



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

**DATE : February 28, 2012, 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](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, Scott Blazis, and Larry Morin. Commissioners John Abodeely and Louise Foster were away. Rob Gatewood, Conservation Administrator, assisted.

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

### I MINUTES FOR APPROVAL

A. February 14, 2012

A motion was made to approve the minutes.

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**Sean & Mrs. Jennifer Taylor.** Replace existing failing masonry stoop and retaining wall with new stone/masonry; replace existing concrete patios with stone patio at 339 Lakeshore Dr. West, Centerville as shown on Assessor's Map 232 Parcel 020. **DA-12015**

The applicant was represented by Michael Takach.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- The Commission asked whether a vegetative buffer would be appropriate. Mr. Takach agreed.
- The existing rough lawn is to stay in place.

A motion was to issue a negative determination, subject to consultation with staff with regard modifications to reduce the proposed hardscape.

Seconded and voted unanimously.

**Hyannisport Club, Inc.** Install advanced 9<sup>th</sup> tee box approx. 50 feet from top of coastal bank within an area of lawn at 9<sup>th</sup> Tee Box, Near First Ave., Hyannisport as shown on Assessor's Map 266 Parcel 031. **DA-12016**

The applicant was represented by Matthew Creighton.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- The proposed tee would be approximately 5' x 10'.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Richard D. Rudman, Tr., 74 Garrison Realty Trust.** Maintain board landscape retainage at beach/upland interface at 74 Garrison Ln., Osterville as shown on Assessor's Map 114 Parcel 009. **SE3-4992**

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

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- Three photos were displayed and noted as Exhibit B (1 – 3).
- The subject of the application was the as-built timber border fence. Other aspects of the as-build work are subject to a recently issued enforcement order.
- Mitigation planting is an item addressed in the enforcement order.

Ms. Wilson gave a summary of the regulatory and enforcement histories of the parcels. She said the border fence will benefit the plant communities both above and below.

A motion was made to approve the project with special conditions, subject to a revised plan showing wall elevation.

Seconded and voted unanimously.

**Jan Cook.** Construct addition to existing house at 20 Marsh Lane, Hyannis as shown on Assessor's Map 324 Parcel 122. **SE3-4990**

The applicant was represented by Stephen Wilson, P.E.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- A mitigation narrative was provided and noted as Exhibit B.
- Sufficient room exists at the site to accommodate the required 2,281 square feet of buffer planting.
- All roof run-off is to be sent to drywells.

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

Seconded and voted unanimously.

**Kevin T. & Ellen G. Van Wart.** Construct single-family dwelling with paved driveway, utilities, grading/landscaping, drainage, pool, cabana, & assoc. appurtenances at 21 Sand Point, Osterville as shown on Assessor's Map 073 Parcel 014-002. **SE3-4991**

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

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- The 50-foot buffer to the marsh remains undisturbed.
- No concerns arose.

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

Seconded and voted unanimously.

**Craig Crocker/Centerville-Osterville-Marstons Mills Water Dept.** Install new upgraded municipal water main along Wheeler Rd. in vicinity of nos. 276 through 325 (portion within Conservation Commission jurisdiction).  
**SE3-4993**

The applicant was represented by Daniel Ojala, P.E.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- The trench will be backfilled immediately, taking a couple of days work. No de-watering required.
- An NHESP sign-off is expected, as the trenching was in the paved surface within ten feet of the edge of the road.
- Extending the haybale line north and south was requested, in consultation with staff.

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

Seconded and voted unanimously.

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

- |    |                 |          |          |   |
|----|-----------------|----------|----------|---|
| A. | Babcock         | SE3-4879 | (coc,ez) | reconstruct stairs on coastal bank *    |
| B. | Balodimas       | SE3-1213 | (coc,ez) | construct single-family dwelling        |
| C. | TOB/DPW         | SE3-1212 | (coc,ez) | install lighting at Mets Baseball Field |
| D. | Nauticus Marina | SE3-1361 | (coc,ez) | construct marina on North Bay           |

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

Seconded and voted unanimously.

**V OLD & NEW BUSINESS**

- A. Proposed Conservation Restriction: Barnstable Land Trust to Town of Barnstable – 6.55 acres at Fuller’s Mill Pond, Centerville, Assessor’s map/parcel 190/046

Jaci Barton, Executive Director of the Barnstable Land Trust attended.

A photo sheet on the Fuller’s Mill Pond parcel was provided and noted as Exhibit A.

Ms. Barton provided an overview of the parcel’s attributes.

The Commission requested that access be posted.

A motion was made to endorse and hold (if so requested by the Town) a conservation restriction on approximately 6.55 acres on Fuller’s Mill Pond.

Seconded and voted unanimously.

- B. Proposed Conservation Restriction: Barnstable Land Trust to Town of Barnstable – 1.17 acres at Middle Pond, 60 Flume Avenue, Marstons Mills Assessor’s map/parcel 061/009

Jaci Barton, Executive Director of the Barnstable Land Trust attended.

The subject parcel was 1.17 acres on Middle Pond and the herring run. The parcel, if acquired, will facilitate Town access for the purpose of maintaining the herring run. The Barnstable Land Trust hopes to provide a couple of parking spots.

The Commission had already supported the pending restriction by vote at its January 29<sup>th</sup>, 2011, meeting.

C. Attorney General's letter of Feb. 9, 2012 regarding Abington Planning Board

The Chair noted the decision and concluded that, when e-mailing, the Commissioners needs to contact staff only, and not one-another. Staff will respond.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 7:53 p.m.**