



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: September 29, 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, 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 Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

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

I OPENING OF MEETING FOLLOWED IMMEDIATELY BY EXECUTIVE SESSION

A motion was made to enter executive session to discuss pending litigation.

Seconded and voted by roll call:

Houle	-aye
Lee	-aye
Abodeely	-aye
Sampou	-aye
Blazis	-aye
Morin	-aye
Foster	-aye

The Chairman informed the public that the Commission could be expected back in public session at approximately 7:00 p.m.

II RETURN TO PUBLIC SESSION

The Commission returned to public session at 7:13 p.m.

III MINUTES FOR APPROVAL

A. September 1, 2009

B. September 8, 2009

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

Seconded and voted unanimously.

IV REQUESTS FOR DETERMINATION

National Grid. Gas main extension and service connection Pheasant Way to #56 in Centerville as shown on Assessors Map 207 and 208 (various parcels). **DA-09061**

The applicant was represented by Brad Malo.

Issues discussed:

- Installation via plow method
- No trees will be removed.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Diane L. Currier, Tr., 1071 Old Post Road Realty Trust. Remove invasive phragmites by mechanical and/or chemical methods in consultation with Conservation staff at 1071 Old Post Rd., Cotuit as shown on Assessors Map 074 Parcel 028. **DA-09060**

The applicant was represented by Attorney Michael Ford and John O’Dea, P.E.

Issues discussed:

- Method of removal in consultation with staff
- Replanting in consultation with staff
- Reporting back at least two years post-treatment to assess need for replanting.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

V NOTICES OF INTENT

Diane L. Currier, Tr., 1071 Old Post Road Realty Trust. Timber boardwalk, pier, ramp, and float at 1071 Old Post Rd., Cotuit as shown on Assessors Map 074 Parcel 028. **SE3-4841**

The applicant was represented by Attorney Michael Ford and John O’Dea, P.E.

Issues discussed:

- Mr. Ford summarized the filing; Mr. O’Dea provided the details.
- A 10-foot waiver on overall length was requested (to accommodate the 30-foot ell). Mr. O’Dea pointed out similarities with the nearby Svenson pier.
- The shellfish rating was “3” (low importance).
- The extra length was proposed as an extra measure of protection for the shellfish population
- Tom Marcotti, Town Shellfish Biologist, submitted a report which was read to the record.

The Commission stated that the ramp and float must be added to the overall length calculation. Thus, the waiver requested is understated (it would be 40 feet).

Mr. Ford disagreed, citing the reading of the regulations and their application to Svenson, nearby.

A mistake in the elevation view was detected by the Commissioners and will be corrected.

A letter from the MA Division of Marine Fisheries was noted. Float stops will be provided. Greater pile spacing (~16' o.c.) will be looked into.

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

(Currier, cont'd.)

Seconded and voted unanimously.

Sean Moloney. Construct deck; garage addition to existing house and add second floor at 118 Bay Ln., Centerville as shown on Assessors Map 186 Parcel 033. **SE3-4843**

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

Issues discussed:

- The proposed shed would be adjusted in order to miss any trees
- A total increase in the footprint requires a waiver
- A planting mitigation plan would be prepared, in consultation with staff, providing the typical 3:1 ratio, if possible.
- The shed to be relocated closer to the house front
- The old cesspool will be pumped and filled.

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

Seconded and approved: 6 votes –aye; 1 vote –nay

Jill P. Rowe. Construct studio/storage facility with retaining walls, decks, and grading; install sewer force main from proposed structure to existing 1,500 gal. H-20 septic tank at 55 Wianno Head Rd., Osterville as shown on Assessors Map 091 Parcel 006. **SE3-4842**

The applicant was represented by Mike Pimental, E.I.T.

Issues discussed:

- Work was limited to the flood plain, not in any buffer zone.

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

Seconded and voted unanimously.

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

- | | | | | |
|----|---------|----------|----------|--------------------------------------------|
| A. | Field | SE3-4587 | (coc,ez) | add ramp and float to existing structure * |
| B. | Schwinn | SE3-4307 | (coc,ez) | permit existing grid pad for sea plane * |
| C. | Syron | SE3-4536 | (coc,ez) | construct seasonal pier, ramp, & float * |

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

Seconded and voted unanimously.

VII OLD & NEW BUSINESS

- A. None

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:24 p.m.