

# **Town of Barnstable Conservation Commission**

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## MINUTES - CONSERVATION COMMISSION MEETING

DATE: JUNE 23, 2015 at 6:30 PM

LOCATION: TOWN HALL HEARING ROOM

<u>Scrivener's note</u>: 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 <u>town.barnstable.ma.us</u>, 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 Commissioners John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Vice-Chairman Tom Lee was away. Darcy Karle, Conservation Administrator, assisted.

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

### I REQUESTS FOR DETERMINATION

**Estate of Charles & Jean Haskell.** Upgrade existing septic system at 28 Bayview Rd., Osterville as shown on Assessor's Map 093 Parcel 050. **DA-15033** 

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

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Town of Barnstable/D.P.W.** Repaying of existing asphalt surface of East Bay Road between Wianno Ave. and Main St., Osterville as shown on Assessor's Map 141 Parcel (various). **DA-15034** 

The applicant was represented by Brian Celia.

A motion was made to issue a negative determination, with the condition that erosion control be done in consultation with staff.

Seconded and voted unanimously.

## II NOTICES OF INTENT

None

## III CONTINUANCES

W. Frederick & Diana Uehlein, Trs., 109 Eel River Road Nominee Trust. Construct and maintain pier, ramp and float at 109 Eel River Road, Osterville as shown on Assessor's Map 115 Parcel 009. SE3-5252

A request was made for a continuance via letter.

A motion was made to continue the hearing to July 7, 2015.

MN062315

Seconded and voted unanimously. No testimony was taken.

**Hard-A-Lee, LLC.** Construct and maintain pier, ramp and float at 299 Eel River Rd., Osterville as shown on Assessor's Map 115 Parcel 003. **SE3-5250** 

A request was made for a continuance via letter.

A motion was made to continue the hearing to July 21st.

Seconded and voted unanimously. No testimony was taken.

**Daniel S. & Elizabeth W. Lynch, Trs., Fox Island Realty Trust.** Demolish existing dwelling; construct new single-family dwelling, guest house, barn, tennis court, pool and cabana, driveway, patio and terrace, landscaping to include vista pruning, and all associated appurtenances at 132 Fox Island Rd., Marstons Mills as shown on Assessor's Map 096 Parcel 019. **SE3-5296** 

The applicant was represented by John C. O'Dea, P.E., Michael Coutu, A.S.L.A., and James Bowes.

#### Exhibits:

- A Revised Plan dated (erroneously) 6/26/15
- B Site Plan (2 sheets)
- C Elevation sketches (3 pages)

A motion was made to continue the hearing to July 7<sup>th</sup>.

Seconded and voted unanimously.

# IV REVISED PLAN RECONSIDERATION project type

revision

Kurker SE3-5118

elevate sfd; replace foundation

demo/rebuild sfd same footprint

The applicant attended, and was represented by Daniel Ojala, P.E. and Michael Ford, Esq.

#### **Exhibits:**

- A Copy of last approved plan of record dated 10/29/13
- B Overlay on plan section from the 10/29/13 plan
- C Email from Fred Stepanis, Conservation Assistant, to Wayne Kurker dated 6/12/15
- D Letter from Daniel Ojala, P.E. dated 6/17/2015, with accompanying revised plan dated 6/3/15.
- E Brochure photo, and photo from 2014
- F Photo dated 6/14/15
- G Email from Rita Cuker to Jerry Burwick, dated 6/11/15.

## Correspondence:

Letter from Town Attorney Ruth Weil to Conservation Commission, dated 6/23/15; Letter from Lisa Falkenham, dated 6/23/15 [noted]; Letter from Stephanie Kiefer, dated 6/23/15 [noted].

#### Public comment:

Michael Ford, Esq., Stephanie Kiefer, Esq., Ruth Weil, Esq., Craig Falkenham.

A motion was made to reconsider the revised plan, consisting of the transmittal letter from Daniel Ojala, P.E. dated 6/17/2015, with revised plan dated 6/3/15.

Seconded and voted approved: 5 votes = "Aye" with one abstention.

A motion was made to approve the revised plan dated 6/3/2015, subject to submittal of a demolition and construction protocol in writing, in consultation with staff.

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Seconded and approved: 4 votes = "Aye;" 1 vote = "Nay," with one abstention.

# V OLD & NEW BUSINESS

A. Emergency Certification for Wianno Yacht Club, 101 Bridge St., Osterville – Repair damaged surfaces to prevent trip hazards for Junior Sailing Program.

# Noted

VI	CERTIFICATES OF COMPLIANCE			(* = on-going conditions)
A.	C-O-MM	SE3-5201	(coc,ez)	install water main along River Road, Marstons Mills
B.	Duarte	SE3-0927	(coc,ez)	install water service along Rosa Lane, Marstons Mills
C.	TOB/DPW	SE3-0350	(coc,ez)	install roadway drainage for South County Road (not done)
D.	Nelson	SE3-5152	(coc,ez)	remove & replace retaining wall *

A motion was made to approve the certificates (A - D).

Seconded and voted unanimously.

# VII MINUTES

A. June 9, 2015

A motion was made to approve the minutes, as amended.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:28 p.m.

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