



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

MINUTES

CONSERVATION COMMISSION MEETING

DATE: JULY 28, 2015 @ 3:00 PM

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 3:00 p.m. by Chairman F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle and Commissioners John E. Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise R. Foster. Darcy Karle, Conservation Administrator, assisted.

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

3:00 PM AGENDA

I REVISED PLANS

project type

revision

A. Hyannis Harbor Hotel SE3-5117 construct hotel increase parking area

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

A motion was made to approve the revised plan for the parking lot design after verification of drainage calculations between pre-development and post-development by the engineer.

Seconded and voted unanimously.

B. Repurpose Properties SE3-5021 sfd; landscaping smaller house; garage

The applicant was represented by Michael Pimentel, P.E., of JC Engineering, Inc.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C. Cook SE3-5007 sfd; landscaping keep mitigation & maintenance

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

A motion was made to approve the revised plan with the addition of cedars in the mitigation area, in consultation with staff.

Seconded and voted unanimously.

D. Mattie SE3-5288 sfd; deck deck & patio

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

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. Cato SE3-5160 addition; deck revisions to addition and deck

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

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II REQUEST TO MODIFY AUTHORIZED PIER LOCATION – SE3-5305

Larry C. & Carol A. Linnell. Construct landscape wall with grading and landscaping; construct addition over existing paved driveway; reconstruct landscape bridge and construct small pier with float; maintain hot tub at 409 Wakeby Rd., Marstons Mills, as shown on Assessor's Map 028 Parcel 017 (SE3-5305 approved 7/21/15)

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

A motion was made to open and reconsider the condition dealing with pier location.

Seconded and voted unanimously.

A motion was made to approve the revised plan with the addition of square sections of grated plastic material to be used as stepping stones on the island path to the pier. The path on the island will be allowed to be maintained at 18" wide.

Seconded and voted unanimously.

III EXTENSION REQUESTS

A. Anderson SE3-4399 maintenance dredging 3rd request; 3 yrs.

No one was present at the meeting.

A motion was made to issue a three-year extension.

Seconded and voted unanimously.

B. Repurpose Properties SE3-5021 sfd; pier; landscaping 1st request 3 years

The applicant was represented by Michael Pimental, P.E.

A motion was made to issue a three-year extension.

Seconded and voted unanimously.

IV CERTIFICATE OF COMPLIANCE

(ap = as-built plan) (coc = Certificate of compliance) (ez = no deviations, staff recommends approval)
(ok = minor deviations, staff recommends approval) (c = staff recommends approval *with contingencies*)
(d = deviations, staff recommends denial) (* = on-going conditions)

- A. Reilly SE3-4736 (coc,ok) manage phragmites & other invasives at Rushy Marsh *

A motion was made to approve the certificate.

Seconded and voted unanimously.

V ENFORCEMENT ORDER

- A. Ted Komenda – 160 Peppercorn Lane, Cotuit **DA-12066**
Violation of special condition under a Determination of Applicability, vista pruning prior to consultation with staff.

A motion was made to approve the enforcement order as written, with the understanding that an enforcement order will be issued if it is determined by Conservation staff that additional violations have occurred on site during the vista pruning site visit.

Seconded and voted unanimously.

VI ENFORCEMENT ORDER RESPONSE PLAN

- A. Richard and Gloria Ann Uber – 72 Clamshell Point Lane, Cotuit

Peter Childs represented the Ubers.

A motion was made to approve the enforcement response plan with additional supplemental tree planting as described at the hearing.

Seconded and voted unanimously.

VII NON-CRIMINAL CITATION

- A Ted Komenda – Violation of a Determination of Applicability \$300.00

Noted

VIII CONTINUANCE

William Walser, Tr., Wingaway Trust & Windsong II Trust. Construct and maintain boardwalk and relocate portion of fixed pier, ramp and floats from 315 to 325 Baxters Neck Rd., Marstons Mills as shown on Assessor’s Map 075 Parcels 008-001 & 008-002. **SE3-5304**

A continuance to August 18th was requested in writing.

A motion was made to continue the hearing to August 18, 2015.

Seconded and approved: 5 votes “Aye;” 2 votes “Nay.”

No testimony was taken.

4:30 PM AGENDA

IX NOTICES OF INTENT

Henry H., III & Susan C. Livingston. Demolish existing single-family dwelling and construct new single-family dwelling, pool, patio, cabana and associated appurtenances at 74 Rendezvous Ln., Barnstable as shown on Assessor's Map 279 Parcel 031-001. **SE3-5306**

The applicants were represented by John C. O'Dea, P.E. and Philip Cheny.

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

Seconded and voted unanimously.

Estate of Anne Wright. Remove all invasive and non-native species, and remove dead and dying black oak trees at 65 Ocean Ave., Hyannis as shown on Assessor's Map 287 Parcel 120. **SE3-_____**

The applicant was represented by John C. O'Dea, P.E., Maria Hickey of Landscape Associates, and Leighton Allensby from Allensby Trees.

A motion was made to approve the project with standard and special conditions, subject to submission of a revised plan as follows:

1. Submission of a revised plan noting that the use of an excavator for removal of tree stumps and invasive species in the 0 – 100' buffer from the top of the bank, and in the 50 – 100' buffer from the BVW. An excavator is NOT allowed in the 0 – 50' buffer from the BVW; there, stumps will remain and invasives chemically treated by the snip & drip/wipe method, and;
2. In consultation with and approval of staff, the following special conditions are included:
 - a) For tree replacement, the plan will include some red oaks and eastern red cedars;
 - b) Norway maples will remain unless shown to be damaged, diseased, and/or defective;
 - c) To allow chemical treatment of selected specimen black oaks.

Seconded and voted unanimously.

X RECONSIDERATION OF PLAN REVISION AND/OR AMENDED ORDER

Wayne Kurker. Remove and reconstruct superstructure of single-family dwelling on existing foundation approved under SE3-5118 at 38 Magnolia Ave., W. Hyannisport as shown on Assessor's Map 225 Parcel 013. **SE3-5118**

The matter had been withdrawn at an earlier date.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 5:18 p.m.