



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: September 6, 2016 @ 6:30 PM

LOCATION: Town Hall Hearing Room, 367 Main Street 2ND Fl., 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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners John E. Abodeely, Peter Sampou, Scott Blazis, and Larry Morin.

Conservation Administrator, Darcy Karle, assisted.

I OLD & NEW BUSINESS

A. Proposed minor changes to Chapter 707: Regulations Governing Minimum Submission Requirements for an NOI, as approved on 8/23/16.

A motion was made to approve the minor change on Page 3, effective September 12th.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Beach Club of Craigville, Inc. Reconstruct and maintain existing timber deck and steps, including addition of timber wheelchair ramp and ground-level boardwalk and installation of seasonal deck awning on a coastal beach at 27 Long Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 016. **DA-16055**

The applicant was represented by Dr. John Lake of Beach Club, and Red Lizardi of Holmes & McGrath.

Exhibits:

A – A small copy of color plan dated July 27, 2016.

Issues discussed:

- Materials to be used – Brazilian hardwood – Koa;
- Spacing for deck/ramp boards;
- Outdoor shower indicated on plan should be re-labeled as “rinse station” on site plan.

A motion was made to issue a negative determination, subject to submission of a revised plan noting ADA requirement for spacing; outdoor shower to be re-labeled as “rinse station”

Seconded and voted unanimously.

Anne B. & George N. Gingold. To establish and maintain a four-foot-wide path from base of hill through buffer zone to a point near the Centerville River for viewing birds and wildlife and for photography at 469 Elliott Rd., Centerville as shown on Assessor's Map 227 Parcel 115. **DA-16056**

The applicants attended the hearing.

Issues discussed:

- Clarification that no trees will be cut during maintenance of the 4-foot-wide path;
- No mulch will be placed on the path;
- The path will not extend down to the river;
- Grass may be mowed or weed-whacked in the path as required during normal maintenance of the path.

A motion was made to issue a negative determination with special conditions: path to be no wider than four feet; path to end before reaching the river, as indicated on the approved plan; no trees will be cut.

Seconded and voted unanimously.

James & Deborah Fowler. Seek approval for vista pruning – prune oak, tupelo, maple, etc. located at back of property, specifically to thin crown to remove approx. 20% of live branches to enhance view of water; remove resulting debris. Also seek approval for tree removal to take down 2 tagged, dead pitch pines and 1 oak located at back of property; leave stump low and remove resulting debris; trim understory, including existing bushes and shrubs along water's edge to approx. 4' high for view at 346 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 024. **DA-16057**

The applicants attended.

Exhibits:

A – Photo dated 9/6/16

Issues discussed:

- Mulch area will be re-seeded. This was an area disturbed while septic was being installed by the prior owner. The Fowler's will submit a photo after loam and seeding takes place;
- The left vista corridor (#1) will be the area where the deck is being installed. It should not need to be much wider than what already exists, i.e., a few branches here and there.
- Right vista corridor (#2) will require a waiver from the normal vista pruning guidelines. After the pine tree is removed, what stands in the way of a view is understory. The Commission will allow the understory vegetation on the edge to be cut to a length of twenty feet; it must be an undulating cut of varying height, i.e., not to look like a straight cut across.
- Three (3) trees may be removed due to safety issues.

A motion was made to issue a negative determination, subject to a revised sketch plan, reducing two vista corridors; corridor #2 to be no wider than twenty (20) feet; and understory cut must be an undulating cut.

Seconded and voted unanimously.

Barnstable County. Proposes to remove contaminated soil from County Fire & Rescue Training Facility within a 400 square foot area for water quality improvements at 155 South Flintrock Rd., Hyannis as shown on Assessor's Map 313 Parcel 007. **DA-16058**

The applicant was represented by Tom Cambareri of the Cape Cod Commission, and Amanda Crouch-Smith of Tighe & Bond.

Issues discussed:

- The project is NHESP exempt;
- The protocol for a temporary stock pile area;
- Request to keep the Conservation Commission informed on new developments regarding the best options for soil amendment.

A motion was made to issue a negative determination with the requirement that a written follow-up to the Conservation Commission be submitted regarding an emergency response plan and soil amendments.

Seconded and voted unanimously.

III NOTICES OF INTENT

Maria Deaton. Raze existing dwelling; replace with new dwelling within existing footprint (no increase in bedrooms) at 71 Seventh Ave., W. Hyannisport as shown on Assessor's Map 246 Parcel 151. **SE3-5408**

The applicant was represented by Daniel Ojala, P.E. of Down Cape Engineering.

Issues discussed:

- Review was based on a revised site plan dated 9/2/16;
- The project was after-the-fact on an existing foundation;
- A question arose as to whether the project was subject to the buffer zone mitigation requirements; an option was to request the applicant to offer mitigation.

A motion was made to approve the project with special conditions, including requesting the applicant to consider offering mitigation.

Seconded and approved: 4 votes = Aye; 3 votes = Nay.

James & Deborah Fowler. Install seasonal dock in Lake Wequaquet for 21' pontoon boat; draft with engine down is 16" at 346 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 024. **SE3-5410**

The applicant was represented by Steve Wilson, P.E. of Baxter Nye Engineering.

Exhibits:

A – Shore Station Dock information packet

Issues discussed:

- Mr. Wilson stated that the project met freshwater guidelines;
- The Commission was satisfied with aluminum or cedar.

A motion was made to approve the project with special conditions, including that staff be notified of material to be used in construction of the dock.

Seconded and voted unanimously.

IV CONTINUANCES

Robert Bancroft. Septic system upgrade at 21 Bancroft Circle, W. Barnstable as shown on Assessor's Map 215 Parcel 013. **DA-16047**

The applicant attended, and was represented by David Bennett of Bennett Environmental.

Issues discussed:

- Status of Board of Health approval;
- A question was raised about surface runoff; prevention of water flow over the edge, causing erosion;
- Grading to direct surface flow to leach basin could be done.

A motion was made to approve the project with special conditions, subject to a revised plan indicating grading, directing surface flow to the existing leach basin.

Seconded and voted unanimously.

V FOR RECONSIDERATION

George W. Jensen. Clearing of overgrown vegetation, including vista pruning at 50 Lattimer Ln., Hyannis as shown on Assessor's Map 288 Parcel 156. **DA-16046** (from 8/23/16)

The applicant attended.

Issues discussed:

- A quorum was present, except for Commissioner Sampou;
- This project is being reconsidered because of a jurisdictional call. It involves a town coastal bank, rather than a state coastal bank, as previously thought.

A motion was made to reconsider the application.

Seconded and voted unanimously.

Issues discussed:

- Mr. Jensen stated that they had maintained the back yard up to 2014. Aerial photos were submitted in the RDA packet;
- Vista corridors, indicated on the revised plan dated 8/20/16, had been submitted at a prior hearing.
- Normal vista pruning guidelines will be followed;
- The applicant requested to forgo erosion controls, since only cutting of vegetation will take place, no disturbance of soil. This was fine with the Commission.

A motion was made to issue a negative determination, subject to vista pruning guidelines.

Seconded and voted unanimously.

VI CERTIFICATES OF COMPLIANCE (ez = no deviations, staff recommends approval) (*= on-going conditions)

- | | | | | |
|----|-----------------|----------|----------|---|
| A. | K-V Associates | SE3-1882 | (coc,ez) | reverse layering (not done)
at Red Lily Pond Project Association – Lake Elizabeth, Centerville |
| B. | Ellis - Huntley | SE3-5246 | (coc,ez) | construct seasonal dock
233 Wheeler Road, Marstons Mills – Mystic Lake |

A motion was made to approve the certificates.

Seconded and voted unanimously.

VII MINUTES FOR APPROVAL

- A. August 23, 2016

A motion was made to approve the minutes.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:26 p.m.

