



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

DATE: January 11, 2011 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 John Abodeely and Louise Foster. Commissioners Peter Sampou and Scott Blazis were teaching, and Commissioner Larry Morin was away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, Hyannis, MA.

<u>I</u>	<u>REVISED PLANS</u>	<u>project type</u>	<u>revision</u>
A.	Chalupka SE3-4911	garage	elevation; add patio

The applicant was represented by David Clark, P.E.

Issues discussed:

- The revised plan was displayed and noted as Exhibit A.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B.	Purcell SE3-4844	addition	raze/rebuild house
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The applicant was represented by Steve Wilson, P.E.

Issues discussed:

- The revised plan was displayed and noted as Exhibit A.

No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C.	Crain SE3-4775	garage	balcony; stairs to deck; 2 nd floor living space
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The applicant was represented by Peter Sullivan, P.E.

Issues discussed:

- The revised plan was displayed and noted as Exhibit A.

No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D. ToB/MEA SE3-4876 bathhouse wires; pumphouse; septic

Commissioner Tom Lee recused himself.

The applicant was represented by Nina Coleman, Sandy Neck Park Manager.

Issues discussed:

- Placing utilities underground was proposed, as was a reconfiguration of the septic leaching field.
- A relocation plan was presented and noted as Exhibit B.

The Commission consulted the Town Attorney on the quorum issue.

The matter was tabled to the next evening meeting.

E. Tobin SE3-4494 single-family dwelling vegetation management

The applicant was represented by Peter Sullivan, P.E.

Issues discussed:

- Photographs were presented and noted for the file as Exhibit A, 1 – 4.
- Prior consultation with staff will be required for vine management.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II ENFORCEMENT ORDERS

A. William Quirk Jr. – 104 Swallow Hill Road, Barnstable
Violation at 0 Indian Trail, Barnstable (Barnstable Land Trust Property)
Alteration of the Barnstable Conservation Commission 50' undisturbed buffer zone and 100' buffer zone by cutting vegetation. Cutting is within proximity of a pond to the east and a shrub swamp to the west.

Mr. Quirk was represented by Peter Sullivan, P.E. The Barnstable Land Trust was represented by Jaci Barton of the B.L.T., and Attorney Largay.

Issues discussed:

- Location of the cutting violation as shown on a US GIS plan was submitted by Ms. Karle and noted as Exhibit A.
- Photographs taken on 12/8/10 by the Agent were displayed and noted as 2A – 2E.
- Ms. Barton stated that volunteers counted 120 stumps. She submitted the following for the record: Exhibit A1 – A9.
- Photos taken on 12/8/10 by Red Bansfield of the Land Trust;
- Exhibit B, Sketch Diagram (GIS);
- Exhibit C, Sketch Diagram (aerial, undated);
- Exhibit D, Grid location of cut stumps;

- Exhibit E, Chart “Tree Cutting on Warren property. “
- Mr. Sullivan requested additional time to retain legal counsel to look into cutting done by the prior owner.

A motion was made to approve the enforcement order as written. An extension to deadlines will be allowed, in consultation with staff.

Seconded and voted unanimously.

- B. John Mikutowicz Tr. – 59 Point Isabella Road, Cotuit
Alteration of the Barnstable Conservation Commission’s 50’ undisturbed buffer zone and 100’ buffer zone by clearing vegetation to create a garden and planting bed.

Mr. Mikutowicz appeared at the hearing.

Issues discussed:

- Exhibit A – aerial photo dated April, 2001, showing prior natural vegetation, was displayed and noted;
- Exhibit B – aerial photo dated April, 2008, showing natural vegetation cleared was displayed;
- Exhibit C – aerial photo dated July, 2009, showing location of garden and planting bed, was displayed.

A motion was made to amend the enforcement order to read that a Notice of Intent must be filed to seek approval for the garden located within the 50-foot undisturbed buffer zone. Alternatively, planting mitigation within Conservation jurisdiction to be applied for, in consultation with staff.

Seconded and voted unanimously.

III CERTIFICATES OF COMPLIANCE

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|----|------------|----------|----------|--|
| A. | Margaux RT | SE3-0082 | (coc,ez) | partially fill pond & construct additions (not done) |
| B. | Belanger | SE3-0507 | (coc,ok) | add platform, stairs, & boat hoist (not done);
maintain existing structures * |

A motion was made to approve all certificates (A – B).

Seconded and voted unanimously.

A motion was made adjourn.

Seconded and voted unanimously.

The time was 9:30 a.m.