



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

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

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: MARCH 21, 2017 @ 6:30 PM

LOCATION: Town Hall Hearing Room, 367 Main Street 2ND Fl., Hyannis, MA

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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, and Clerk Dennis R. Houle, and Commissioners Peter Sampou and Larry Morin. Commissioners John E. Abodeely and Scott Blazis were away.

Darcy Karle, Conservation Administrator, assisted.

I OLD & NEW BUSINESS

- A. Barnstable Land Trust (BLT) requesting Commission support of an application to the Community Preservation Committee, requesting funds to help purchase property, 3.47 acres, located at #0 Church Street, Map 176 Parcel 006, West Barnstable with a commitment from Commission to hold the conservation restriction.

The matter was presented by Mark Robinson Executive Director of the Compact Cape Cod Conservation Trust and Janet Milkman, Executive Director of the Barnstable Land Trust.

Mr. Robinson gave an overview of the application and location of the 3.47 acre parcel.

The Commission was in favor of holding the conservation restriction.

A motion was made to support the application with a commitment to hold the conservation restriction.

Seconded and voted unanimously.

II REQUEST FOR DETERMINATION

Michael F. Schulz, Trustee of 994 Main Street Realty Trust. Seeks approval for vista pruning of crabapple and maple tree within 50' of coastal bank, and pre-existing rinse station and enclosure; install 6' privacy fence along common boundary line and remove small bush during installation; erect flagpole at 994 Main St., Cotuit as shown on Assessor's Map 034 Parcel 036.
DA-17010

The applicant attended.

Exhibits:

- A – Packet of photos and emails
- B – Email (3 pages) dated 3/21/17 from Rebecca Hallissy
- C – Copies of abutter notification and green card
- D – Letter dated 8/22/16 from Mr. Schulz to Ms. Hallissy
- E – Sothebys' photo from listing agent

- Enforcement issues still needing to be addressed at this location: gravel over bank; unpermitted iron fencing; missing 4-foot-wide buffer zone strip – requirement under prior filing SE3-1688;
- Concern with direction of surface run-off;
- Concern with request for additional pruning while there exists a wide/expansive view from front of structure;
- Did documentation support the idea that the shower pad was not additional hardscape?
- Abutters claim they were not notified; Atty. Schulz submitted letter and green card (Exhibit C) as proof that the abutter notification had been sent;
- Lack of drainage in rinse station;
- Proposed flag pole not indicated on plan;
- Required mitigation planting would need to be indicated on same plan as the required buffer strip from a prior filing;
- With full information and site visits made, the Commission felt that the request should come in as a notice of intent.

Correspondence: Memo (undated) from Mofford Concrete Construction, Inc.; Emails from Rebecca Halissy dated 3/6/17, 3/8/17, and 3/11/17.

Public comment: Steve Gioiosa if SITEC, representing the Hallissys regarding Sotheby's property listing and photo referencing the 3/11/17 email from Ms. Hallissy. He was concerned with the lack of information given in the request for determination of applicability (RDA).

Conservation staff was requested to address the gravel, iron fencing, and required buffer strip from the prior filing under an enforcement order.

Atty. Schulz agreed to withdraw the RDA and file a notice of intent application (NOI) with required mitigation.

A motion was made to accept the withdrawal of the RDA, and to require the applicant to file an NOI within 90 days of the hearing.

Seconded and voted unanimously.

Joshua M. & Claire Nee Nelson. Retaining wall along property line; replacement of basement access ramp with a bulkhead at 150 West St., Osterville as shown on Assessor's Map 139 Parcel 092. **DA-17011**

The applicant was represented by Charles (Chuck) Rowland, P.E. of Sullivan Engineering & Consulting, Inc.

Issues discussed:

- Drainage for the wall

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Barnstable Land Trust. Preserve habitat and prevent development of swampland by ensuring continuous free flow of water by unblocking northern-most culvert; clear ditch on mid-west side of middle bog; remove young pines and poison ivy from middle bog to allow growth of native shrubs; open ditch crossing south bog; preserve footpath surrounding bog, esp. on southeast side by reinforcing path with wood chips and brush; remove/burn material generated by this project on west side of property between north and middle bogs. Project address: 0 Fox Hill Rd., Centerville as shown on Assessor's Map 190 Parcel 046. **DA-17012**

The applicant was represented by Red Bansfield of the Barnstable Land Trust.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Bartlett Tree Experts/Indian Ponds Association. Remove invasive gray willow along the waterfront on Mystic Lake, Middle Pond and Hamblin Pond by cutting, leaving 6” – 12” stumps which will be painted with Rodeo™ herbicide; cuttings to be removed by land. The project to take place at: at 40 Lauren Drive, 310 Hollidge Hill Ln., 38 Flume Ave., 775 Route 149, 340 Hollidge Hill Ln., 0 Mystic Dr., 995 Route 149, 371 Wheeler Rd., 60 Indian Pond Pt., 52 Halletts Ln., 112 Mystic Dr., 256 Mystic Dr., Marstons Mills as shown on Assessor’s Map/Parcel (Various). **DA-17013**

The applicants were represented by Steve Heywood of Bartlett Tree Experts, and Emory Anderson of Indian Pond Association.

Issues discussed:

- Project falls into Natural Heritage & Endangered Species Program (NHESP) habitat;
- Sprouts may be maintained under this filing and by Bartlett Tree Experts.

Correspondence: Letter from NHESP dated 3/20/17.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/D.P.W. Install single post 20’ x 20’ shade canopy 8 feet high on Craigville Beach approximately 200 feet from the high tide mark; shade fabric to be installed and removed seasonally at 997 Craigville Beach Rd., Centerville as shown on Assessor’s Map 206 Parcel 013. **DA-17014**

[This application and the following were heard simultaneously]

Town of Barnstable/D.P.W. Install single post 20’ x 20’ shade canopy 8’ high on Dowses Beach; shade fabric to be installed and removed seasonally at 348 East Bay Rd., Osterville as shown on Assessor’s Map 163 Parcel 013. **DA-17015**

The applicant (for both projects) was represented by Chris Gonella of the Town’s DPW.

No concerns arose.

A motion was made to issue a negative determination for each project.

Seconded and voted unanimously.

III NOTICES OF INTENT

Martin A. Glazer & Alan W. Rottenberg, Trs., The Greatview Nominee Trust. Replace existing stairs down coastal bank at 11 Cove Ln., Osterville as shown on Assessor’s Map 052 Parcel 008. **SE3-5458**

The applicants were represented by Chuck Rowland, P.E.

Issues discussed:

- Enforcement issues that will need to be addressed by the Conservation agent under a prior filing, DA-08023. Lack of planting at the top of the bank and the topping of trees outside of the vista corridor.
- Proposed lights on stairs.

A motion was made to approve the project with special conditions, subject to: a) receipt of a revised plan showing helical piles and detail of lights on stairs, following light standards found in pier and dock guidelines, or in consultation with staff; b) no cutting or vista pruning on bank until enforcement issue is addressed and property is brought back into compliance.

Seconded and voted unanimously.

Joanne Smith. Demolish carport; construct attached garage; bulkhead; foundation work; pergola over existing deck; raze/construct new roof; exterior renovations. Site work to include: bluestone steppers, new driveway; remove invasives; mitigation plantings at 119 Breakwater Shores Dr., Hyannis as shown on Assessor’s Map 306 Parcel 154. **SE3-_____**

The applicant was represented by Danny Gonsalves of Down Cape Engineering, and Andrew Garulay of Yarmouth Port Design.

Issues discussed:

- Possibility of removing second set of existing stairs and planting the path;
- Possibility of removing some of the existing patio and extending mitigation at top of bank over to the east;
- Discussion of planting protocol to reduce the chance of mulch going over the rock sea wall;
- Dimensions should be identified on the plan.

A motion was made to approve the project with special conditions, subject to the receipt of a revised plan showing: a) dimensions; b) removal of one set of stairs; c) mitigation planting across top of wall, leaving a 4-foot path to stairs; and, c) removal of a portion of the patio.

Seconded and voted unanimously.

Kevin & Cynthia Kett. Raze existing 4-bedroom dwelling; construct new 4-bedroom floodzone-compliant dwelling within same general area; new Title-5 septic system; construct retaining wall; fill and regrade at 61 Great Bay Rd., Osterville as shown on Assessor's Map 093 Parcel 008. **SE3-_____**

The applicant was represented by Danny Gonsalves.

Issues discussed:

- Project is only in the flood zone;
- Suggestion by the Chair to pitch the driveway to reduce drainage from flowing into the road;

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

Seconded and voted unanimously.

IV CONTINUANCES

Carlo A. & Hillary H. Von Schroeter, Trs., Von Schroeter Family Trust. Modify existing pier by adding 3'; replacing ramp with 3' x 30' ramp; repositioning float, and dredging in North Bay, Osterville as shown on Assessor's Map 093 Parcels 073 & 079. **SE3-5455**

A request for a continuance to September 5th was received via email.

A motion was made to continue the project to 9/5/2017.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE

- | | | | | |
|----|-----------|----------|----------|---|
| A. | Callas | SE3-5300 | (coc,ez) | Relocate & expand approved float; add two dolphin piles * |
| | | | | at 300 Smoke Valley Road, Osterville – Marstons Mills River |
| B. | K Hyannis | SE3-5121 | (coc,ez) | Renovations of Fairfield Inn & Suites * |
| | | | | at 867 Route 132, Hyannis – a Fresh Hole Pond |

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

Seconded and voted unanimously.

VI MINUTES FOR APPROVAL

A. March 7, 2017

A motion was made to approve the minutes.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:21 p.m.