



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

**DATE: May 13, 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](http://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, 367 Main Street, Hyannis, MA.

### **I OLD & NEW BUSINESS**

**Discussion and Vote** by the Conservation Commission that a ±16.3 acre parcel of land, which includes the West Barnstable Shooting Range, is no longer needed for the purposes stated under G.L. c. 40 s. 8C. This continues a public discussion that was tabled on January 7. This is not a public hearing. (An aerial photograph delineating the parcel is appended to this notice and agenda).

The Chairman presented a PowerPoint presentation on the physical and management evolution of the shooting range.

The parcel presently proposed for exchange for the 16.3 acre range parcel was shown: a 17-acre parcel on Breed's Hill Road in Hyannis.

The difficulty of making necessary improvements to the range, as it now stands under Chapter 40 § 8C, was outlined.

The conservation value of the presently proposed exchange parcel was noted.

The benefits of Conservation Commission management of the shooting range over the years was noted. The open discussions held before the Conservation Commission were noted as instrumental to drafting effective regulations and balancing community issues with the range.

A working meeting between the Town Council and the Conservation Commission was suggested.

A limited amount of public comment was taken. The Commission's effectiveness in managing the range was noted. On the other hand, neighborhood concerns with the range remain.

The matter was tabled.

## II MINUTES FOR APPROVAL

A. April 29, 2014

A motion was made to approve the minutes.

Seconded and voted unanimously.

## III REQUESTS FOR DETERMINATION

**Robert M. Carpenter.** Construct detached garage and breezeway connecting to existing house; remove tool shed and 1400 s.f. of driveway; landscape affected areas with native and other plants at 150 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 079. **DA-14026**

The applicant attended the hearing.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**William & Pamela Randon.** Confirm wetland resources as delineated on plan at 117 Eel River Rd., Osterville as shown on Assessor's Map 116 Parcel 097. **DA-14024**

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

No concerns arose.

A motion was made to issue a positive determination for resource area delineation.

Seconded and voted unanimously.

**Hyannis Yacht Club.** Construct storage shed for Barnstable High School Sailing Club at 338 Ocean St., Hyannis as shown on Assessor's Map 325 Parcel 054. **DA-14025**

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

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Joel Dietz.** Construct 19' by 16' living room addition at 118 Joby's Ln., Osterville as shown on Assessor's Map 121 Parcel 125. **DA-14023**

The applicant attended the hearing.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Daniel & Lisa Gorin.** Reconfigure existing driveway and walk; remove 4 trees; construct retaining wall; new plantings at 420 Bay Ln., Centerville as shown on Assessor's Map 186 Parcel 015-001. **DA-14027**

The applicant was represented by Phil Cheney.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously. Commissioner Blazis abstained.

#### **IV NOTICES OF INTENT**

**24 Bay Road Cotuit LLC.** Construct elevated stairway on coastal bank to access water and kayak rack at 24 Bay Rd., Cotuit as shown on Assessor's Map 020 Parcel 118. **SE3-5186**

The applicant was represented by Brad Hall

No concerns arose.

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

Seconded and voted unanimously.

**Jay L. Webber, Tr., The 159 Main Street Trust.** Demolish existing dwelling, pool and tennis court; construct new single-family dwelling, pool, patio, cabana and associated appurtenances at 159 Main St., Osterville as shown on Assessor's Map 165 Parcel 079. **SE3-5192**

A request for a continuance was made via letter.

A motion was made to continue the hearing to June 24<sup>th</sup>.

Seconded and voted unanimously.

No testimony was taken.

**Massachusetts Audubon.** Restoration of wetlands to former functioning state prior to human disturbance and alteration at 0 Main St., Cummaquid as shown on Assessor's Map 351 Parcel 007-003. **SE3-5194**

The applicant was represented by Ian Ives.

#### **Exhibits:**

- A – PowerPoint slides

No concerns arose.

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

Seconded and voted unanimously.

#### **V REVISED PLAN**

#### **project type**

#### **revision**

A.. Lehman SE3-4769

pier

approved boat

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

Commissioner Foster recused herself.

Findings:

- That ample water exists on the site to ensure that bottom-scouring will not occur;
- The proposed 64-foot vessel draws less than the previously approved vessel;
- The hull and drive system will produce less turbulence and a reduced wake and, therefore, lower risk of shoreline erosion than previously approved vessel;
- That the assistant harbormaster/mooring officer finds no navigation or safety issues.

A motion was made to approve the revised plan, contingent upon approval of the assistant harbormaster/mooring officer as to boat dimensions and features, and in consideration of the above findings.

Seconded and voted unanimously.

## VI CONTINUANCES

**Barry Lehman, Trs., Baxter's Neck Road, LLC.** Place three fender piles (dolphins) at existing dock at 240 Baxter's Neck Rd., Marstons Mills as shown on Assessor's Map 075 Parcel 024. **SE3-5181**

Commissioner Foster recused herself.

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

Exhibits:

- A – Copy of request for partial Certificate of Compliance

The size of the 64-footer and its "fit" in Prince Cove was discussed.

A motion was made to approve the project with standard and special conditions, contingent upon prompt notification to Waterways and Harbormaster as to boat dimensions and features.

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.

No concerns arose.

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

Seconded and voted unanimously.

**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 request for a continuance was made via letter.

A motion was made to continue the hearing to June 10<sup>th</sup>.

Seconded and voted unanimously.

MN051314

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 for a continuance was made via letter.

A motion was made to continue the hearing to June 10<sup>th</sup>.

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 for a continuance was made via letter.

A motion was made to continue the hearing to June 10<sup>th</sup>.

Seconded and voted unanimously.

No testimony was taken.

**VII CERTIFICATES OF COMPLIANCE** (\* = on-going conditions)

- A. Town of Barnstable/DPW SE3-0107 (coc,ez) improve drainage system on Ocean Street, Hyannis
- B. Mykrantz SE3-4880 (coc,ez) construct addition and other modifications to Single-family dwelling
- C. McCartney BCC-0193 (coc,ez) invasive plant management \*
- D. Town of Barnstable/DPW SE3-0349 (coc,ez) improve drainage system on South County Road

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 9:33 p.m.**