Map 50 Parcels 001 & 002. **SE3-5053**

The applicant was represented by Peter Sullivan, P.E., John Ramsay, P.E., John C. O’Dea, P.E., Lindsey Counsell, Dr. Catherine Parsons, Atty. Barry Fogel, and Trey Ruthvan, P.E.

Exhibits:

- A – Power Point presentation slides
- B – The Proposed site plan

Public comment:

Richard Kornblum submitted a petition of over 90 signatures.

The following people commented on the project: Charles Swartwood, Horn Wheelwright, Rich Bowden, Robert Johnson, Susan Martlyn, Chris Jackson, Suzie Wheelwright, Larry Odenca, Brad Wheelwright, and Margaret Parveau.

A motion was made to continue the project to October 14.

Seconded and voted unanimously.

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

A.	Donahue	SE3-4987	(coc,ez)	reconstruct bulkhead; permit existing landscape amenities
B.	Powell	SE3-5098	(coc,ez)	modify existing seasonal pier; permit RR tie stairs *
C.	McKenzie	SE3-5171	(coc,ez)	construct stairs down a coastal bank *
D.	Dubuque	BCC-0180	(coc,ez)	construct seasonal pier, ramp & float; reconstruct bank stairs *

A motion was made to approve all certificates.

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

A. Funding to initiate lead analysis and remediation at shooting range

A motion was made to approve the requested funding of \$40,000.

Seconded and denied: 2 votes = “Aye;” 5 votes = “Nay.”

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 11:15 p.m.