



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION HEARING

DATE: DECEMBER 18, 2018 @ 6:30 PM

LOCATION: Hearing Room, 367 Main Street 2nd Fl., Hyannis, MA

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 and Commissioners John E. Abodeely, Pete Sampou, Larry Morin, and George Gillmore. Clerk Dennis R. Houle was away.

Conservation Administrator, Darcy Karle, assisted, along with Claudette Bookbinder, Administrative Assistant.

I REQUEST FOR DETERMINATION

Wendy S. Jones. Bump-out right rear of house to enlarge master bath & add powder room and enlarge 2nd-floor bedroom (total area 7' x 22'); cut down oak tree next to where addition will be at 226 Washington Ave., Osterville as shown on Assessor's Map 139 Parcel 081. **DA-18055**

John Dunn represented the applicant for Scott Peacock.

Issues discussed:

- In flood zone only
- Request to remove one additional tree (total of two)

A motion was made to approve a negative determination.

Seconded and approved unanimously.

II NOTICES OF INTENT

Paul Capasso. Add two new pilings and replace three existing pilings associated with existing pier, ramp, and float system at 116 Bay Shore Rd., Hyannis as shown on Assessor's Map 325 Parcel 079. **SE3-_____**

The applicant was represented by Kieran Healey of BSC Group.

Issues discussed:

- 12" pilings to be replaced in kind; only one new piling; other piling being relocated, as indicated on plan.
- Jet ski float to be removed or permitted; Mr. Healey to review DA-12072
- A finding to be considered, that this project does not represent a substantial expansion
- No depth restrictions contained in SE3-0005
- A new boat to replace an existing one; property owner has four vessels.

A motion was made to establish a finding: that this project does not represent a substantial expansion.

Seconded and approved unanimously.

A motion was made to approve the project, based on the approved finding, and subject to a revised plan noting that “pile to be replaced in kind,” and removal or permitting of the jet ski float.

Seconded and approved unanimously.

Comments and correspondence: email dated 12/17/18 from Harbormaster’s office; email dated 12/18/18 from Tom Marcotti, Shellfish Biologist; letter dated 12/14/18 from MA Division of Marine Fisheries.

Peter & Kathleen Shea. Construct pier, ramp & float; propose natural path for pier access; remove existing pier and piles at 483 Elliott Rd., Centerville as shown on Assessor’s Map 227 Parcel 116. **SE3-5632 Request for continuance to 1/15/19**

A motion was made to continue the project to 1/15/19, per letter dated 12/14/18.

Seconded and approved unanimously. No testimony taken.

Stephen T. B. Miller, Tr., Breezy Bluff Trust. Construct 11' walkway connector from bank stairs to pier; remove two dead invasive trees from buffer zone (#135); proposed land management plan at #135 & #145 to include removal of invasives, revegetation and maintenance of vista corridors at 135 & 145 Bridge St., Osterville as shown on Assessor’s Map 093 Parcel 034 & 035. **SE3-5634**

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

Mr. O’Dea gave a brief history of the property from 1887.

Issues discussed:

- An enforcement issued in early 2018 (walkway removal)
- The bank overrun with invasive species, e.g., bittersweet at both properties (#145, and has spread to #135)
- The applicant’s intent is to bring back the bank in a good/natural state
- Cedar trees to be spread out; two dead poplars
- Vista corridors to be maintained with selective pruning of native plants, undulated cut, in consultation with staff
- Cedars should be successfully transplanted, as they are not too big
- Bittersweet to be pulled out by hand
- Fibrous mats should be placed in bare areas, thought one Commissioner
- Three years of annual reports should be required.
- Staff requested Virginia rose to be increased to 3-gal. size.
- One replacement tree for two poplars being removed.

A motion was made to approve the project, subject to the addition of fibrous mats in bare areas (15 sq. ft. or greater); 3-year annual reports; any change in landscaper shall require written notification to staff for review and approval; one replacement tree for poplar removal; and 3-gal. pot size for the Virginia rose.

Seconded and approved unanimously.

III CONTINUANCES

Marie M. Souza. Raise house for FEMA compliance; new sewage disposal system and associated site improvements at 168 Long Beach Rd., Centerville as shown on Assessor’s Map 205 Parcel 008. **SE3-5616**

The applicant attended, and was represented by John Schnaible of Coastal Engineering Co., and Paul Swanson, P.E.

Mr. Schnaible distributed a revised plan to the Commission.

Exhibit A – Revised plan dated 12/17/18

Issues discussed:

- A quorum was present
- The revised plan (Exhibit A) was approved by the Board of Health
- The driveway will be pervious
- Peat was located in two test holes, so helical piles will be used.

A motion was made to approve the project based on the revised plan dated 12/17/18.

Seconded and approved unanimously.

John T. Hailer. To permit and maintain existing paddle board locker, boat shed and rinse station at 743 Old Post Rd., Cotuit as shown on Assessor’s Map 054 Parcel 011-004. **SE3-5631**

A motion was made to continue the project to 1/22/18, per email request of 12/12/18.

Seconded and approved unanimously. No testimony taken.

John Wilson. Expansion of previously-permitted patios and walkways; construction of fire pit; placement of non-permanent seasonal decorative light houses lining path to coastal beach, and hot tub at 151 Irving Ave., Hyannisport as shown on Assessor’s Map 287 Parcel 068. **SE3-5628**

The applicant was represented by Atty. Michael Ford and Kieran Healey of BSC Group.

Exhibit A – Affidavits

Mr. Ford gave two affidavits to staff for the office file.

Issues discussed:

- Quorum present
- Changes in the plan: area around flag pole to be returned to beach grass; planting mitigation for walkway near hot tub and smaller patio; larger patio to north to leave as is, per affidavits);
- Atty. Ford was appealing, at the Commission’s discretion, to keep larger patio, per two affidavits (Exhibit A) indicating that patio appeared on plans in 2009 – these were never discussed, but appeared on prior plans.
- Light houses with 25 watt light bulbs – all in the dune, and larger than previous ones, but are seasonal, and on a timer; Commission guidelines re: lighting pertain only to piers.
- Only downward lighting acceptable to the Commission.

A motion was made to approve the project based on the latest revised plan of 11/20/18; a special condition that lights are to be directed downward and operated on a timer, and not to be left on overnight.

Seconded and voted: 5 votes = Aye; 1 vote = nay.

IV CERTIFICATES OF COMPLIANCE

(ez = no deviations, staff recommends approval)
(* = on-going conditions)

A.	Hirsch 251 Nyes Neck Road , Centerville	SE3-5353 (coc, ez)	-	raze & construct single family dwelling * Wequaquet Lake
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The certificate was tabled to 1/15/19.

V MINUTES

A. 11/27/2018 (previously tabled)

B. 12/4/2018

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

Seconded and approved unanimously.

A motion was made to adjourn.

Seconded and approved unanimously.

The time was 7:36 p.m.