



**Town of Barnstable
Conservation Commission**
200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: April 10, 2018 @ 3:00 PM

LOCATION: Hearing Room – 367 Main St., 2nd Floor, 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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners Peter Sampou (attended 4:30 session only), Scott Blazis (left after 3:00 session), and Larry Morin. Commission John E. Abodeely was away.

Conservation Administrator Darcy Karle assisted, along with Fred Stepanis, Conservation Assistant.

3:00 PM AGENDA

I CERTIFICATES OF COMPLIANCE

- A. Spencer SE3-0168 (coc, d) construct single family dwelling
59 North Precinct Road, Centerville bordering vegetated wetland near Weathervane Pond

The applicant attended.

Issues discussed:

- Disturbance of the 40-ft. buffer
- The patio and deck were not shown on the approved plan;
- The unpermitted shed-like structure

A motion was made to deny the certificate.

Seconded and voted unanimously.

- B. Gregory SE3-5275 (coc, ez) construct boardwalk, pier, ramp, and float
132 Bay Shore Road, Hyannis Hyannis Inner Harbor

A motion was made to approve the certificate.

Seconded and voted unanimously.

II REVISED PLANS

Project type:

Revision:

- A. McCarthy SE3-5199 addition, pool, patio footprint
70 Eel River Rd., Osterville

The applicant was represented by John C. O'Dea, P.E. of Sullivan Engineering & Consulting.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Pryshlak SE3-5448 raze/rebuild sfd site redevelopment

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

A motion was made to approve the revised plan.

Seconded and voted unanimously.

III EXTENSION REQUESTS **Project type:** **# Years Requested:**

A. TOB/DPW SE3-5279 road improvements 1st Request; 3 years
 Rte. 149, Marstons Mills (Rescheduled from 3/13/18)

The applicant was represented by Alex Bulhoes, E.I.T. of McMahon Associates.

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

Seconded and voted unanimously.

B. TOB/Conservation SE3-5280 Sonar treatment for hydrilla 1st Request; 3 years
 Mystic & Middle Ponds, M. M.

The applicant was represented by Darcy Karle.

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

Seconded and voted unanimously.

C. Rooney SE3-4929 maintenance dredging 1st Request; 3 years
 177 Seapuit River Rd., Osterville

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

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

Seconded and voted unanimously.

D. Rendezvous Ln. & Acres SE3-5268 phragmites removal 1st Request; 3 years
 121 Salten Point Rd., Barnstable
(For D – H, see H below)

E. Schlott SE3-5269 phragmites removal 1st Request; 3 years
 129 Salten Point Rd., Barnstable

F. Moss Hollow Enterprises SE3-5270 phragmites removal 1st Request; 3 years
 145 Salten Point Rd., Barnstable

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|----|---|--------------------|----------------------------------|
| G. | Conigliaro SE3-5271
155 Salten Point Rd., Barnstable | phragmites removal | 1 st Request; 3 years |
| H. | Connolly SE3-5272
169 Salten Point Rd., Barnstable | phragmites removal | 1 st Request; 3 years |

Applicants D – H were represented by John C. O’Dea, P.E.

A motion was made to approve a three-year extension for all requests (D – H).

Seconded and voted unanimously.

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| I. | Voute-Allen SE3-5278
118 Wild Goose Way, Centerville | sfd | 1 st Request; 3 years |
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The applicant was represented by John C. O’Dea, P.E.

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

Seconded and voted unanimously.

4:30 PM AGENDA

IV NOTICE OF INTENT

CAJ, LLC. To permit as-build rinse station and wall reconstruction, and landscape features including flag pole, speakers and surveillance cameras at 123 Seapuit River Rd., Osterville as shown on Assessor’s Map 070 Parcel 011. **SE3-5559**

The applicant was represented by John C. O’Dea, P.E. of Sullivan Engineering & Consulting.

Exhibit A – Architectural drawing dated 11/18/14 of the RDA application

Issues discussed:

- Question and concern was raised regarding the need for a rinse station at a boathouse.
- Discussion as to when the rinse station first appeared and its association with a prior RDA application
- The rinse station has been in existence for a few years, and is shown on a prior architectural plan (Exh. A).
- The feasibility of a path to the flagpole and its impact on the mitigation area
- Lighting for the flagpole is not requested in the current application.
- The need for speakers on the edge of the mitigation area, and the possibility of moving them out of the mitigation area and relocating them completely out of the 50-ft. buffer zone.

A motion was made to approve the project subject to receipt of a revised plan showing: 1) a path to the unlit flag pole, and 2) speakers moved to the edge of the new mitigation area.

Seconded and voted: 3 votes = Aye; 1 vote = Nay. The motion carried.

Laurie M. Carbonneau. Replace wood frame superstructure of pre-existing boat house/cottage with new wood frame superstructure utilizing pre-existing foundation at 174 Bay Shore Rd., Hyannis as shown on Assessor’s Map 325 Parcel 084. **BCC-0197**

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

Issues discussed:

- This is an “after-the-fact” filing.
- No concerns arose.

A motion was made to approve the project.

Seconded and voted unanimously.

Sean M. & Gail T. Maguire. Construct small addition to garage (for storage); remove existing walkway, construct new stone/gravel walkway further from wetland; regrade area of existing walkway to slope toward proposed retaining wall and away from dwelling and wetland at 56 Nye’s Neck Road East, Centerville as shown on Assessor’s Map 233 Parcel 025. **SE3-5562**

The applicants were represented by Daniel Ojala, P.E. of Down Cape Engineering.

Exhibit A – Revised plan dated 4/9/18

Issues discussed:

- A revised plan (Exh. A), submitted to correct a note on the plan.
- No concerns arose

A motion was made to approve the project based on the revised plan dated 4/9/18.

Seconded and voted unanimously.

Edward B. Teague III. Demolish and reconstruct a single-family dwelling within the 100-foot buffer to a coastal bank and the 200 foot riverfront area at 6 Commerce Rd., Barnstable as shown on Assessor’s Map 301 Parcel 015. **SE3-5560**

The applicant attended, and was represented by Matt Farrell of J. M. O’Reilly.

Issues discussed:

- A revised plan should be submitted to add the rinse station and air-condition pad.
- Location of additional mitigation of 96 square feet is required to meet the required amount of mitigation. The applicant was requested to have the additional mitigation planting hedge run along Commerce Road rather than within the 50-foot buffer.
- Keeping the existing evergreen hedge and leaving the fence.
- Four trees marked in the field for removal. All trees marked for removal (a total of six) should be shown on a revised plan
- The top of the foundation will be at 13 feet, one foot above the FEMA flood requirement.

Public comment: Julia Ransom of Goehring Realty Trust – asked if there will be a basement, and was concerned with the impact of additional flooding. She requested to see the architectural plans.

A motion was made to approve the project, subject to the submittal of a revised plan showing: 1) the additional mitigation required, 2) trees slated for removal, and 3) rinse station and air-condition pad.

Seconded and voted unanimously.

V CONTINUANCE

MSSI 31 Dale Ave. Property Group LLC. Elevate existing buildings to comply with FEMA regulations, and landscaping at 31 Dale Ave., Hyannisport as shown on Assessor’s Map 286 Parcel 030. **SE3-5556** (Continued from 4/3/18 for NHESP only)

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

Exhibit A –Mullen Rule document signed by Clerk Dennis Houle.

Issues discussed:

- The quorum consisted of Chair Tom Lee, Vice-Chair Louise Foster, Clerk Dennis Houle (see Exh. A), and Commissioner Peter Sampou.
- A time-of-year restriction (TOY), as mandated by Natural Heritage & Endangered Species Program (NHESP), was read into the record .

Correspondence: NHESP letter dated April 6, 2018

A motion was made to add the TOY restriction as specified by NHESP, and have staff issue the order of conditions within twenty-one days.

Seconded and voted unanimously.

VI MINUTES

A. 3/20/18

A motion was made to approve the minutes.

Seconded and voted unanimously.

A public announcement was made that the April 17th hearing has been cancelled, due to failure to place the legal notification. The next scheduled hearing will take place on May 1st.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 5:14 p.m.