



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: August 4, 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, Larry Morin, and Louise Foster. Commissioner Peter Sampou was away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. June 30, 2009

B. July 14, 2009

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

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Mark A. & Elizabeth Henson. Construct 6' chain-link fence on lot line at 58 Oxford Dr., Cotuit as shown on Assessors Map 021 Parcel 064. **DA-09048**

The applicant attended the meeting.

Issues discussed:

- A neighbor's "invasiveness" has prompted the need for the fence.
- The fence shall be six-inches above grade.

A motion was made to issue a negative determination.

Seconded and passed: 5 votes "Aye."

William S. Abbott & Gerald W. Blakeley, Trs., Peninsular Realty Trust. To reconsider the decision to rebuild existing licensed pier, reduce number of pilings, rotate float and add ramp at 186 Windswept Way, Osterville as shown on Assessors Map 052 Parcel 002. **DA-09040**

A request for a withdrawal was received via letter.

III NOTICES OF INTENT

Joyce Haseotes. Site preparation, remove buried oil tank, abandon existing cesspool, construct 2-bedroom elevated house addition (on piers), new Title-5 septic, driveway, walkway at 293 Long Beach Rd., Centerville as shown on Assessors Map 185 Parcel 034. **SE3-4830**

The applicant was represented by Sarah Turano Flores, Esq., Liza Cox, Esq., and Michael Perrault, P.E.

Issues discussed:

- The project was filed as a medical hardship
- The addition to be on piling
- A Fast system
- An underground oil storage tank to be removed
- The provision of a pervious driveway
- The provision of a planted buffer along the length of retaining wall
- A revised plan will be submitted.

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

Seconded and voted unanimously.

J. Robert Casey, Tr., Pickwick Realty Trust. Repairs/alterations to existing beach/bath house to include replacing portions of existing pile foundation, replace rotten wood, elevating a portion of floor and roof, pruning vegetation over roof at 71 Ocean View Ave., Cotuit as shown on Assessors Map 034 Parcel 045. **SE3-4831**

The applicant was represented by John O'Dea, P.E. and Peter Sullivan, P.E.

Issues discussed:

- The need for a work protocol
- Repairing damage to vegetation
- A drywell for shower.

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

Seconded and voted unanimously.

Edmund Kelly. Replace existing 8' x 16' float with 10' x 20' float on existing licensed pier, ramp & float at 51 Ships Eagle Ln., Osterville as shown on Assessors Map 164 Parcel 019. **SE3-4832**

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

Issues discussed: No concerns arose.

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

Seconded and voted unanimously.

IV CONTINUANCES

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. **SE3-4824**

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

(McDonough/Baker, cont'd)

Issues discussed:

- The lack of good photo documentation for the existing deck
- Agreement from shellfish experts that any significant shellfish resources resides in the intertidal
- 384 Sq. ft. of float proposed for the shared structure
- Specs of the two boats submitted conformed to regulation. Both are powered by 250 hp outboard motors
- A debate with Ms. Wilson arose over the interpretation of the pier regulations regarding overall length. The Commission assured her that the legislative intent of the regulations was clear.
- The idea to shorten float length
- The inadvisability of berthing any boat bow-in at the pier , given the prevailing southwest wind
- Requiring deed restrictions on both lots precluding construction of a second pier
- Requiring 3:1 (500 sq. ft.) mitigation for deck; also 65% light penetration.

A revised plan will be submitted, listing waivers and adding tie-off pilings.

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

Seconded and voted unanimously.

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

A.	Niloff	SE3-4383	(coc,ez)	construct swimming pool & terrace (no work done)
B.	TOB/DPW	SE3-3263	(coc,ez)	drainage improvements to various town roads
C.	Triplette	SE3-3892	(coc,ez)	construct garage & addition to sfd; upgrade septic *
D.	Lloyd	SE3-3858	(coc,ez)	construct cabana, septic system, & driveway *
E.	Woolf	SE3-4443	(coc,ez)	construct pool *
F.	Wilson	SE3-4444	(coc,ez)	construct addition to single-family dwelling *

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

Seconded and voted unanimously.

VI OLD & NEW BUSINESS

- A. Public hearing on proposed revisions to Ch. 707 and Ch. 710 of the Town of Barnstable Code
(Note: changes deal only with incorporating new fees into filing instruction documents)

A motion was made to approve the proposed minor revisions to the Regulations.

Seconded and voted unanimously.

- B. Marsh impacts at Centerville River Bridge

This matter was discussed. Wording for an information sign will be drafted and further discussed.

- C. 8/11 a.m. meeting cancelled

Noted.

A motion was made to enter executive session.

Seconded and voted by roll call:

Houle	– “Aye”
Lee	– “Aye”
Abodeely	– “Aye”
Blazis	– “Aye”
Morin	– “Aye”
Foster	– “Aye”

The Chairman informed the public that the Commission would not return to public session.