



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: April 6, 2010 – 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 Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Commissioner John Abodeely was away. Rob Gatewood, Conservation Administrator, assisted.

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

I CONTINUED WORKSHOP ON DRAFT REGULATIONS FOR SHORE OUTHAULS

A. Note: Public invited to observe; no public participation until public hearing, to be held on April 20th, at 6:30 p.m.

Attending the workshop were invited guests: Stuart Rapp, Chairman of the Shellfish Advisory Committee; Tom Marcotti, Town Shellfish Biologist; Bob Jones, Chair of the Coastal Resources Management Committee; and Joe Gibbs, Assistant Harbormaster.

The April 6th draft regulations were discussed by the Commission and guests. A number of drafting changes were suggested, considered and adopted by the group. These, in sum rendered the document more logical and understandable.

Bob Jones wondered how simple structures such as outhauls could generate twelve pages of regulations. He said small boats with motors would cause little harm, as evidenced by a summer day at Sampson's Island. This philosophical concern prompted a lively discussion from the Commission. Parallels with the pier regulations were defended as necessary to shellfish protection.

With regard to the "Regulations Section," a requirement that outhauls be seasonal was considered, and that pile dimension not exceed 4" x 4".

II MINUTES FOR APPROVAL

A. March 16, 2010

A motion was made to approve the minutes.

Seconded and voted unanimously.

III REQUESTS FOR DETERMINATION

Carole R. Bloom. Replace existing failed septic system with new Title-5 system; install gas line from street to house at 429 Elliot Rd., Centerville as shown on Assessors Map 227 Parcel 109. **DA-10017 \$30.90**

The applicant was represented by Tim Bennett, P.E.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

IV NOTICES OF INTENT

Anthony Russo. Construct single-family house with associated grading, on-site septic system, well and utilities at 0 Main St., W. Barnstable as shown on Assessors Map 197 Parcel 040. **SE3-4875 \$30.90**

The applicant was represented by Bob Murphy.

Issues discussed:

- The 2007 disagreement over the 2007 soil log data (shown on the plan) as related by the Health Division staff who witnessed the test, was discussed.

Public comment:

- A concern was expressed for the wetlands delineation.
- Judith Desrochers, abutter, opposed the project.
- David Allen, abutter, expressed disappointment with the continuance. He said that, in his opinion, the parcel is not buildable. He objected to repeated attempts to prove otherwise. Mr. Murphy said that the changing DEP regulations were the reason for the repeated attempts.

Health Department records will be copied to the file and to the record.

A motion was made to continue the hearing to June 1st.

Seconded and voted unanimously.

V CONTINUANCES

Christopher Outwin. Raze single-family dwelling and garage; construct new single-family dwelling, deck, detached garage and parking area; upgrade existing septic system; construct boardwalk/pier, ramp, floats with kayak rack at 25 Ladd Rd., Centerville as shown on Assessors Map 186 Parcel 053. **SE3-4868**

A three-month extension was requested.

A motion was made to continue the hearing to July 27th.

Seconded and voted unanimously.

No testimony was taken.

Mr. & Mrs. Richard McElhane. Construct single-family dwelling, detached barn/garage, Title-5 septic system, associated utilities, driveway over small portion of bordering vegetated wetland, at Lot 2 Navigation Rd., W. Barnstable as shown on Assessors Map 156 Parcel 025 (part of). **SE3-4872**

The applicant was represented by Daniel Ojala, P.E., Donald Schall, and Attorney Bernie Kilroy.

(McElhane, cont'd.)

Issues discussed:

- A revised plan was submitted; the wetland crossing was abandoned.
- A twice-per-year mowing schedule: September 15th and April 15th in consultation with staff

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.	TOB/REC	SE3-2181	(coc,ez)	augment dunes at Kalmus beach
B.	Gladstone Ltd. P.	SE3-4479	(coc,ez)	construct multi-family building (not done)
C.	TOB/DPW	SE3-4106	(coc,ez)	drainage & stormwater improvements
D.	Hyannis Harbor Tours	SE3-4591	(coc,ez)	construct 2-story building *

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

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:42 p.m.