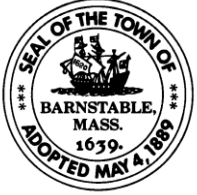


Town of Barnstable Conservation Commission

230 South Street
Hyannis Massachusetts 02601



Office: 508-862-4093

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

MINUTES – CONSERVATION COMMISSION HEARING

DATE: December 10, 2024 @ 6:30 PM

This meeting of the Barnstable Conservation Commission is being recorded and transmitted by the Information Technology Department of the Town of Barnstable on Channel 18. Under MGL Chapter 30A Section 20, anyone else desiring to make such a recording or transmission must notify the Chair.

Remote Participation Instructions

The Conservation Commission's Public Hearing will be held by remote participation methods.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website: <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
2. Real-time public comment can be addressed to the Conservation Commission utilizing the Zoom link or telephone number and access code for remote access below.

Join Zoom Meeting

<https://townofbarnstable-us.zoom.us/j/85959109838>

Meeting ID: 859 5910 9838

US Toll-free • 888 475 4499

3. Applicants, their representatives and individuals required or entitled to appear before the Conservation Commission may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to Darcy.Karle@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing Darcy.Karle@town.barnstable.ma.us. Comments should be submitted at least 8hrs prior to the hearing.

REMINDER TO APPLICANTS:

FEES FOR LEGAL ADS ARE LISTED BELOW. PLEASE MAIL CHECKS TO CONSERVATION, 230 SOUTH STREET, HYANNIS, 02601

The meeting was called to order at 6:30 p.m. by Chair F. P. (Tom) Lee. Also, in attendance were: Vice-Chair Louise Foster, Clerk Angela Tangney, Commissioners Hearn, Abodeely and Sampou.

Administrator Darcy Karle was present along with Agent Ed Hoopes, and Administrative Assistant, Kim Cavanaugh.

I. OLD AND NEW BUSINESS

- A. Mass LEADS Act (H5100) – tolling period

The Governor signed the MassLEADS Act (H5100) on Nov 20, 2024. This bill includes provisions to again extend the life of the land use permits allowing the Wetland Protection Act permits for two more years of extension if they expire between January 1, 2023 and January 1, 2025. This extension act does not include enforcement orders.

II. NOTICES OF INTENT

A. Robert and Pamela Gremley. To demolish existing single-family dwelling and construct new single-family dwelling with patio and spa, and all associated appurtenances, and vegetated bank restoration at 64 Bayview Road, Osterville as shown on Assessor's Map 093 Parcel 054. **SE3-6231**

A continuance was requested to 01/14/2025 without testimony.

A motion was made to approve the continuance request without testimony to 01/14/2025.

Seconded.

Aye – Abodeely, Foster, Hearn, Lee, Tangney, Sampou

Nay – none

B. Terry B. Eastman. Construction of additions to existing single-family dwelling, enlarge patio, abandon cesspools, construct shed; landscape and provide mitigation plantings at 880 and 884 Main Street, Cotuit as shown on Assessor's Map 035 Parcels 081 and 082. **SE3-6232**

The applicant was represented by Arlene Wilson of A.M. Wilson and Associates.

Issues discussed:

- Work limit line is not shown on plan. It will be added if required.
- The driveway was not marked for the site visit.
- The platform is 20' wide and 10' east to west. Total area is 20 x 10'.
- The platform is dirt. It will be normal fill and grass over.
- The mitigation area on the side should be moved along the bank.
- The prior mitigation area along the top of bank is meadow.
- There were no plants in the prior mitigation area at the site visit and mulch had been added.
- The proposed mitigation could be extended into that area so there will be taller woody shrubs.
- The vista pruning permit is not supposed to be topping of trees and horizontal cutting of bushes. A lot of that was observed at the site visit. It is supposed to be an undulating cut.
- Homeowner came out at the site visit and there is a flower bed running along the top of the bank to the top of the stairs which is currently bare. She had substituted the mitigation with Day Lillys for a wedding. She plans to return it to the original approved mitigation plants.
- Except for the extreme left side, the entire length was disrupted.
- There definitely needs to be a demarcation line.
- Mitigation plantings should be placed between the fill platform and the top of bank.
- Mowing is extended to over the top of the bank in many places. It should not be cut to over the bank.
- The mitigation should be stretched along the entire top of bank.
- A question was raised if there is a possibility of a lot more work being done to this house in the future.
- The contractor has worked on this house for at least 3 or 4 decades. He is certain that the house will not need to be torn down to do this project.
- The determination for the vista pruning DA-04018 was read and reviewed.
- There was a tree that started to get a fungal infestation about 10 years ago which killed the tree. The trunk of the tree is still there.
- The pruning that occurred this season was a straight cut, not undulating and some trees were topped. The Landscape Contractor was spoken to.
- Some mitigation in front of the lawn platform area should be put in. It will be low vegetation with demarcation.
- The existing mitigation area will be replanted and then another 4 to 5 ft. added.
- The mitigation to the right should be shown on the plan and labeled with the file number.

- A condition should be added to this project that a meeting with staff will take place before vista pruning is done.

Public comment: None

A motion was made to approve the project subject to receipt of a revised plan showing revised mitigation area with demarcation. The existing mitigation area shall be replanted as directed on the plan. An additional 4-5' of mitigation shall be added landward of existing mitigation, stretching new mitigation to the stairs. Additional mitigation shall be added in front of the grass platform area. Add vista pruning language from prior permit to special conditions and clarify that prior to any vista pruning the arborist must meet a Conservation staff member onsite to review proposed vista pruning.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney, Sampou

Nay – none

III. CONTINUANCES

- A. Ted and Dorsey Titcomb.** Raze and replace existing single-family dwelling at 797 Old Post Road, Cotuit as shown on Assessor's Map 073 Parcel 008-002. **SE3-6229 - Continued from 11/26/24 - Continuance requested to 12/17/24. WC Form received.**

A continuance was requested to 12/17/24 without testimony.

A motion was made to approve the continuance request without testimony to 12/17/24.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney, Sampou

Nay – none

IV. CERTIFICATES OF COMPLIANCE

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

- | | | |
|--------------------|--|---|
| A. SE3-6122 | Robert Ian & Katherine K. O'Keeffe (COC, ez*)
299 Sea View Avenue, Osterville | Remove tennis court. Add pool, pool cabana, patio & sports court. |
|--------------------|--|---|

A motion was made to approve A.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney, Sampou

Nay – none

A motion was made to adjourn the meeting.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney, Sampou

Nay – none

The time was 7:15 p.m.

