



Town of Barnstable Conservation Commission

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MINUTES

CONSERVATION COMMISSION MEETING

DATE: FEBRUARY 16, 2016 @ 3:00 PM

LOCATION: TOWN HALL HEARING ROOM – 367 Main St., Hyannis, MA 02601

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 3:00 p.m. by Chairman F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle and Commissioners Peter Sampou, Larry Morin, and Louise R. Foster. Commissioners John Abodeely and Scott Blazis were away.

Conservation Administrator Darcy Karle assisted, along with Martin Wunderly, Conservation Agent.

3:00 PM AGENDA

I CERTIFICATES OF COMPLIANCE

(coc = Certificate of compliance) (d = staff recommends denial)

A. Benedetto SE3-5177 (coc,ez) bank stairs & dock *

A motion was made to approve the certificate.

Seconded and voted unanimously.

II REVISED PLANS

Project type:

Revision:

A. Wallace SE3-4678 sfd size of patio; mitigation

The applicant was represented by Matthew Creighton, P.W.S. of BSC Group.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Kariotis SE3-4366 sfd additional deck

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

Issues discussed:

- The applicant must work with staff on planting a variety of plants.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C. Callas SE3-5300 float dolphin tie-up piles

The applicant was represented by John C. O’Dea, P.E. and Atty. John Kenny.

Issues discussed:

- Vessels were approved under orders of conditions;
- Missing measurement between proposed piles and existing piles.

A motion was made to approve the revised plan with the addition of the missing measurement noted and initialed on original site plans.

Seconded and voted unanimously.

III EXTENSION REQUESTS **Project type:** **Time requested:**

A. TOB/MEA SE3-4129 Phragmites 2nd Request; 3 years

Thea applicant was represented by Nina Coleman, Sandy Neck Park Manager.

Issues discussed:

- The Commission was comfortable with the maintenance treatment of phragmites and other invasive plants to continue under ongoing conditions in a future certificate of compliance request.

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

Seconded and voted unanimously.

IV ENFORCEMENT ORDERS

A. Craig H. Condinho Trust - 472 South Main St., Centerville
Adding fill to a wetland buffer zone (100-foot area) of a resource area (wooded swamp).

Exhibit A – GIS aerial of wetland buffer at 472 South Main St., Centerville, 2014

Exhibit B – Agent photos of fill dirt in wetland buffer zone 12/23/2015

Exhibit C – Agent photos of removed fill and erosion control 1/20/2016

Mr. Wunderly advised that the property owner be ordered to do the following:

1. Remove the illegal fill from the wetland buffer area to a slope that matches the nearby grade on either side of the impacted area;
2. Install erosion-control burlap mesh or straw ground cover by 4/15/2016; allow impacted slope area to regrow from remaining nearby vegetation

A motion was made to approve the enforcement order.

Seconded and voted unanimously.

B. Paul Mazzola – 644 River Rd., Marstons Mills
Alteration of the 100' undisturbed buffer from a wetland (cranberry bog) by constructing a shed structure.

Exhibit A – GIS aerial of wetland buffer at 644 River Rd., August, 2015

Exhibit B – Agent photo of shed placed in buffer, 12/30/2015.

Mr. Wunderly advised that the property owner be ordered to do the following:

1. Submit sketch plans to the Conservation Commission for review by May 18th, 2016, to seek approval of the shed construction in the 100' buffer zone, or;
2. Restore buffer area to its original condition by removing the shed from the 100' buffer zone by May 1, 2016.

A motion was made to approve the enforcement order.

Seconded and voted unanimously.

V OLD & NEW BUSINESS

A. Cape Cotuit Center LLC, conservation restriction

Attorney Michael Ford gave the Commission an overview of the conservation restriction.

It appeared that either the vote was never taken by the Commission, or the matter was never brought before Commission in 2005 or 2006.

Under this conservation restriction, 22.2 acres are set aside and will need to be managed by Conservation staff under a revised land management budget.

A motion was made to accept the conservation restriction of 22.2 acres, to be managed by the Conservation Commission, and acceptance of the grant of the conservation restriction to the Barnstable Conservation Commission by the Cape Cotuit Center LLC.

Seconded and voted unanimously.

4:30 PM AGENDA

VI REQUESTS FOR DETERMINATION

None

VII NOTICES OF INTENT

Mass Audubon. Replace worn boardwalk along rail at Great Marsh Sanctuary with 45' x 4' boardwalk at 2452 Main St., Barnstable as shown on Assessor's Map 238 Parcel 005-002. **SE3-5365**

The applicant was represented by Ian Ives, representative of Mass Audubon.

Issues discussed:

- Suggestion of a railing to be added to boardwalk;
- Best type of decking material: Thruflow or wood decking;
- Commission most in favor of using wood decking.

A motion was made to approve the project with standard and special conditions, stipulating that applicant to note on plan that wood decking to be used instead of Thruflow panels.

Seconded and voted unanimously.

John & Karen Seal. Construct 18' x 36' pool with patio; fencing; remove diseased pine trees and replace with new trees; re-landscape; minor grading at 355 Bridge St., Osterville as shown on Assessor's Map 058 Parcel 003. **SE3-_____**
\$34.76

The applicant was represented by Danny Gonsalves of Down Cape Engineering, Inc.

Issues discussed:

- Location of trees to be removed and replaced;
- Request to use sod instead of seeding lawn in the 50 – 100-foot buffer;
- Irrigation currently exists.

A motion was made to approve the project with standard and special conditions to include: all tree removal and replacement trees to be located in the 50 – 100-foot buffer, as well as the use of fescue sod.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 4:50 p.m.

UP-COMING MEETINGS:

Month	6:30 P. M.	3:00 PM
February	23	
March	8, 22	15
April	5, 19	12