



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: May 27, 2008, 6:30 p.m.

LOCATION: TOWN HALL HEARING ROOM

Scrivener's note: The following minutes are general in nature. For those wanting specific detail on matters heard on this agenda, several resources are available to you: video-on-demand (free on the Town website at town.barnstable.ma.us), audiocassette 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 John Abodeely and Commissioners Peter Sampou, Larry Morin, Tom Lee, and Louise Foster. Commissioner Scott Blazis and Conservation Administrator, Rob Gatewood, were away. Darcy Karle, Conservation Agent, assisted.

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

I MINUTES FOR APPROVAL

A. May 13, 2008

A motion was made to approve the minutes of May 13th, 2008.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Lydia H. O'Connor. Vista pruning at 11 Heath Row, Marstons Mills as shown on Assessors Map 063 Parcel 075. **DA-08050**

The applicant was represented by Charles Atkins.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Paul R. Botello. Install two tie-off piles at 134 Bay Shore Rd., Hyannis as shown on Assessors Map 325 Parcel 081. **DA-08053**

The applicant was present, and was represented by Peter Sullivan, P.E.

Issues discussed:

- Waterways Committee requires additional time to review the application.

A motion was made to issue a negative determination, contingent upon approval by Waterways.

Seconded and voted unanimously.

(RDA's, cont'd.)

Charles F. Curran. Build front entry hall to existing house at front door location. New space to be 6' x 12' at 235 Bridge St., Osterville as shown on Assessors Map 093 Parcel 040-001. **DA-08054**

The applicant was represented by Craig Rockwood.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Carlozzi Landscaping. Reconstruct existing decks, patio, retaining walls, steps and walkway; replace pre-existing fence sections; landscaping, at 326 Holly Point Rd., Centerville as shown on Assessors Map 232 Parcel 027. **DA-08056**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- Landscaper listed as applicant on application, rather than property owner.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

William Korkuch. Remove and replace existing garden shed at 115 Commerce Rd., Barnstable as shown on Assessors Map 318 Parcel 017. **DA-08055**

The applicant attended the hearing.

Issues discussed:

- Commissioners noted that the property needed to be cleaned up
- No fuels should be stored in the shed.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Red Lily Pond Project Assoc., Inc. Removal of invasive plant species, pruning, and planting of native vegetation at 160 Lake Elizabeth Dr., Centerville as shown on Assessors Map 226 Parcel 137. **SE3-4732**

Steve Brown of Red Lily Pond Association, attended the hearing and was represented by Brad Holmes and Norm Hayes.

Issues discussed:

- Additional shrub planting in area #2
- Enforcement order with regard to gates
- All work to be supervised by a Massachusetts Certified Arborist, or the equivalent.

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

Seconded and voted unanimously.

(Notices of Intent, cont'd.)

Melvin Field. Reconstruct existing dock and deck, including pilings; repair house foundation, and shore-up floor at 158 Long Beach Rd., Centerville as shown on Assessors Map 205 Parcel 009. **SE3-4733**

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

Issues discussed:

- Whether allowed to continue under DCPC moratorium; reviewed by Growth Management Division
- Construction protocol needed
- Drip-strips for roof run-off
- Work to be done off-season.

Public Comment:

- Mr. Charles Orr expressed concern about storing items on the beach, and the timing of the project.

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

Seconded and voted unanimously.

Francis William & Tamara Lickfield, Jr. Construct new screened porch onto existing single-family dwelling, and replace approx. 300+ sq. ft. of existing lawn with native plants within the 50-foot buffer as mitigation at 137 Keveney Ln., Cummaquid as shown on Assessors Map 351 Parcel 019. **SE3-4734**

The applicant was represented by Lisa Hendrickson.

Issues discussed:

- Roof run-off

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

Seconded and voted unanimously.

Robert Bothwell. Modification of existing stairway, pier and float for the installation of two benches, a 6-ft. canoe/kayak rack, a small hand-cranked boat lift, the enlargement of the existing float from 8' x 12' to 10' x 20', and the relocation of two existing 8" timber piles at 252 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 004. **SE3-_____**

The applicant was represented by Ed Pesce, P.E.

Issues discussed:

- Boat davit is used for sailboat
- Comments by Waterways Committee still required
- Bathometry data from 2007 plan should be shown on latest plan.

A motion was made to continue the hearing to July 8, 2008 to further discuss the following issues:

- Review of bathometry and closest mooring to dock
- Use of pilings around float and installing float stops
- Whether furthest pilings away from dock are necessary
- Removal of boat lift
- Removal of bench on ell
- Possibly restricting boat use to nothing larger than the 35-foot cabo
- Height of kayak rack above marsh.

A motion was made to continue the project to July 8, 2008.

(Bothwell, cont'd.)

Seconded and voted unanimously.

Mark & Carol Baker. Construct new pier and ramp at 522 Shootflying Hill Rd., Centerville as shown on Assessors Map 193 Parcel 028. **SE3-_____**

The applicant was represented by Ed Pesce, P.E.

Issues discussed:

- Subject to review by Waterways Committee
- Dock in 50-foot buffer prior to approval.

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

Seconded and voted unanimously.

Gretchen Reilly. To restore the native plant community within the edge of Rushy Marsh Pond within the bordering vegetated wetland and the 100' buffer zone at 60 & 100 Oregon Way, Cotuit as shown on Assessors Map 16 Parcels 011 and 012. **SE3-_____**

The applicant was represented by Seth Wilkinson.

Issues discussed:

- Mr. Wilkinson described a new piece of equipment which he designed for phragmites removal
- The Commission favorably impressed with the project outline.

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

Seconded and voted unanimously.

IV CONTINUANCES

Joan & Whitney P. Wright. Install new gas and water lines for new residence at 4308 Main St., Cummaquid as shown on Assessors Map 351 Parcels 029. **DA-08042**

The applicant attended the hearing.

Issues discussed: None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE (ez = staff recommends approval) (* = on-going conditions)

None

VI OLD & NEW BUSINESS

A. Mullin Rule

A motion was made to request that the Conservation Commission be included in the Mullin Rule.

Seconded and voted unanimously.

(Old & New Business, cont'd.)

B. Coastal Resource Management Committee

Chairman Houle stated that he attended the first meeting.

C. Meeting with Legal Division about the term "substantial expansion"

The Legal Division expressed the opinion that the term in question is not quantifiable; rather, it is based upon a preponderance of evidence. It was decided that a workshop should be set-up to further discuss the matter.

D. Request from the Shellfish Committee for timely notice of filings of RDA's and NOI's.

The Chair said he would notify the Conservation Division that the Shellfish and Waterways Committees should be added to the e-mail list of agents/consultants who receive timely Conservation Commission agendas.

E. E-mail about Shooting Range

An e-mail was received concerning after-hours use of range.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:05 p.m.