



Town of Barnstable Conservation Commission

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Hyannis Massachusetts 02601

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: DECEMBER 15, 2015 @ 6:30 PM

LOCATION: TOWN HALL HEARING ROOM, 2nd Floor – 367 Main Street, Hyannis, MA

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 F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle, and Commissioners, John E. Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise R. Foster. Darcy Karle, Conservation Administrator, assisted.

I OLD & NEW BUSINESS

A. 230 Old Colony Road, Hyannis conservation restriction

Exhibits:

A – GIS map showing parcel

T. David Houghton, 1st Assistant Town Attorney gave an overview of the conservation restriction.

Jaci Barton, Executive Director of Barnstable Land Trust, also attended.

A motion was made to approve support of the conservation restriction.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Durant A. & Sarah H. Hunter. Restore beach grass area landward of existing bulkhead at 76 Long Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 009. **DA-15069**

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

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

James F. & Susan A. Mattie. Replace existing failing vertical stone wall with a vinyl bulkhead at 729 South Main St., Centerville as shown on Assessor's Map 185 Parcel 011. **SE3-5346**

(Mattie, continued)

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

Exhibits:

A – Cross-section view dated 12/15/15

A motion was made to continue the hearing to 12/29/2015.

Seconded and voted unanimously.

Clifford D. Gluck. Maintain and permit recently installed spa and stone walkways; install additional patio areas and other landscape work including fencing, plantings and trash bin at 51A Hawes Way, Hyannis as shown on Assessor's Map 323 Parcel 004. **SE3-5347**

The applicant attended, and was represented by John O'Dea, P.E.

Correspondence:

- Email dated 12/14/15 from Octavius and Eleanor Orbe,
- Letter dated 12/14/15 from Jack and Dale Lippart.

An issue arose to move the spa.

A motion was made to approve the project with standard and special conditions, subject to the receipt of a revised plan.

Seconded and voted unanimously.

Carl G. Johnson, Tr., Carl G. Johnson 2007 Trust. Construct a 9-foot-wide pervious driveway at 28 Meadow Ln., W. Barnstable as shown on Assessor's Map 133 Parcel 019. **SE3-5345**

The applicant was represented by Daniel Ojala, P.E.

A motion was made to approve the project as submitted.

The motion was seconded and voted: 0 votes = Aye; 6 votes = Nay, with one abstention.

The project was denied.

Anthony & Josephine Tavilla. Reconstruct boardwalk; construct pier with ramp, float, and kayak racks at 103 Main St., Osterville as shown on Assessor's Map 185 Parcel 022-001. **SE3-_____**

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

Exhibits:

A – Two letters dated 12/7/15 sent to abutters by Ms. Wilson

Correspondence:

- Email dated 12/15/15, by Tom Marcotti, town Shellfish Biologist;
- Letter dated 12/15/15 from MA Division of Marine Fisheries.

A motion was made to continue the hearing to 1/26/2016.

Seconded and approved unanimously.

Dimitry Herman. Raze/rebuild single-family dwelling; construct porches, deck, detached garage, septic system upgrade, well installation, and drive; vista pruning at 10 Nyes Neck Rd., Centerville as shown on Assessors Map 233 Parcel 023. **SE3-_____**

The applicant was represented by Lynne Hamlyn.

Exhibits:

A – Revised planting plan with monitoring note dated 12/10/15.

Public comment: Gail Maguire, Roger Parsons, Christian and Heather Swenson, and Patricia Green.

A motion was made to approve the project with standard and special conditions, including:

1. The use of the revised planting plan with monitoring note dated 12/10/15;
2. Subject to receipt of a revised site plan;
3. In-lieu-of fee in the amount of \$980;
4. Subject to comments from Natural Heritage & Endangered Species Program.

Seconded and voted unanimously.

IV CONTINUANCES

Steven E. Hirsch. Dune and beach nourishment along approx. 85 feet of coastline to enhance existing resources and provide a more resilient shoreline at 0 Cross St., Cotuit as shown on Assessor's Map 033 Parcel 031. **SE3-5320**

A request for a continuance to was received via letter.

A motion was made to continue the hearing to 1/12/2016.

Seconded and voted unanimously.

No testimony was taken.

Evergreen 69 Realty Trust & Pickwick Realty Trust. Dune and beach nourishment along approx. 378 feet of coastline to enhance existing resources and provide a more resilient shoreline at 69 & 71 Ocean View Ave., Cotuit as shown on Assessor's Map 034 Parcels 045 and 045-001. **SE3-5318**

A request for a continuance to was received via letter.

A motion was made to continue the hearing to 1/12/2016.

Seconded and voted unanimously.

No testimony was taken.

Harry D. Taylor. Construct timber walkway from existing stairs to pier at 56 Sand Point, Osterville as shown on Assessors Map 073 Parcel 017. **SE3-5334**

The applicant was represented by John O'Dea, P.E. and Charles Rowland, E.I.T.

A motion was made to approve the project with standard and special conditions, using revised site plan dated 12/8/15.

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

Jan T. Barr 2010 Revocable Trust. Construct and maintain boardwalk, pier, ramp and float in Centerville River at 49 Main St., Osterville as shown on Assessor's Map 185 Parcel 020. **SE3-5338**

(NOI's, Barr, continued)

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

Correspondence:

- Derek Lawson email, 12/8/15;
- MA Division of Marine Fisheries, 12/1/15

The applicant was seeking a waiver under Chapter 703-4L.

A motion was made to approve the project with standard and special conditions, using the revised plan of 12/2/15.

Seconded and voted unanimously.

Jill F. G. Mitchell. Eliminate existing float and install boat lift in its place at 345 Baxters Neck Rd., Marstons Mills as shown on Assessor's Map 075 Parcel 007-001. **SE3-5341**

The applicant was represented by Atty. Michael Ford.

Exhibits:

- A – Mullin Rule certification, allowing Commissioner John Abodeely to take part in the quorum.
- B – Draft findings, submitted by Vice-Chairman Dennis Houle.

A motion was made to continue the hearing to 1/12/16.

Seconded and voted unanimously.

Town of Barnstable/Dept. of Public Works. Upgrade existing undersized culvert pipe to a properly-sized box culvert, to increase tidal flushing and pollutant removal from Snow's Creek and upstream impoundment. No significant change in water elevations expected. Snow's Creek culvert located at Ocean St., Hyannis as shown on Assessor's Map/Parcel (Various). **SE3-5315**

The applicant was represented by Roger Parsons, Town Engineer, and Bradley Parsons, P.E. of BL Companies.

Roger Parsons distributed a question/answer pamphlet regarding Cape Cod Water Resources Restoration Project.

A motion was made to continue the hearing to 2/23/16.

Seconded and voted unanimously.

<u>V</u>	<u>REVISED PLANS</u>	<u>Project type:</u>	<u>Revision:</u>
A.	Barr SE3-5324	access structure, deck	pump, utilities, drive

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

Exhibits:

- A – Notes from meeting of 12/1/15, by Larry Morin

Finding: No approval of any expansion of use; historic use of the building was not living/entertainment space.

A motion was made to approve the revised plan subject to further revisions with notes, including the following:

1. Approval of toilet and sink;
2. Ejector line to connect to septic system;
3. Driveway to be re-planted;

(Revised Plans, Barr, continued)

4. Interior of boathouse only for storage of vessels and other water-related purposes;
5. Boathouse not to be heated or insulated, and not to be used as habitable living space or for entertainment.

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

B. TOB/DPW SE3- 5043 replace fishway re-design of fishway

The applicant was represented by Joseph McLean of Wright-Pierce, Roger Parsons, P.E., and Amanda Ruggiero, P.E.

Public Comment:

- Lindsey Counsell
- Alex Frazzee
- Charlie Teefoe

A motion was made to approve the revised plan, as submitted.

Seconded and voted unanimously.

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

- | | | | | |
|----|--------------------|----------|----------|---|
| A. | Hyannisport Club | SE3-4498 | (coc,ez) | replace pumphouse at Marchant Mill Pond * |
| B. | Barnstable Housing | SE3-1837 | (coc,ez) | construct public housing units (not done) |
| C. | Burleson | SE3-4976 | (coc,ez) | construct single family dwelling * |
| D. | Popeo | SE3-5071 | (coc,ez) | regrade, manage invasives, & replant buffer * |

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

Seconded and voted unanimously.

VII MINUTES FOR APPROVAL

A 11/10/15

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

Seconded and approved unanimously.

B. 12/1/15

A motion was made to table the minutes (B) until 12/29/15.

Seconded and approved unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:30 p.m.