



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

**DATE: MARCH 8, 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](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 8:30 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners Larry Morin and Louise Foster. Commissioners Peter Sampou and Scott Blazis were teaching; Commissioner John Abodeely was away. Rob Gatewood, Conservation Administrator, assisted, along with Darcy Karle, Conservation Agent.

The meeting was held in the Hearing Room, Barnstable Town Hall, 367 Main Street, 2<sup>nd</sup> Floor, Hyannis, MA.

<b><u>I</u></b>	<b><u>REVISED PLANS</u></b>	<b><u>Project Type</u></b>	<b><u>Revision</u></b>
A	Leduc SE3-4892	sfd	design change

The property owner, Robert Lamatto, attended the hearing.

Issues discussed:

- No concerns arose.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

**II**      **ENFORCEMENT ORDERS**

- A.      Joseph Garodnick – 56 Wild Goose Way, Centerville      **SE3-2119**  
 Unauthorized alteration of a bordering vegetated wetland and wetland buffer, alteration of a coastal bank and flood zone by clearing vegetation. Violation of two prior enforcement orders and an order of conditions.

Mr. Garodnick attended the hearing.

Mr. Garodnick addressed his concerns about the non-criminal citations being written for 56 Wild Goose Way. He stated that he performed cutting on property not his own, without permission from the property owner.

Ms. Karle submitted the following exhibits for review by the Commission:

- Exhibit A – Photos 1 – 14 (taken 2/7/11), showing new cutting in the marsh, stumps, and view looking out towards the water;
- Exhibit B – 2009, July aerial photo;
- Exhibit C – Plan of record for SE3-2258;
- Exhibit D – July 10, 2009 aerial photo.

A motion was made to continue the enforcement issue to April 5<sup>th</sup>, and to amend the enforcement order to read:

1. An existing condition engineering plan will be required, since cutting was done on other parcels;

2. Final approval for the planting plan will need to come from the property owner(s) affected;
3. Ms. Karle said she would give Mr. Garodnick an additional month to submit an engineering plan and a planting plan;
4. An enforcement order for the cutting violation will be issued to the property owner(s).

B. Dor-Ann Pucciatti – 75 Katherine Road, Centerville  
 Alteration of a wetland resource area by construction of a landing area on the Centerville River. Filling in a wetland and surrounding said fill with a small retaining wall.

Sean Hanarhan represented his mother, Dor-Ann Pucciatti.

Ms. Karle submitted the following exhibits to the Commission:

- Exhibit A – photo taken by Fred Stepanis, 2/8/11;
- Exhibit B – aerial photo, April, 1995;
- Exhibit C – aerial photo, April, 2001;
- Exhibit D – aerial photo, April, 2008;
- Exhibit E – aerial photo, April, 2009;
- Exhibit F – aerial photo, July, 2009.

Mr. Hanarhan displayed photos of a 1960's structure/retaining wall; he will submit copies of the photos as Exhibit G. Mr. Hanarhan admitted that older walls were completely rotted and non-existent. He reconstructed a landing area.

A motion was made to continue the enforcement issue to the April 5<sup>th</sup> meeting to allow staff to review aerials, photos, and regulations on the possibility of the retaining wall being rebuilt.

C. Hyannisport Club – Marchant's Mill Way, Hyannisport **SE3-4897**  
 Access for dredge project taken into wetland

The matter was represented by Norman Hayes, who took responsibility for the encroachment into the wetland.

A planting plan was displayed and noted as Exhibit A.

Crane mats were not thoroughly deployed, resulting in disturbances to plants and soil.

The composition of the wetland seed mix was presented as Exhibit B.

A monitoring report will be provided. A total of 16 shrubs will be provided.

A motion was made to approve the restoration plan.

Seconded and voted unanimously.

**III NON-CRIMINAL CITATIONS**

A.	Joseph Garodnick – violation of an enforcement order	\$300.00
B.	Joseph Garodnick – alteration of a wetland /cutting	\$200.00
C.	Keith W. Mckeone (contractor for Mr. Garodnick) – alteration of a wetland	\$200.00
D.	Dor-Ann Pucciatti – alteration of a wetland / fill and retaining wall	\$200.00

Noted (A – D).

**IV WRITTEN WARNINGS AND NOTICES**

A. Constantinos Kefalas – 70 Crossway Place, Osterville – dumping landscape debris, Coleman's Pond

A motion was made to approve the written warning.

Seconded and voted unanimously.

**V OLD AND NEW BUSINESS**

A. Long Pond Conservation Area Community Garden update – Donna Lawson

Donna Lawson gave an update on the gardens, and another successful year.

Ms. Lawson said that, because there were people on the waiting list, she was requesting eight more plots.

The additional “designated garden parking” has worked out well, as well as the double-yoke lock.

A motion was made to approve the additional plots.

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 9:37 a.m.**