



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: March 17, 2009 – 6:30 P.M.

LOCATION: SELECTMEN’S CONFERENCE ROOM

Scrivener’s note: The following minutes are general in nature. For those wanting specific detail on matters heard on this agenda, several resources are available to you: video-on-demand (free on the Town website at town.barnstable.ma.us), audiocassette 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 Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners, Peter Sampou, and Larry Morin. Commissioners John Abodeely, Scott Blazis, and Louise Foster were away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Selectmen’s Conference Room, Barnstable Town Hall, Hyannis, MA.

I MINUTES FOR APPROVAL

A. February 17, 2009

A motion was made to approve the minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Denise G. Swan. Requesting confirmation of delineation of fresh water wetland and town-defined coastal bank at 170 Grand Island Dr., Oyster Harbors as shown on Assessors Map 053 Parcel 012-001. **DA-08065** (continued from prior hearing) **WITHDRAWN**

The application was withdrawn.

Town of Barnstable/Conservation Division. Remove invasive gray willows to a 6 – 12-inch stump where the new “Danforth Property” walking trail terminates at the waters edge on Mystic Lake. Tree removal locus at 970 Race Ln., Marstons Mills as shown on Assessors Map 083 Parcel 007; tree unloading locus (pending consent) at 137 Regency Dr., Marstons Mills as shown on Assessors Map 063 Parcel 081. Alternative unloading locus at Mystic town landing off Race Lane. **DA-09011**

The applicant was represented by Rob Gatewood.

Issues discussed:

- The lack of any critical habitat provided by grey willow
- The lack of any bank stabilization provided by the species.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

(RDA's, cont'd.)

Sam Yee. Construct 7'7" x 12' deck on west wall using two sona tubes for support at 135 Lakeside Dr., East, Centerville as shown on Assessors Map 252 Parcel 091. **DA-09012**

The applicant was represented by Joseph Vaughn.

Issues discussed: no concerns arose.

A letter from an abutter opposed to the project was noted.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

William Devaney. Title-5 septic system upgrade at 120 Main St., Centerville as shown on Assessors Map 208 Parcel 057. **DA-09013**

The applicant was represented by Jack Vaccaro.

Issues discussed: no concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/Growth Management Division. Improve, expand and maintain existing path behind Barnstable Senior Center to include light trail clearing and trimming to widen path to approx. four feet; trimming to define path to Dunn's Pond; remove dead trees; create sitting area with bench near pond; maintain trail from high school to pond. Work to be done at 825 Falmouth Rd./Rte. 28, Hyannis as shown on Assessors Map 271 Parcel 097, and (pending consent) at 744 W. Main St., Hyannis as shown on Assessors Map 249 Parcel 094. **DA-09017**

The applicant was represented by Nicole Frame.

Issues discussed: no concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Barbara L. Walsh. Install 4 stone stairs above dock and 7 stone steps in lawn between deck and dock; repair/replace retaining wall and fireplace and install 17' x 31' terrace; replace front and side walks at 111 Pond View Dr., Centerville as shown on Assessors Map 229 Parcel 026. **DA-09014** Continued from 3/03/09

The applicant was represented by Suzanne O'Keefe

Issues discussed:

- A low-maintenance plant design was proposed;
- The patio will be dry-laid, with a dimension of 20' x 28';
- The Commission sought additional pond-fringe buffer plants;
- Consultation with the Conservation Agent required for additional shrubs buffering the pond.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Peter Baxter. Construct bank-access stairs and pier with ramp and float, plantings at 278 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 002. **SE3-4809**

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

Issues discussed:

- The float attains 1.6 feet of depth at mean low water (MLW);
- A shellfish survey was conducted showing marginal habitat, no recruitment, with lots of muck. Some shellfish occur in the marsh;
- A lawn-edge berm was proposed to correct a bank erosion problem. A gulley would be filled with loamy sand and planted;
- Proposing a boat draft similar to those of boats moored in the vicinity;
- A non-grated pier deck over the marsh was proposed;
- A shellfish survey from the Town found some soft-shell clam recruitment;
- The Chair mentioned that the habitat rating of "9" was subject to rebuttal;
- The Chair said that adjacent moorings in shallow water were irrelevant to the Commission's deliberations;
- The Division of Marine Fisheries comment letter was discussed and believed to be valid in all respects;
- Question of whether a pier-end platform was better than a float for this site.

A motion was made to approve the project with special conditions, limiting the pier to non-motorized craft only, and paralleling the Longfields, LLC, Order which is adjacent to the site.

Seconded and voted unanimously.

Robin & Laurie Young. Construct small additions to existing house, remove existing deck and construct new deck, revise landscaping and mitigation planting at 142 Great Bay Rd., Osterville as shown on Assessors Map 072 Parcel 032-002. **SE3-4791** (continued from 2/3/09)

The applicant was represented by Stephen Wilson, P.E., Michael Neath, and Tom Swenson, R.A.

Issues discussed:

- New deck will be ACQ-treated or synthetic.
- Approximately 100 sq. ft of additional deck is proposed in the 50-foot buffer;
- The Commission asked for a second tulip poplar in the planting plan.

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

Seconded and voted unanimously.

Fine Wine Realty Trust. Raze and replace single-family dwelling at 247 Scudder Rd., Osterville as shown on Assessors Map 139 Parcel 015. **SE3-4792**

The applicant was represented by Daniel Ojala, P.E. and Andrew Garulay, R.L.A.

Issues discussed:

- The 50-foot buffer where existing grasses will be planted in wildlife mix
- A special effort was made in locating the new septic and in handling site runoff challenges.

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

Seconded and voted unanimously.

(NOI's, cont'd.)

Colonial Gas d/b/a National Grid. Gas pipeline replacement at Falmouth Rd./Route 28 as shown on Assessors Map 145, 144, & 146 in Barnstable (Marstons Mills, Centerville, Osterville). **SE3-4795**

The applicant requested a continuance to 3/31/09.

A motion was made to continue the hearing to 3/31/09.

Seconded and voted unanimously.

No testimony was taken.

IV CERTIFICATES OF COMPLIANCE (ez = staff recommends approval) (* = on-going conditions)

A.	Town of Barnstable/DPW	SE3-0087	(coc,ez)	replace headwall for runoff pipes *
B.	LaPoint (Awad)	SE3-4357	(coc,ez)	reconstruct bulkhead; maintain stairs, deck, & patio *
C.	Town of Barnstable/DPW	SE3-3436	(coc,ez)	reconstruct Old Shore Road, Cotuit *
D.	Fitzgerald	SE3-4466	(coc,ez)	reconstruct bulkhead *
E.	Vages	SE3-3779	(coc,ez)	construct road for subdivision *
F.	Korkuch	SE3-4368	(coc,ez)	raze & construct garage (not done)
G.	Cook (Williams)	SE3-4280	(coc,ez)	upgrade septic system (not done)

A motion was made to approve all the above certificates ("A – G").

Seconded and voted unanimously.

V OLD & NEW BUSINESS

A. Other

None

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:26 p.m.