



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: June 10, 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, Scott Blazis, and Larry Morin. Tom Lee, and Louise Foster were away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. May 20, 2008

B. May 27, 2008

A motion was made to approve the minutes ("A" and "B").

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Mike & Susan Slattery. Prune overhanging limbs toward house; remove dead, dying or diseased trees; install fence, gate and garden ties around walkway at 628 Poponessett Rd., Cotuit as shown on Assessors Map 006 Parcel 019. **DA-08057**

The applicant was represented by Daniel Shea.

Issues discussed:

- It was thought that there were too many oak trees to be removed

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/Growth Management Div. Create pathway connecting Ocean and Pleasant Streets; plant six red maples; install cedar fencing at 115 Pleasant St., Hyannis as shown on Assessors Map 326 Parcel 058. **DA-08058**

The applicant was represented by Alisha Parker.

(Town of Barnstable/GMD, cont'd.)

Issues discussed:

- No asphalt unless leaching provided

A motion was made to issue a negative determination.

Seconded and voted unanimously.

The 112 Nye's Neck Road Trust. Upgrade existing septic system to Title V; relocate well at 112 Nye's Neck Rd. East, Centerville as shown on Assessors Map 232 Parcel 011-002. **DA-08062**

The applicant was represented by Michael Aucoin.

Issues discussed:

- None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

James H. Eldredge. Remove existing wooden dock; install floating 5' x 10' "EZ Dock" with ramp from shore (± 4') at 21 Pleasant Pines Ave., Centerville as shown on Assessors Map 223 Parcel 050-001. **DA-08059**

The applicant attended the hearing.

Issues discussed:

- None

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Harbor Village Condominium Association. Push back growth and de-limb trees to obtain historical views; clear rotted trees from property and beach path at 160 Marstons Ave., Hyannisport as shown on Assessors Map 288 Parcel 180-00T. **DA-08060**

The applicant was represented by Doug Brown.

Issues discussed:

- "Historic view" restoration
- Staff must authorize in field prior to work
- Revised plan to be submitted.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Robert R. and Rita R. Jones. Construct new Title 5 septic system to replace two failed cesspools at rear of property at 42 Briarcliff Ln., Centerville as shown on Assessors Map 208 Parcel 108. **DA-08061**

The applicant attended the hearing.

Issues discussed:

- More recent clipping and slash to be removed.

A motion was made to issue a negative determination.

(Jones, cont'd.)

Seconded and voted unanimously.

III NOTICES OF INTENT

Robert Mohr. Raze and replace single family home; add detached garage with guest bedroom above; upgrade septic system at 158 Indian Trail, Cummaquid as shown on Assessors Map 336 Parcel 013-005 **SE-4738**

The applicant was represented by Andrew Garulay, RLA

Issues discussed:

- House area will double within the 100-ft. buffer.
- Revised plan.

Public Comment:

- Albert Barbour raised concern about coastal bank delineation, and about past cutting into the 50-foot buffer; no north side elevation provided; number of mature trees to be removed.
- Janet Edwards, abutter, also expressed concern for the trees.
- Steve Endress, abutter, asked if septic variances were required.

Mr. Garulay responded to the concerns expressed above. Staff concurred with the bank delineation.

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

Seconded and voted unanimously.

Longfields LLC. Construct and maintain bank-access stairs, walkway, and pier with platform at 288 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005-001. **SE3-4739**

The applicant was represented by Arlene Wilson.

Issues discussed:

- Proposed as a dinghy dock; no motorcraft use proposed.
- Desires to keep grated deck over marsh deployed year-round
- 8-inch piles proposed for clearing the marsh; thereafter, 4" x 4"
- Storage of pier components out of season in upland or off-site, if not on grated deck
- Memo from Town shellfish biologist reflecting lack of shellfish productivity/recruitment
- Request from mooring officer to survey mooring locations and stand by for his comments

Public Comment:

- Gerard Garey, representing the Shellfish Committee, opposed the project, as the site is considered a "category 9" shellfish area
- Andrea Sampou of the Shellfish Committee, took aim at Mr. Marcotti's findings. He suggested that the Town can rejuvenate silty areas. He expressed grave concern about staff's ability to enforce the Commission's Orders of Conditions. He asked the Commission to "act vigorously," as the LCP states, to protect our shellfish resources.

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

Seconded and voted unanimously.

IV CONTINUANCES

Pauline Riley. Remove existing concrete retaining wall, patio brick deck area and remnant stone wall; construct new concrete retaining wall; create deck area of dry laid bluestone or brick at 129 Hayes Rd., Centerville as shown on Assessors Map 210 Parcel 095. **SE3-4731**

(Riley, cont'd.)

A request for a continuance was made, via letter.

A motion was made to continue the project to June 24th.

Seconded and voted unanimously.

No testimony was taken.

Jane Thompson. Construct wooden bridge to provide vehicle access to residential lot owned by applicant. Bridge to be supported by timber piles to elevate bridge over scrub-shrub wetland. Work includes construction of pervious access driveway into lots at 203 and 205 Scudder Ln., and 58 Calves Pasture Ln, Barnstable as shown on Map 259 Parcels 007-001, -002, -004. **SE3-4717**

The applicant was represented by Attorney Pat Butler.

A motion was made to continue the project to July 8th.

Seconded and voted unanimously.

No testimony was taken.

Michael A. & Laurie A. Paternoster, Jr. Bluestone patio area with associated drainage and landscaping improvements (rebuild stockade fence and enhance plantings) at 292 Long Beach Rd., Centerville as shown on Assessors Map 185 Parcel 025. **SE3-4707**

A request for a continuance was made, via letter.

A motion was made to continue the project to September 30th.

Seconded and voted unanimously.

To testimony was taken.

Byron & Joyce Haseotes. Site preparation, remove buried oil tank; abandon existing cesspool; construct 4-bedroom house addition (elevated/set on piers); construct new Title-5 septic system; grading at 293 Long Beach Rd., Centerville as shown on Assessors Map 185 Parcel 034. **SE3-4714**

A request for a continuance was made, via letter.

A motion was made to continue the project to September 30th.

Seconded and voted unanimously.

No testimony was taken.

V REQUEST FOR AMENDED ORDER

Town of Barnstable/MEA. The Town of Barnstable is requesting an amended Order of Conditions **SE3-4712** for the essential off-road vehicle management at Sandy Neck Park, W. Barnstable as shown on Assessors Map 263 Parcel 001, (and others).

The matter was withdrawn.

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

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|----|----------|----------|----------|--|
| A. | Duffley | SE3-1861 | (coc,ez) | construct swimming pool & retaining wall * |
| B. | McDonald | SE3-4358 | (coc,ez) | construct single-family dwelling * |
| C. | Mellon | SE3-3116 | (coc,ez) | construct single-family dwelling * |

A motion was made to approve the certificates of compliance (“A – C”).

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

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|----|------|----------|--------------------|------------------|
| A. | Hoch | SE3-4538 | additions; porches | treat poison ivy |
|----|------|----------|--------------------|------------------|

Lucinda Brockway represented the applicant.

A motion was made to approve the removal of poison ivy in consultation with staff, and to reduce the 6-foot-wide buffer strip to 3 feet, and to fill sparse areas of bank with indigenous plants. All planting subject to receipt and approval of a revised plan; all plantings to be done in consultation with staff.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:18 p.m.