



Town of Barnstable Conservation Commission

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MINUTES

CONSERVATION COMMISSION MEETING

DATE: MARCH 15, 2016 @ 3:00 PM

LOCATION: TOWN HALL HEARING ROOM – 367 Main St., Hyannis, MA 02601

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 F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle, and Commissioners Scott Blazis, Larry Morin, and Louise R. Foster. Commissioners John E. Abodeely, Peter Sampou, and Louise R. Foster were away.

Darcy Karle, Conservation Administrator, assisted, along with Martin Wunderly, Conservation Agent, and Fred Stepanis, Conservation Assistant.

3:00 PM AGENDA

I CERTIFICATES OF COMPLIANCE

- A. Lebel SE3-0757 (coc,ez) construct boardwalk at Shallow Pond Condominiums *

A motion was made to approve the certificate.

Seconded and voted unanimously.

II REVISED PLANS

Project type:

Revision:

- A. Garabedian SE3-5209 expand parking lot relief from planting requirement

The applicant was represented by Griffin Boden of Atlantic Design.

Exhibits:

- A – Photo dated 12/21/15 submitted by consultant

Issues discussed:

- A grow-back plan may have been considered by a prior conservation administrator;
- Mr. Garabedian was concerned with plantings being subjected to destruction by snowplowing;
- Location of bollards, as indicated on the plan, was given to Fred Stepanis at the hearing.

A motion was made to approve the revised plan with bollards placed at the back of the lot, noting it as a sensitive area.

An amendment was made to the above motion, adding: no plowing to take place in this area.

Seconded and voted unanimously.

B. Ruggiero SE3-5038 raze/rebuild sfd sunroom in lieu of deck

The applicant was represented by Brian Grady.

No issues arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C. Stavros, Tr. SE3-5066 raze/rebuild sfd reduced hardscape

The applicant was represented by Brian Madden of LEC.

No issues arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D. Webber, Tr. SE3-5192 raze/rebuild sfd extend timber walkway

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

Exhibits:

A – Two (before-and-after) photos submitted by John C. O’Dea, P.E.

No additional mitigation planting was required, due to the large mitigation planting plan approved in the original filing.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. Brown SE3-5103 pier, bulkhead two additional piles

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

Issues discussed:

- Concern about the potential of additional vessels being added to the dock;
- Question of whether an aluminum float could be used.

A motion was made to approve the revised plan, with the condition that no vessel be berthed along the extended pier.

Seconded and voted unanimously.

F. ToB/DPW DA-15071 update drainage add bioswale area

No issues arose.

A motion was made to approve the revised plan.

Seconded

G. Baxter SE3-4918 addition to sfd as-built conditions

This matter was tabled to April 12th.

III EXTENSION REQUESTS

Project type:

Time requested:

A. MassDOT SE3-5068 roads maintenance/repairs 1st Request; 3 years

The applicant was represented by Michael Clements of the Massachusetts Department of Transportation.

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

Seconded and voted unanimously.

B. Christian Camp Mtg. SE3-4801 vista pruning, invasives, etc. 1st Request; 3 years

The applicant was represented by Jim Lane, President of Christian Camp Meeting Association.

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

Seconded and voted unanimously.

C. Dockside R. T. SE3-3958 bldg., retaining walls, dredging 1st Request; 3 years

No one attended to represent the applicant.

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

Seconded and voted unanimously.

D. Stavros, Tr. SE3-5066 raze/rebuild sfd 1st Request; 3 years

The applicant was represented by Brian Madden of LEC.

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

Seconded and voted unanimously.

IV ENFORCEMENT ORDERS

A. Roper, 229 River Road – Alteration of a resource area, Mills River, by constructing boardwalk structure in wetland.

Exhibits:

- A – Natural Resources Department photo of boardwalk – 12/11/2015;
- B – Aerial photo, 2014 GIS showing edge of wetland line;
- C – Order of Conditions, 1986;
- D – Site plan on record, 1985, showing boardwalk location.

A motion was made to approve the enforcement order as amended, to include removal of all items in the wetland area by April 20, 2016, OR submit an after-the-fact Notice of Intent to seek approval for the boardwalk all other items, and maintenance of picnic area in wetland, with boardwalk meeting compliance guides for docks.

Seconded and voted unanimously.

V OLD & NEW BUSINESS

A. Bruce A. McCue and Kathleen Cook Request for Determination (DA-16007, pending from February 23rd hearing regarding unpermitted deck).

(Old & New, continued)

This matter was tabled to March 22nd.

4:30 PM AGENDA

VI REQUESTS FOR DETERMINATION

Barley Hill Association. Repair road depressions required prior to resurfacing entire length of Hollidge Hill Lane (a private road), Marstons Mills, as shown on Assessor's Map 102 through/to Map 081, and from Parcel 199 through/to Parcel 012. **DA-16009**

The applicant was represented by Susan Sawyer, President of Barley Hill Association.

A motion was made to issue a negative determination with special condition stating that erosion control to be done between houses #250 and #310, in consultation with conservation staff.

Seconded and voted unanimously.

Cochran Pine Ridge R.T.; Tod Cochran, Tr. Relocate existing path and stairs onto property; abandon existing path at 90 Vineyard Rd., Cotuit as shown on Assessor's Map 016 Parcel 019. **DA-16014**

The applicant was represented by Steven A. Wilson, P.E.

A motion was made to issue a negative determination with a special condition that hand rails are to be moved to a new path location and the old path to be blocked-off.

Seconded and voted unanimously.

VII NOTICES OF INTENT

Polly E. Behrens, Tr., Polly E. Behrens QPRT #3. Invasive species management to include phragmites at 1730 Main St., Cotuit as shown on Assessor's Map 016 Parcel 004. **SE3-5370**

[This hearing and the one to follow (SE3-5369) were opened simultaneously]

Adam M. Koppel & Brenda E. Haynes. Invasive species management to include phragmites at 1664 Main St., Cotuit as shown on Assessor's Map 017 Parcel 016. **SE3-5369**

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

Issues discussed:

- Natural Heritage and Endangered Species Program (NHESP) determined these projects exempt from filing;
- A request was made that maintenance of treated areas be allowed as an option, rather than a condition;
- Wilkinson Environmental was consulted; they did not believe that the projects will affect the abutter's property;

Correspondence read:

- NHESP letter of 2/22/16, addressing both properties;
- Email dated 3/15/16 from Elisa Entine of 1691 and 1693 Main St., Cotuit stating her concern for the projects affecting her property adversely.

A motion was made to approve the Behrens project with standard and special conditions: a) maintenance allowed under ongoing conditions in a certificate of compliance; b) supplementary wet meadow seed mix to be used, if necessary, for areas that do not revegetate; c) submission of annual reports for three years.

Seconded and voted unanimously.

(Behrens, Koppel/Haynes, continued)

A motion was made to approve the Koppel/Haynes project with standard and special conditions: a) maintenance allowed under ongoing conditions in a certificate of compliance; b) supplementary wet meadow seed mix to be used, if necessary, for areas that do not revegetate; c) submission of annual reports for three years.

Seconded and voted unanimously.

John Fish, Tr., Kingfish, LLC & Chrisjen Realty Trust. Reconstruct three existing stone groins and relocate and reconstruct one licensed timber groin at 81 & 86 Sand Point, Osterville as shown on Assessor's Map 073 Parcel 015-001 & 015-002. **SE3-5373**

The applicant was represented by John C. O'Dea, P.E., and Trey Ruthven of Applied Coastal Research & Engineering.

Exhibits:

A – Packet and Power Point presentation

Correspondence read:

- Letter from MA Division of Marine Fisheries, dated 3/11/16

Issues discussed:

- History under a prior filing (SE3-5256) – A request to rebuild/relocate four existing timber groins not approved at that time;
- Mr. Ruthven gave an overview and history of the project; he stated his onsite meeting with Tom Marcotti, town Shellfish biologist, was encouraging – better sediments placed above would result in a better sediment source for shellfish habitat below;
- Property owner requests beach maintenance; needs sediment source;
- Monitoring reports will be required to indicate the need for re-nourishment when sand is eroded to the midpoints of the groin.

A motion was made to approve the project with standard and special conditions: a) submission of monitoring report after three years; b) work with shellfish biologist to transport any displaced shellfish; c) submission of a revised plan noting length of timber groin (35') and abandonment of three licensed timber groins; beach nourishment maintenance to entrapment permitted when monitoring report indicates need for re-nourishment.

Seconded and voted unanimously.

Malcolm & Pamela Montgomery. Construct two additions with patio between them; site work to include remove portion of paved driveway; relocate septic tank; dwelling to remain two bedrooms at 94 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 042. **SE3-5371**

The applicant was represented by Daniel Ojala, P. E.

No concerns arose.

A motion was made to approve the project with standard and special conditions, including working with conservation staff to find an alternative to creeping juniper, e.g., lower growing holly.

Seconded and voted unanimously.

Chris Cotoia. Construct pool with patio at 1311 Craigville Beach Rd., Centerville as shown on Assessor's Map 207 Parcel 064. **SE3-5372**

The applicant was represented by Daniel Ojala, P.E.

(Cotoia, continued)

Exhibits:

A – Aerial view dated 2003

B – Packet containing aerial view from Google Earth, 1996, and two photos dated 1/27/16

C – Revised site plan dated 2/3/16

D – Photos of project from SE3-4083 file where trees were removed on a different parcel.

Issues discussed:

- Property owner topped trees, as was done in the past;
- Concern regarding the possibility of a town coastal bank not being indicated on the plan;
- A separate application should be filed to continue to top poplar trees, or offer a management plan.

A motion was made to approve the project with standard and special conditions: a) submission of a revised plan without hashed area (vista trimming of poplars), b) subject to review of town bank calculation, c) pool fence to be moved 10 feet further, except where it intersects with the 100' line.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 6:25 p.m.