



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: November 14, 2017 @ 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 Peter Sampou (left at 6:43 p.m.), Scott Blazis, and Larry Morin. Commissioner John Abodeely was away.

Conservation Administrator, Darcy Karle, assisted.

I REQUESTS FOR DETERMINATION

Town of Barnstable/DPW. Install steel-backed timber guard rail system about 50 feet in length; cut asphalt for support posts and rails. Possibly the need to install large boulders in substitution for guard rail system, both designed to deter foot traffic causing erosion into ocean; treat invasive weeds at the site using herbicide Rodeo® with cut/paint method to limit herbicidal runoff. Project to take place at end of Cross Street, Cotuit, approaching Riley's Beach Roadway, between Map/Parcels 033/032 & 033/026. **DA-17066**

The applicant was represented by Chris Gonnella of the DPW.

- Question was raised on treatment of invasives, and what was being treated (poplar and bittersweet), and by whom (*Always Green* was the consultant used to apply herbicide)
- Could do additional plantings in spring

A motion was made to approve a negative determination with the allowance for beach grass plugs in spring, in consultation with staff.

Seconded and voted unanimously.

[The following projects were taken out of order: Rondeau NOI (continuance) was heard next, then the Markowitz revised plan]

[Commissioner Peter Sampou left before the first RDA heard (Bierwirth)]

Wendy & Bette Ann Bierwirth. Vista pruning at 351 Hollidge Hill Ln., Marstons Mills as shown on Assessor's Map 081 Parcel 015. **DA-17067**

Wendy Bierwirth attended.

Issues discussed:

- Question was raised on what vegetation would need to be pruned in the vista corridor proposed on the sketch plan.
- Property owner stated that they wanted a view toward the dock, which was not indicated on the plan. A view directed to the dock would require tree removal and/or cutting of understory in the wetland to the left of the path.

- A question was raised as to whether the project should be approved as a negative determination (using the current sketch plan) subject to current vista pruning guidelines, or whether to continue the project to allow for a site visit by staff and applicant to determine whether the desired view could be accomplished under normal vista pruning guidelines.

A motion was made to continue the project to 11/28/17.

Seconded and voted unanimously.

II NOTICES OF INTENT

923 Cape View, LLC. Renovations to beach house to include windows, doors, siding, roof deck and 10-foot landward addition; all associated appurtenances including utilities, at 923 Sea View Ave., Osterville as shown on Assessor's Map 090 Parcel 005. **SE3-5527**

The applicant was represented by John O'Dea, P.E. of Sullivan Engineering & Consulting, and Jimmy Bowes of Bayside Builders.

Issues discussed:

- Ms. Karle raised concern with mapping by FEMA, as it pertains to where the VE elevation 15' line is indicated on the plan.
- Concern regarding change of use. The change appears to be from simple bathhouse/changing rooms to a different type of structure, with the potential for being used as something else, such as a seating area.
- The applicant would have the option to restore the current building.
- Concern was raised with expansion back into the bank.
- Commission would like to see a floor plan if applicant was requesting to expand.
- Commission would consider an expansion only for certain equipment needed for an injector pump
- Applicant would like an area to get out of the sun. They would like to have a toilet and a shower.
- Question was raised regarding the rebuilding of the pier, including the width and the gate. Was Form "M" (for maintenance) completed?
- Whether there would be the potential to have a shed roof/overhang over the existing patio.
- If a roof overhang is permitted, then the Commission will consider adding a special condition to prevent construction of a future enclosure.
- Request was made for access into the building.

A motion was made to continue the project to 12/12/17.

Seconded and voted unanimously.

III CONTINUANCES

Richard & Mary Ellen Gravina. Replace stairs down to lake and permit and construct a seasonal pier at 11 Heath Row, Marstons Mills as shown on Assessor's Map 063 Parcel 075. **SE3-5519**

The applicants were represented by John C. O'Dea, P.E.

Issues discussed:

- Commissioner Morin was not part of the quorum.
- No further conditions required by NHESP
- Plan being reviewed was revised 11/2/17
- Applicant was willing to plant the area on the bank, as indicated on the revised plan
- Discussion took place regarding the 10' x 10' landing which had been there for over thirty years

A motion was made to approve the project based on revised plan dated 11/2/17.

Seconded and voted: 3 votes = Aye; 1 vote = Nay. The motion carried.

Kenneth & Priscila Rondeau. Rebuild retaining walls; rebuild existing roof deck and storage/game room below; add storage room in area of existing stairs and deck; add drainage structures for driveway and roof runoff; add access stairs; add pervious paver patio in area of existing mulch; add rinse station at 95 Huckins Neck Rd., Centerville as shown on Assessor's Map 252 Parcel 015. **SE3-5522**

The applicants were represented by Daniel Ojala, P.E. of Down Cape Engineering.

Exhibit A – Lower-level plan A2, dated 11/9/17

Issues discussed:

- Quorum present – everyone except Larry Morin and Scott Blazis
- Plans discussed were revised site plan (11/10/17) by Daniel Ojala, P.E. and lower-level plan A2 (11/9/17) by Cotuit Bay Design.
- NHESP letter had not yet been received, thus a continuance was required.
- Project overall was approved

A motion was made to approve the project, based on revised plan dated 11/10/17.

A second motion was made to state that the project was approved, along with a continuance to 11/28/17 for receipt of NHESP comments only.

Seconded and voted unanimously.

IV REVISED PLAN REQUEST

- B. Markowitz SE3-5331 stairs, pier, ramp, float extend platform
628 Poponessett Rd., Cotuit (tabled from 11/7)

A motion was made to approve the revised plan.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE

- A. Dewey SE3-5109 (coc, ez) construct barn *
1375 Main Street (Route 6A), West Barnstable – BVW, Bridge Creek

A motion was made to approve the certificate.

Seconded and voted unanimously.

VI MINUTES

- A. October 31, 2017

A motion was made to approve the minutes as amended. [Commissioner Morin was not in attendance]

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 7:43 p.m.