



**Town of Barnstable
Conservation Commission**
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MINUTES – CONSERVATION COMMISSION MEETING

DATE: February 9, 2010 8:30 a.m.

LOCATION: TOWN HALL, HEARING ROOM

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 8:30 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners Larry Morin, and Louise Foster. Commissioner John Abodeely was away, and Commissioners Peter Sampou and Scott Blazis were teaching. Rob Gatewood, Conservation Administrator, assisted.

I REVISED PLANS

			<u>project type</u>	<u>revision</u>
A.	Lowrie	SE3-4657	sfr	buffer mitigation

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

Issues discussed:

- The mitigation plan was favored by staff.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B.	Baker/Blakeley	SE3-4824	pier, walkway, stairs	pier footprint
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The applicant was represented by Arlene Wilson, P.W.S. and George Gilmore.

Issues discussed:

- Pier stability is questionable without the pier extension.
- The Chair said that the amended order track would be best
- Mr. Gilmore said the proposed permanent section is imperative for safety.

The matter was withdrawn without prejudice, to be filed as a request for an amended order.

Seconded and voted unanimously.

C.	Kelly	SE3-4616	sfd, pool, landscaping	footprints; fence
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The applicant was represented by John O’Dea, P.E.

Issues discussed: no concerns arose.

A motion was made to approve the revised plan.

(Kelly, cont'd.)

Seconded and voted unanimously.

D. Moloney SE3-4843 shed size/location

The applicant was represented by Adam Hostetter.

Issues discussed: no concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II EXTENSION PERMITS

A. Town of Barnstable/ DPW SE3-4582 Barns. Harbor dredging Ch.237, 1st request; 5/23/14

The applicant did not attend the hearing.

A motion was made to approve an extension to 5/23/14.

Seconded and voted unanimously.

III ENFORCEMENT ORDERS

- A. John and Kim Kayajan II – 40 Cap’n Samadrus Road, Cotuit SE3-4321 (Crovo)
Violation of an Order of Conditions/ failure to request a Certificate of Compliance.
- B. Stephen J. Giatrelis – 91 Ocean Drive, West Hyannisport SE3-3635
Violation of an Order of Conditions/ failure to request a Certificate of Compliance.
- C. Clinton Perry Jr. – 775 Route 149, Marstons Mills SE3-4130
Violation of an Order of Conditions/ failure to obtain a final Certificate of Compliance
- D. Joseph and Joselle Della Morte – 1596 Main St. Route 6A SE3-4261
Violation of an Order of Conditions/ failure to request a Certificate of Compliance
- E. Fay S. Sherman – 107 Seventh Avenue, West Hyannisport SE3-4293
Violation of an Order of Conditions/ failure to request a Certificate of Compliance
- F. TDI Development Group c/o Tate D. Isenstadt Property Manager, Trade Winds SE3-4385
Alteration in a wetland resource area by vista pruning without prior authorization

A motion was made to approve all enforcement orders as written (“A – F”).

Seconded and voted unanimously.

IV NON-CRIMINAL CITATIONS

- A. Clinton Perry Jr. – Violation of an Order of Conditions \$300.00
- B. Joselle Delle Morte – Violation of an Order of Conditions \$300.00
- C. Tate D. Isenstadt , Property Manager, Trade Winds – Alteration of a resource area \$200.00

(Citations, cont'd.)

D. John A. Moreshead, Be Green Landscaping, at Trade Winds – alteration of resource area \$200.00

All above citations noted (“A – D”).

V CERTIFICATES OF COMPLIANCE

(ap = as-built plan) (coc = Certificate of compliance) (ez = no deviations, staff recommends approval) (ok = minor deviations, staff recommends approval) (c = staff recommends approval with contingencies) (d = deviations, staff recommends denial) (* = on-going conditions)

A. Tilton SE3-3995 (coc) construct seasonal pier, ramp, & float *

John O’Dea, PE represented the applicant. Discussion centered on the interpretation and satisfaction of Special condition # 6 that required the applicant to provide up to \$2,000 to cover the cost of acquiring and planting shellfish seed in the area to mitigate for any impacts from the pier.

The origin of the specific condition of the Order is to be researched by staff.

A motion was made to continue the hearing to March 9th.

B. Keally SE3-4500 (coc) construct seasonal pier, ramp, & float *

Arlene Wilson, PWS represented the applicant. Discussion centered on the interpretation and satisfaction of Special condition # 6 that required the applicant to provide up to \$ 2,000 to cover the cost of acquiring and planting shellfish seed in the area to mitigate for any impacts from the pier.

The origin of the specific condition of the Order is to be researched by staff

A motion was made to continue the hearing to March 9th.

Seconded and voted unanimously.

VI OLD AND NEW BUSINESS

A. Long Pond Community Garden / Donna Lawson’s yearly report

Donna Lawson gave an update and informed the Commission that they had a great year. The new irrigation system is a huge success, so much so that they had funds left over after paying the water bill. The Commission listened to the ideas that Donna had for the use of the money. They supported her ideas and approved the idea of taking the wish list back to the Garden Committee.

Ideas included new benches, a compost bin, posts for bluebird boxes, adding additional plots, and winterizing the irrigation system.

B. SOC appeal SE3-4849

A request for adjudicatory review of the DEP Superseding Order was filed by an abutter of the proposed Hudock addition project, 97 Southgate Dr., Hyannis. The Superseding Order was an affirmation of the Conservation Commission approval of the project.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:40 a.m.

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