



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: APRIL 29, 2014 at 6:30 PM

LOCATION: 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, Larry Morin, and Louise Foster. Commissioners John Abodeely and Scott Blazis were away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

I MINUTES FOR APPROVAL

A. April 15, 2014

B. April 22, 2014

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

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Randall Chase, Jr. Approval to plant trees; brush removal; wildflower seeding; maintaining path from Calves Pasture Lane to water at 0 Calves Pasture Ln., Barnstable as shown on Assessor's Map 259 Parcel 002-002.

DA-14021

The applicant attended the meeting.

In discussion, the applicant agreed to reduce the proposed meadow footprint.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Mass Department of Transportation – Highway Division. Proposed reconstruction of existing sidewalk on Route 6A between Commerce Rd. and Bone Hill Rd., Barnstable as shown on Assessor's Map N/C Parcel N/C. **DA-14020**

The applicant was represented by Andrea Coates, P.E.

- A – Aerial photo of project area

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Robert A. Venditti Trust. Repair existing timber bulkhead under Mattakeese Wharf Restaurant; remove damaged sheathing and install new timber sheathing; maintain rip-rap at toe of new sheathing at 273 Mill Way, Barnstable as shown on Assessor's Map 301 Parcel 007. **DA-14022**

The applicant was represented by Varnum Philbrook, P.E.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Mary C. Kariotis. Proposed maintenance dredging with dune nourishment; add three pilings to existing licensed pier at 67 Pirates Cove., Osterville as shown on Assessor's Map 051 Parcel 007-002. **SE3-5189**

The applicant was represented by Charles Rowland, E.I.T.

Exhibits:

- A – Proposed site plan (sheet 3)

Issues discussed:

- Dredging will be done by clamshell or barge-mounted excavator;
- Time-of-year restrictions will be adhered to;
- A future repair for the seawall is anticipated, and will be brought through permitting, to be coordinated with the dredging;
- A 12" draft requirement for the boat was agreed to, once the dredging is complete.

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

Seconded and voted unanimously.

Donald J. & Diane M. Swimm, Trs., Rust Island Realty Trust. Construct seasonal, relocatable pier 4' x 40' with 8' x 10' "L" to replace existing pier at 286 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 029-002. **SE3-5188**

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

No concerns arose.

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

Seconded and voted unanimously.

Wianno Club. Construct/maintain new deck with stairs to lawn connecting existing covered deck off Sea View Dining Room; permit/maintain existing bluestone patio/walkway; mitigation plantings at 107 Sea View Ave., Osterville as shown on Assessor's Map 162 Parcel 024. **SE3-5190**

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

Exhibits:

- A - Proposed site plan

Issues discussed:

- Invasive plant species control on the bank;
- The Commission authorized one component of the above: bittersweet removal;
- A finding was made that the site is mitigation-constrained. At the request of the applicant, a mitigation fee will be provided.

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

Seconded and voted unanimously.

Town of Barnstable/Conservation Division. Sonar (fluridone) treatment of Bearse Pond of Wequaquet Lake to control invasive fanwort. The last pond-wide Sonar treatment of Bearse Pond was 2001. A temporary boat-passable limno-curtain at mouth of pond is again proposed to maximize treatment efficiency, as shown on Assessor's Maps 232 & 233, Parcels various. **SE3-5191**

The applicant was represented by Rob Gatewood.

Exhibits:

- A – Fluoride Action Network Pesticide Project Report
- B – Photo of ice fishing on Bearse Pond

Issues discussed:

- A time of open restriction through June was requested by the Division of Marine Fisheries;
- The ban of Sonar by the European Commission was brought up by an abutter who requested that staff look into the matter;
- Well testing in Bearse Pond in 2001 found no detectable Sonar;
- Whether a fanwort nuisance really exists was mentioned. Sonar's potential impact on fishery was mentioned.

A motion was made to continue the hearing to May 13th.

Seconded and voted unanimously.

IV CONTINUANCES

Town of Barnstable/D.P.W. Existing municipal roadway surface, drainage and safety improvements on Main Street, Cotuit (Ocean View Ave., to Oregon Way) as shown on Assessor's Map N/A Parcel N/A. **SE3-5184**

A motion was made to continue the project, as requested via letter.

Seconded and voted unanimously.

No testimony was taken.

Town of Barnstable/Conservation Division: to replace an existing 12-inch pipe beneath Main St., Cotuit with two 15-inch pipes and to adjust inverts to allow flows from properties north of Main St. to discharge into Rushy Marsh as shown on Assessor's Map 017 Parcel 014. **SE3-5187**

A request to continue the project to May 13th was requested via letter from Atty. Michael Ford.

A motion was made to continue the project to May 13th.

Seconded and voted unanimously.

No testimony was taken.

Town of Barnstable/Conservation Division. Request for Amended Order of Conditions under permit **SE3-4531**, proposes to install 18-inch pipe through existing box culvert to reconnect Rushy Marsh Pond to Nantucket Sound to alleviate sediment buildup in culvert; also install two 15-inch pipes below Main Street to replace failed existing culvert and to create a positive hydraulic connection between resource areas. Improvements would be located at 60 Oregon Way and at 0, 1524 and 1541 Main St, Cotuit as shown on Assessor’s Map 016 Parcel 011 and Assessor’s Map 017 Parcels 015-001, 014, and 007.

A request to continue the hearing to May 13th, via letter from Atty. Michael Ford.

A motion was made to continue the hearing to May 13th.

Seconded and voted unanimously.

No testimony was taken.

V CERTIFICATES OF COMPLIANCE

(* = on-going conditions)

- | | | | | |
|----|-------------------------|----------|----------|------------------------------------------------------|
| A. | Bass River Savings Bank | SE3-0226 | (coc,ez) | construct Powder Hill Road & Deacon Court |
| B. | Town of Barnstable/DPW | SE3-0101 | (coc,ez) | drainage improvements/School Street at Santuit River |
| C. | Mykrantz | SE3-5037 | (coc,ez) | raze & construct accessory structure * |
| D. | Popeo | SE3-4959 | (coc,ez) | construct path, boardwalk, pier, ramp, & float * |

A motion was made to approve the certificates (A – D).

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:13 p.m.