



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

DATE: APRIL 12, 2011 – 6:30 P.M.

LOCATION: TOWN HALL HEARING ROOM

Note: Final Agenda at meeting may include some last minute filings

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](http://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 Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners Peter Sampou, Larry Morin, and Louise Foster. Commissioners John Abodeely and Scott Blazis were away. Rob Gatewood, Conservation Administrator, assisted.

### I OLD & NEW BUSINESS

A. **Proposed amendment of Barnstable Wetlands Ordinance Ch. 237.** The revised Barnstable County Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) will take effect on June 16, 2011. For Town of Barnstable residents to continue eligibility in the National Flood Insurance Program (NFIP), the Town is required to add certain flood area provisions to its Wetlands Ordinance.

**WITHDRAWN**

### II MINUTES FOR APPROVAL

A. March 15, 2011

B. March 29, 2011

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

Seconded and voted unanimously.

### III REQUESTS FOR DETERMINATION

**Joanne Crowley & Jay Bergeron.** Install drip edge around house; remove select plants in rear; re-plant native and non-native shrubs around foundation and at rear wall; loam and hydroseed lawn areas if disturbed, at 59 Short Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 034. **DA-11036**

The applicant was represented by David Desley.

Issues discussed:

- No concerns arose;
- Cape Cod native seed mix will be used.

A motion was made to issue a negative determination.

MN041211

Seconded and voted unanimously.

**Stephen Miller.** Rebuild front porch at 145 Bridge St., Osterville as shown on Assessor's Map 093 Parcel 035. **DA-11031**

(See next, below)

**Stephen Miller.** Build 8' x 7' shed for utilities, boiler, water tanks at 135 Bridge St., Osterville as shown on Assessor's Map 093 Parcel 034. **DA-11034**

Both Miller hearings were opened simultaneously.

The applicant was represented by Neil Perkins.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination for both applications.

Seconded and voted unanimously.

**Town of Barnstable/DPW.** Remove and replace failed pipe that connects ditches on either side of Field Rd. Pipe will be 12" in diameter and 50' in length, and made of iron, at Field Rd., Marstons Mills as shown on Assessor's Map 150 Parcel (various). **DA-11032**

The applicant was represented by Bob Lovell.

Issues discussed:

- No concerns arose;
- Pipe diameter will remain the same.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

**Frederick J. & Aurora Curran.** To permit and maintain existing fence used as a dog enclosure at 110 East Bay Rd., Osterville as shown on Assessor's Map 141 Parcel 123-001. **DA-11037**

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

Issues discussed:

- No clearance for wildlife provided;
- Deploying an invisible fence along with existing fence, while elevating the existing fence 6" above ground;
- Open a number of small holes through for wildlife passage.

A motion was made to issue a negative determination, contingent upon consultation with staff regarding wildlife openings.

Seconded and voted: 4 votes "Aye;" 1 vote "Nay."

#### **IV NOTICES OF INTENT**

**Presbyterian Church of Cape Cod.** Construct additions to existing church (in phases); construct parking areas and reconfigure access drive. A waiver of the Commission's 50-ft., undisturbed buffer policy is being requested at 2391 Iyanough Rd./ Rte. 132, W. Barnstable as shown on Assessor's Map 216 Parcel 045. **SE3-4934**

The applicant was represented by Stephen Wilson, P.E. and John Chapman.

Issues discussed:

- Proposed plans (sheets C6 and C4) were displayed and noted as Exhibit A;
- Driveway reconfiguration will be provided in Phase 2;
- Landscaping also would be provided for Phase 2;
- Several calculations in the storm water calculations were questioned, requiring a new run of the model;
- New hardscape in the 50-foot buffer zone would be 535 sq. ft., but a net reduction of some 500 sq. ft., overall, due to driveway reconfiguration;
- A potential landscaping mitigation area provided by the reconfiguring of the driveway was outlined.

Public comment:

- Bob Plikaitus, abutter, expressed concern about the project’s impacts on ground water supply and increased lighting on wetlands.

A motion was made to approve the project with special conditions, contingent upon revision (or correction, if necessary) of storm water calculations and design, as well as staff approval of the Phase 2 landscaping plan.

Seconded and voted: 4 votes “Aye;” 1 vote “Nay.”

**V OLD & NEW BUSINESS (continued)**

A. William O’Keeffe SE3-4923 pier fate of moorings (continued from 3/29/11)

The Town Attorney recommends that the Special Condition requiring forfeiture of moorings not be included in the Order of Conditions, as the issue was not discussed at the hearing.

B. Sturgis Charter School SE3-4931 appealed to DEP

An appeal by abutters was filed with the D.E.P. on the recent Commission approval of the proposed school.

C. Annual Beach clean-up at Sandy Neck

The annual beach clean-up at Sandy Neck will take place on April 17<sup>th</sup>, at 9:00 a.m.

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

A. Breault SE3-4185 (coc,ez) construct addition to single-family dwelling (not done)

B. Gillis SE3-4070 (coc,ez) construct addition to single-family dwelling \*

C. Dolgoff SE3-2719 (coc,ez) construct addition to single-family dwelling \*

A motion was made to issue all of the above certificates (“A – C”).

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 7:58 p.m.**