



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

DATE: July 12, 2011 8:30 a.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), and DVD recordings. Please contact the Conservation Division at 508.862.4093 for assistance.

The meeting was called to order at 8:33 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee, and Commissioners John Abodeely, Peter Sampou (until 9:00 a.m.), and Louise Foster. Commissioners Scott Blazis and Larry Morin were away. Rob Gatewood, Conservation Administrator, assisted, along with Darcy Karle, Conservation Agent/Enforcement Officer, and Fred Stepanis, Conservation Assistant.

The meeting was held in the Hearing Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

I REVISED PLANS

Project Type

Revision

A. Danforth SE3-4670 pier ramp float proposed craft

The applicant attended the hearing.

Issues discussed:

- Revised bathymetric soundings were submitted, showing adequate depth for the new boat.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Grabscheid & Bloom SE3-4719 retaining wall add deck & porch

The applicant was represented by Jack Vaccaro.

Issues discussed:

- The revised plan was displayed and noted as Exhibit A. Wetland and buffer zone clearing were noted.
- The Commission stated that an RDA should be filed.

A motion was made to deny the revised plan.

Seconded and voted unanimously.

C. Wellington SE3-0096 addition confirm landscape amenities

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

Issues discussed:

MN071211

- 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. Joyce SE3-4744 sfd pave driveway; fence

The applicant was represented by Michael Neath.

Issues discussed:

- A proposed fence lay outside Commission jurisdiction.
- Additional pavers totaling 1,900 square feet.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. Eastman SE3-4926 bank toe add kayak racks

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

Issues discussed:

- No concerns arose.
- Fiberglass grating will be laid on the ground if necessary for erosion control under the racks.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

F. Rudman SE3-4886 raze & construct sfd add deck; add vista pruning

The applicant was represented by John O'Dea, 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.

G. 979 Old Post Road Realty Trust SE3-4910 additions; replace pool add deck; add gravel parking

The applicant was represented by John O'Dea, 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.

H. O'Donnell/I Hate You Dad SE3-4524 pool; pool deck hot tub; pool length, etc.

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

Issues discussed:

- Hot tub water will be chemical free; water will be trucked away.
- Other as-built improvements were noted.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II EXTENSION PERMITS

A. Gladstone Ltd. Partnership SE3-4479 multi-family dwelling 1st Request/3 yrs.

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- No concerns arose.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

III ENFORCEMENT ORDERS

A. Joseph Garodnick – 56 Wild Goose Way, Centerville **(Continued from 6/13/2011)**
Continuation for Commission to review existing conditions plan, future replanting plan.
Unauthorized alteration of a bordering vegetated wetland and wetland buffer, alteration of a coastal bank and flood zone by clearing vegetation. Cutting on various parcels owned by Mr. Steinberg

Mr. Garodnick was represented by Lynne Hamlyn and Keith McKeine.

A revised plan was submitted with a proposed plant list. Minimum space requirements were indicated on the plan. Some final field adjustments are planned,

The Commission discussed the smaller diameter of trees proposed versus the diameter of those illegally removed.

Ms. Hamlyn said she believes the proposed plan presents the best scenario for success.

The Commission requested some shrub clusters in open areas for wildlife betterment.

Mr. McKeine spoke about his stump management of the cut maples. His expectation is that 100% of the cut trees will regenerate.

A motion was made to approve the proposed plan and approach, and to work together on adding some shrub clusters.

Seconded and voted unanimously.

The planting deadline will remain September 15th, 2011.

B. Richard D. Steinberg – 68 Wild Goose Way and #0 Bumps River Road (Continued from 6/13/2011)
Continuation for Commission to review existing conditions plan, future replanting plan

Property owner where cutting occurred as listed under Joseph Garodnick.

[Note minutes for Garodnick, above; same enforcement issue]

- C. Gordon and Jane Slaney Jr. – 878 Main Street, Cotuit
Enforcement order #2 to address mitigation planting for topping of trees and after the fact RDA for vista pruning.

Mr. Slaney attended the hearing.

Ms. Karle submitted the following photos as exhibits into the record:

- Exhibits A and B, dated 5/16/11 showing cutting at property;
- Exhibits A and B, dated 6/20/11 showing area one month later;
- Exhibit C, dated July, 2009, aerial of the property.

Mr. Slaney requested permission to allow the four required mitigation hardwood trees, as written in the enforcement order, be changed to a different species with lower height.

Mr. Slaney submitted two exhibits for the record.

- Exhibit D, dated November, 2003, photo representing the property as he purchased it;
- Exhibit E, July, 2011 photo taken at the same angle as the November, 2003 photo.

A motion was made to approve the enforcement order as written, with a small change allowing tree selection, in consultation with staff.

Seconded and voted unanimously.

- D. Richard A. Murray – 72 Keveney Lane, Barnstable - Cutting on abutting parcel, 110 Keveney Lane, owned by Anthony Milano.
Alteration of the 100' buffer zone by cutting 4 Norway Maple trees without prior approval of the Conservation Commission.

The matter was tabled to the August 9th hearing.

- E. Anthony Milano – 110 Keveney Lane (letter issued)
Property owner where cutting occurred as listed under Richard Murray.

The matter was tabled to the August 9th hearing.

IV NON-CRIMINAL CITATIONS

- A. Richard Murray – alteration of a buffer zone. \$200.00

Noted.

V CERTIFICATES OF COMPLIANCE

- A. Roche SE3-2722 (coc,d) permit existing seasonal pier *

The applicant was represented by his son, Dennis Roche.

Mr. Roche was given thirty days to bring the project into compliance, and to record the Amended Order of Conditions.

A motion was made to deny the certificate.

Seconded and voted unanimously.

B. Stening SE3-0193 (coc,ok) add additions & deck to sfd *

A motion was made to approve the certificate.

Seconded and voted unanimously.

C. Eastman ART-0156 (coc,?) convert seasonal pier to permanent; add ramp & float *

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

Ms. Wilson will submit an as-build plan of the dock.

The matter was tabled to the August 9th hearing.

VI OLD & NEW BUSINESS

A. Coombs parcel at Fullers Mill Pond Bog, Centerville Map/Parcel 180-046, 6.55 acres: support for conservation restriction to be held by Town through Conservation Commission; support for Barnstable Land Trust grant application.

Mark Robinson of the Compact of Cape Cod Conservation Trust attended the meeting.

A motion was made to support the Barnstable Land Trust grant application, and to support a future conservation restriction to be held by the Town.

Seconded and voted unanimously.

B. Annual enforcement planting reports update

Noted.

Ms. Karle informed the Commission that annual mitigation planting reports required to be submitted under an enforcement order are now being tracked on an excel program, which she set up.

C. Long Pond Community garden – requesting new financial manager.

Donna Lawson submitted a request from the Master Gardener's Association, asking that a new financial manager be approved for the 2012 gardening season.

The Marstons Mills Village Association agreed to oversee the community garden finances, with Maureen McPhee, Town Collector, being the "point person."

A motion was made to approve this request.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:26 a.m.