



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093
AG032304

E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE : September 27, 2011 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, 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 6:30 p.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners John Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise Foster. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Barnstable Town Hall, Selectmen's Conference Room, 367 Main Street, Hyannis, MA.

I OLD & NEW BUSINESS

A. Resolve regarding wetland determination at 21 Buttonwood Lane, West Barnstable, Patrick Page, Trustee

The Chair read the resolve and moved its adoption.

Seconded and voted unanimously.

The Chair noted that the applicant can move ahead and file a Notice of Intent for developing the property.

Mr. Page expressed his anger at the Commission, taking up this matter and calling it "litigation strategies." He expressed his dismay over treatment he felt had been unfair. He said the determination was expired. In addition, Mr. Page said that his dealings with the Commission has destroyed his wife and family. He said he wanted his money and his life back.

Jane Saunders, Mr. Page's wife, asked what this matter was truly about. The Chair answered that the Commission's intent was to provide a way to move forward. Ms. Saunders said the resolution hardly "rehabilitates" the Commission on this matter.

II MINUTES FOR APPROVAL

A. September 13, 2011

A motion was made to approve the minutes.

Seconded and voted unanimously.

III REQUESTS FOR DETERMINATION

Whitney P. Wright. To approve/manage cutting of vegetation in 50-foot buffer zone at 4308 Main St., Cummaquid as shown on Assessor's Map 351 Parcel 029 **DA-11074**

The applicant attended the hearing.

Issues discussed:

- Standard vista pruning allowance was considered the best alternative, as well as keeping vines out of trees.
- Brush hog use was questioned as a strategy. Mr. Wright said he has occasionally mowed, as did his predecessor, outside the 50-foot buffer. He felt that his right to keep his property maintained was being taken away, and said it was unfair.

A motion was made to continue the hearing to October 11th.

Seconded and voted unanimously.

Ron Silvia. Construct shed, screen porch enclosure, cooking area and fire pit at 116 Scudder's Ln., Barnstable as shown on Assessor's Map 259 Parcel 012. **DA-11080**

The applicant was represented by Mike Pimental.

Issues discussed:

- Since no excavation has been done, sediment controls seem to be unnecessary.
- A drywell/drip trench was requested for the screened porch.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Salten Point Rd. Trust & Rendezvous Ln. & Acres Association Trust. Invasive plant removal and replanting at 109 & 121 Salton Point Rd., Barnstable as shown on Assessor's Map 280 Parcel 020 & 021. **DA-11081**

The applicant was represented by Steve Wilson, P.E. and Bruce Besse.

Issues discussed:

- The phragmites stand is fairly recent, and it will be good to remove it now.
- Selective invasive removal, primarily phragmites, is proposed in consultation with staff.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/Dept. of Public Works. Milling and paving of entire road surface of North St., Hyannis, as shown on Assessor's Map 290 Parcel (various). **DA-11082**

The applicant was represented by Silvio Genao, P.E.

Issues discussed: No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

IV NOTICES OF INTENT

Christopher H. Babcock. Construct and maintain timber boardwalk, pier, ramp, and float at 109 Marquand Drive, Marstons Mills as shown on Assessor's Map 077 Parcel 037-006. **SE3-4964**

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

Issues discussed:

- The pier was proposed as a non-motorized/kayaks dock only.
- The proposed plan was displayed and noted as Exhibit A.
- Eight-inch piling was proposed.
- The old boardwalk and silt fence will be removed.
- Returning the path to four feet within the Commission's jurisdiction.

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

Seconded and voted unanimously.

V CONTINUANCES

Gordon & Jane Slaney. Vista pruning at 878 Main Street, Cotuit as shown on Assessor's Map 035 Parcel 078. **DA-11071**

The applicant attended the hearing.

Issues discussed:

- Continued vista pruning was proposed.
- No concerns arose for standard vista pruning.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Steven Corridan. Remove/treat invasive vegetation along coastal bank and within riverfront using glyphosate-based herbicide at 79 and 87 Seventh Ave., Hyannisport as shown on Assessor's Map 246 Parcels 150 and 149. **SE3-4950**

The applicant was represented by Matt Creighton.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- Phragmites, knotweed and other mixed invasive species were proposed for eradication.
- A treatment timeframe of up to three years was proposed.
- Native plantings were proposed.
- Hand-pulling of phragmites' rhizomes will also be conducted.
- Two years of monitoring, post-planting, was also proposed.

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

Seconded and voted unanimously.

George P. & Polyxeni T. Haseotes. Convert driveway to concrete; install walkway pavers and pergola, plant bed, lawn, two paving-stone patios, new fencing to replace old, at 773 So. Main St., Centerville as shown on Assessor's Map 185 Parcel 013. **SE3-4963**

The applicant was represented by Attorney Amy Hanson and Gary Tavares.

Issues discussed:

- The revised plan was displayed and noted as Exhibit A
- Drainage will be accommodated on the property.
- The Commission expressed concern for the provision of only a 1:1 ratio of hardscape-to-planting ratio which was proposed
- Mr. Tavares suggested they could shrink the lower patio and increase plantings to achieve a 2:1 planting mitigation ratio.

A motion was made to approve the project with special conditions. Commissioner Abodeely abstained from the vote.

Seconded and voted unanimously.

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

- | | | | | |
|----|---------|----------|----------|---|
| A. | Sherman | SE3-4293 | (coc,ez) | construct addition & enlarge deck to single-family dwelling * |
| B. | Berman | SE3-0046 | (coc,ez) | remove several boulders from Wequaquet Lake |

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

Seconded and voted unanimously.

VII OLD & NEW BUSINESS (Continued)

- A. Workshop on new shellfish habitat rating maps

The Chair welcomed Attorney Stuart Rapp, Chairman of the Barnstable Shellfish Committee, and Tom Marcotti, Town Shellfish Biologist.

The Chair outlined the requested updated shellfish rating maps, as proposed by the Shellfish Committee.

Mr. Marcotti explained the rating methodology in 2000, versus that of the present evaluation. In the 2000 effort, ratings were more or less backed into. The present evaluation has much more solid methodology, whereas the 2000 rating effort was described as a “rough exercise.”

The Commission stressed the importance of the distinction between the findings of significance from the raters, and the determination of high value by the Commission.

The Chair pointed out that the new maps are dramatically higher in shellfish ratings when compared to the previous maps.

Commissioners discussed the new higher ratings as a validation of the Commission's pier regulations.

A presentation on the present study's methodology was provided by one of the Commissioners. It brought up instances wherein ratings may be both under – and over – valuing areas under evaluation. Subtracting non-significant from significant ratings for a given reach can produce a more accurate value. Graphs of normalized rating were presented.

Retesting was offered as a possible way to produce better data. Perhaps participants should be asked to rate the areas from 1 -10.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:25 p.m.