



Town of Barnstable Conservation Commission

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MINUTES- CONSERVATION COMMISSION MEETING

DATE: December 15, 2009 – 6:30 P.M.

LOCATION: TOWN HALL SELECTMEN'S CONFERENCE 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, Larry Morin, and Louise Foster. Commissioner Scott Blazis was away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Selectmen's Conference Room, Barnstable Town Hall, Hyannis, MA.

I ANNUAL COMMISSION REORGANIZATION

The Chair and Vice-Chair both expressed willingness to continue in their capacities.

A motion was made to re-nominate Dennis Houle for President.

Seconded and voted unanimously.

A motion was made to re-nominate Tom Lee for Vice President.

Seconded and voted unanimously.

II MINUTES FOR APPROVAL

A. November 17, 2009

B. December 1, 2009

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

Seconded and voted unanimously.

III REQUESTS FOR DETERMINATION

William & Catherine Swift. Construct 8' x 12' one-story addition; a 6' x 12' new deck, and alterations to existing footprint at 101 Deacon Court, Barnstable as shown on Assessors Map 300 Parcel 061. **DA-09078**

The applicant attended the hearing.

Issues discussed:

- Only an 8' x 12' area of new addition (off the current footprint) would be constructed

(Swift, cont'd.)

- Whether a buffer strip along the grassed buffer to the coastal bank should be provided.
- The use of existing drywells to accommodate additional roof runoff.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

(No mitigation was required).

Dewitt Hornor. Upgrade/repair septic system, and repair/replace adjacent landscape wall at 194 Eel River Rd., Osterville as shown on Assessors Map 115 Parcel 011. **DA-09080**

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

Issues discussed:

Septic system repair has begun, in response to system failure as determined by the Board of Health.

Town of Barnstable/DPW. Work includes approx. 3,300 linear feet of 8-inch and 12-inch force main installation from intersection of Lincoln Rd. to intersection of Bearses Way on Route 28 (Falmouth Rd.), Hyannis as shown on Assessors Map 293 Parcel 001. **DA-09081**

The applicant was represented by Russell Kleecamp, P.E.

Issues discussed:

- The force main footprint is likely to be only six feet off the road – not twenty feet, as shown on the submitted plan.
- An as-built plan will be submitted.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/DPW. Project includes improvements to the Hyannis Water Supply System; upgrade of existing 6-inch water mains to new 12-inch water mains on South St., Lewis Bay Rd., Yarmouth Rd., and Maher Rd. as shown on Assessors Maps 328, 326, 327 Parcel 142-001/within road/row. **DA-09082**

The applicant was represented by Russell Kleecamp, P.E.

Issues discussed:

- Much of the work on South Street falls within the coastal 100-year floodplain.
- On Maher Road, electricity will also be run underground. Sediment controls will be deployed along the 100-foot buffer arc.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

IV NOTICES OF INTENT

William R. & Brenda R. Prescott. Remove existing licensed vertical log retaining wall and replace with Vinyl C-Lock and landscaping; install fiber rolls and/or sand bags as needed at 190 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 050. **SE3-4855**

The applicant was represented by John Slavinski and Michael Talbot.

(Prescott, cont'd.)

Commissioner Foster recused herself, as she abuts the project.

An estimated 60 – 80 cubic yards of bank toe has been lost since 1993. Plastic bulkhead sheeting would be jetted into place. The proposed wall location will be staked in the field in advance, and reviewed (and adjusted as necessary) by staff.

Spartina grass will be planted, if any lost. Fiber rolls will be staked and sewn together, covered and planted. A one-year follow-up report will be submitted.

The 1993 “soft project” was responsible for the growth of the marsh, according to Mr. Slavinski.

The Commission would require a considerable degree of staff consultation on the project. The consultant said that it is precisely what they anticipated.

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

Seconded and voted unanimously.

Nathaniel Gregory. Construct and maintain pier, ramp, and float in East Bay at 320 East Bay Rd., Osterville as shown on Assessors Map 163 Parcel 020. **SE3-4856**

The applicant was represented by John O’Dea, P.E.

Issues discussed:

- Mr. O’Dea said the pier would be only a dinghy dock, no motor craft use proposed.
- A letter from MA Fisheries was read. A letter of support from abutter Mr. McCarthy was read.
- The location of mlw at the site was discussed.
- Float stops were proposed. A platform instead of a float at the pier head was discussed. 65% light penetration would be provided over the marsh via grated decking.
- A seasonal pier was discussed by the Commission. The location is rated “8” – high value shellfish habitat. The Commission would require float stops which provide a two-foot elevation off the substrate at mlw.
- Proposed electrical service for the pier would be deleted. Piling in the marsh would be 4" x 4"; piling in the bay would be 10 – 12 inches. The float would be reduced to 8' x 12'. A revised plan would be submitted.

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

Seconded and voted unanimously.

Wells, C. Gregory, III & Mary M. Wells. Detached garage and gravel drive approach with back-up area at 312 Smoke Valley Rd., Osterville as shown on Assessors Map 096 Parcel 003. **SE3-_____**

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

Issues discussed:

- Strip drains or drywells will be provided.
- The work limit would fall along the 50-foot arc
- A discussion of possible planting mitigation concluded that the site did not require mitigation.

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

Seconded and voted unanimously.

V AMENDED ORDERS

A. Paul Sullivan. To complete landscaping within the 100-foot jurisdictional area at 68 Cedarwood Rd., Cotuit as shown on Assessors Map 020 Parcel 078. **BCC-0189**

The applicant was represented by Wayne Tavares, R.L.A.

Issues discussed:

- Specimen trees within the 50 – 100-foot arc would be preserved, in consultation with staff.
- The house resides beyond the 100-foot offset arc for wetlands.

Donald and Jan McChesney asked about the timing of work. Their questions with regard to the appearance of the project were not pertinent to the Commission’s review.

The house construction work-limit would be set in consultation with staff.

A motion was made to approve the amended order with special conditions.

Seconded and voted unanimously.

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

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|----|--------|----------|----------|--|
| A. | Ciolek | SE3-4677 | (coc,ez) | construct garage, additions, & deck to sfd * |
| B. | Pave | BCC-0184 | (coc,ez) | permit as-built construction; landscape mitigation * |

A motion was made to approve the certificates (“A” and “B”).

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:24 p.m.