



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: June 16, 2009 – 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 Tom Lee and Commissioners John Abodeely, Scott Blazis, and Larry Morin.. Commissioners Peter Sampou 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 19, 2009

B. June 2, 2009

A motion was made to approve the minutes (“A – B”).

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Kathleen Bonner. Eradicate staghorn sumac by severing the above-ground trunk sections and hand-applying herbicide directly to the cambium at 132 Estey Ave., Hyannis as shown on Assessors Map 324 Parcel 065. **DA-09036**

The applicant attended.

Issues discussed:

- Several autumn olive shrubs are to be included in the eradication project.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

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. **DA-09037**

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

(Paternoster, cont'd.)

Issues discussed:

- Clean up of debris
- Re-vegetation to be performed in consultation with staff.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

David Gould. Construct boatshed at 139 Regency Dr., Marstons Mills as shown on Assessors Map 063 Parcel 073. **SE3-4822**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- No chemicals or hazardous materials to be stored in shed.

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

Seconded and voted: 4 votes "Aye;" 1 vote "Nay."

Joanne Hooker. Repair and replace existing step; remove existing brick walkway; extend existing patio at 112 Nyes Neck Road East, Barnstable as shown on Assessors Map 232 Parcel 011-002. **SE3-4823**

The applicant was represented by Michael Aucoin and Josh LaVesque.

Issues discussed:

- Coir fiber roll to be used to support bank near old stairs;
- Native shrubs to be provided;
- A landscaping plan was submitted at the hearing;
- A work protocol was requested.

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

Seconded and voted unanimously.

Alan McDonough and Patricia Baker. Construct timber walkway, bank access stairs, permanent pier with ramp, floats and tie-off piles to be shared by two abutting properties at 43 Sunset Point and 250 Windswept Way, Osterville as shown on Assessors Map 051 Parcels 011 & 012. **SE3-_____**

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

Issues discussed:

- A shared pier was proposed;
- Two outer-most moorings were proposed to remain;
- Shellfish habitat next door, at the Walske pier – locus was low value;
- Dept. of Marine Fisheries requested bow-in berthing;
- Neither Waterway Committee nor Harbormaster expressed concern for the project;
- The Town Shellfish Biologist described the shellfish population as depleted;
- Deed restrictions for each lot will be required as a contingency of approval. The restrictions would provide just one pier for the two lots;

Concerns:

- Lack of a shellfish survey from the applicant;

(McDonough/Baker, cont'd.)

- Verifying the draft of the Mako;
- Question of whether pier conforms with regulation on overall length.

A motion was made to continue the hearing to August 4th.

Seconded and voted unanimously.

IV CONTINUANCES

Town of Barnstable/DPW. Construct approximately 894 feet of sidewalk on south side of Ocean Avenue. The sidewalk will typically be a 7-foot hot mix asphalt walkway; also install highway guard rails, curbing and berms at Ocean Ave. from Keyes Beach parking lot, 894 feet past Stewart’s Creek. **SE3-4797**

The applicant was represented by Roger Parsons, P.E.

Issues discussed:

- Project changes now include:
 - a) elimination of granite curbing
 - b) maintaining a 2-3 foot-wide vegetated strip, then guardrail, then the sidewalk
 - c) Sidewalk will follow grade, and meander slightly to avoid significant trees.
- Sidewalk surface is currently under discussion, perhaps to include Trex or the equivalent. The DPW will report back on this at the next hearing.

Public Comment:

- Milton Borgland supported the project, but asked that the work be coordinated with the larger restoration project.
- Greg Milne, Town Councilor for Hyannis precinct 13 (which includes the project site) also spoke in favor. He opposed bituminous pavement.
- Anthony Pelletier of the Hyannis Civic Association expressed their support of “softer” Trex solution.
- Bill Basta spoke of great public safety improvement which the sidewalk or walkway will provide. He suggested that the growth of trees has contributed to the poor visibility.
- Dan Pendergast asked about improved solar lighting along the walk.

A motion was made to continue the hearing to July 21st.

Seconded and voted unanimously.

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

A.	Ungermann	SE3-1653	(coc,ez)	construct addition to existing shed *
B.	593 Sea View Av. Nominee Trust	SE3-4301	(coc,ez)	construct single-family dwelling *
C.	Town of Barnstable/DPW	SE3-3640	(coc,ez)	replace boat ramp at Old Shore Road landing

A motion was made to approve all certificates (“A – C”).

Seconded and voted unanimously.

VI OLD & NEW BUSINESS

A. Request for reconsideration on After the Fact Filings and Enforcement Order Response Plan components of Fee Schedule promulgated 6/02/09

(Old & New Business, "A," cont'd.)

A motion was made to approve the reconsideration request.

Seconded and voted unanimously.

B. Other

Scott Blazis fondly remembered Stanley Nagus, former president of the Barnstable Association of Recreational Shellfishermen.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:12 p.m.