



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION HEARING

DATE: May 15, 2018 @ 6:30 PM

LOCATION: Town Hall Hearing Room, 367 Main Street 2<sup>nd</sup> 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](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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners John E. Abodeely, Peter Sampou, Scott Blazis, and Larry Morin.

Conservation Administrator, Darcy Karle, assisted.

### I OLD & NEW BUSINESS

- A. Further review of Conservation restriction for purchase of land by the Barnstable Land Trust (BLT) of 2.2 acres at 3600 Rte. 28

Janet Milkman, Director of the Barnstable Land Trust, attended the meeting.

Issues discussed:

- Revision to document regarding technical changes and reformatting, only
- Town will be placing a separate easement document to reserve the right for the possible placement of Mill Pond dredge spoils

A motion was made to continue to support the conservation restriction at this parcel and authorize the Chair to send a letter of support.

Seconded and voted unanimously.

### II REQUESTS FOR DETERMINATION

**S. Alex Mitsialis & Stella Kourembanas.** Repair or replace existing 42' 2<sup>nd</sup> floor deck within footprint of existing deck at 150 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 079. **DA-18018**

Ms. Kourembanas, applicant, attended the hearing.

Issues discussed:

- Deck existed back in 1979
- Sonatubes will remain

A motion was made to approve a negative determination.

Seconded and voted unanimously.

**Blue Stream Properties, LLC.** Install five solar canopies over one of the raceways at trout farm (land in aquacultural use) at 2231 Meetinghouse Way, W. Barnstable as shown on Assessor's Map 155 Parcel 001. **DA-18019**

The co-owner and manager of the property attended the hearing.

Issues discussed:

- No trees will need to be removed
- Being filed under an aquacultural exemption

A motion was made to approve a negative determination.

Seconded and voted unanimously.

**Sunset Lane LLC.** Construct screen porch; remove small deck; add 8' x 36' one-story addition (street-side); build 4' x 10' enclosure between house and garage at 155 Sunset Ln., Barnstable as shown on Assessor's Map 319 Parcel 025. **DA-18020**

The applicant was represented by Neil Curren.

Issues discussed:

- Neil discussed compliance issues that Ms. Karle noticed during a site visit
- They will be replanting area damaged by winter storms. Plantings were originally required under an enforcement order. They will work with Enforcement Agent Martin Wunderly and switch out some of the grasses. Plantings required monitoring reports.
- Drywells or drip gravel trenches will be installed to handle roof run-off for the whole structure. They will have an engineer address this item. There is washout from drainage pipe near the revetment.
- There appears to be an existing sprinkler system. Perhaps that could remain in place until plantings take hold.
- They will install lawn where the deck is, and blue stone under the deck will be removed
- Engineering plan should indicate the required plantings under the enforcement order.
- Discussion ensued as to whether mitigation was necessary.

A motion was made to issue a negative determination subject to receipt of a revised plan indicating that this is a town coastal bank, indicating the planting area from a prior enforcement order, and indicating drywell or drip gravel trenches on plan.

Seconded and voted unanimously.

**Hyannis Yacht Club.** Install temporary boat ramp 10' wide by 100' long for launching small boats, leading from parking lot lower level to the high water mark at 480 Ocean St., Hyannis as shown on Assessor's Map 324 Parcel 038. **DA-18021**

The applicant was represented by Greg Deegan, Commodore.

Issues discussed:

- Temporary ramp material is pervious. No increase in run-off.
- Town supports proposed ramp. Prior meeting was held with Andy Clyburn and Patti Machado
- A condition should be added to place a sign stating the public is welcome to use ramp for hand-launching vessels.
- No vehicles will be used on the temporary ramp

A motion was made to approve a negative determination with the condition that a sign will be installed stating that the public is welcome to use the ramp for hand-launching of vessels.

Seconded and voted unanimously.

**Daniel A. & Wendy J. Kraft.** Install living fence (preferably cypress or juniper) along portion of westerly lot line at 98 Tracey Rd., Cotuit as shown on Assessor's Map 004 Parcel 005. **DA-18022**

The applicant was represented by Arlene Wilson, P.W.S. of A. M. Wilson Associates, Inc.

Issues discussed:

- Revised plan dated 5/8/18 was being reviewed
- Leyland cypress trees cultivar (narrow). Stems will be planted 5' off the property line.
- One blue Prince Holly at northwest of house will likely require removal to allow for access.

Correspondence: Email from Joanna Piantes dated May 13, 2018; Email from Geraldine Branca, dated May 14, 2018.

A motion was made to approve a negative determination.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Oliver Berrett & Lisa Rudolph.** Permit existing freshwater dock and boardwalk and repairs to structure; implement wetland buffer zone land management and restoration plan, at 521 Bumps River Rd., Osterville as shown on Assessor's Map 143 Parcel 039. **SE3-\_\_\_\_\_**  
Request for continuance to 5/29/18

Issues discussed:

- Request for continuance via Email from Matthew Eddy, P.E. dated May 11, 2018, to meet with Town Surveyor regarding the location of the end of the structure and abutting Town property.

A motion was made to continue to May 29<sup>th</sup> with no testimony.

Seconded and voted unanimously.

### **IV CONTINUANCES**

**Gene E. & Susan H. Guill.** Construct detached garage with in-ground pool and associated vegetative mitigation at 3118 Main St., Barnstable as shown on Assessor's Map 300 Parcel 002. **SE3-5549**  
WITHDRAWN

- During a site visit by staff and Commissioners, it was noticed that wetlands were being mowed. Conservation staff will need to address this issue, despite the fact that the project was withdrawn.

**Nancy B. Samiljan, Assembly Required LLC.** Construct elevated walkway and dock; remove existing walkway and dock at: Lot 2 (formerly 30 & 34 Gardiner Ln.) and 110 East Bay Rd., Osterville, as shown on Assessor's Map 141 Parcel 123-001 (110 E. Bay), Map 141 Parcel 123-002 (30 Gardiner), & Map 141 Parcel 104-005 (34 Gardiner). **SE3-5566**  
Continued for NHESP only

Issues discussed:

- Quorum of everyone except John Abodeely.
- The project was continued for the receipt and review of a letter from NHESP;
- The NHESP letter dated May 14, 2018 was received, indicating that there would be "no take."

A motion was made to close the public hearing and have staff issue the order of conditions within twenty-one days.

Seconded and voted unanimously.

**Emanuel & Andrea Alves, Trs., Emanuel and Andrea Living Trust.** Demolish garage; construct addition in area of existing garage; construct sunroom and deck in place of existing sunroom and deck; construct separate garage at 1359 Falmouth Rd., Centerville as shown on Assessor's Map 229 Parcel 086. **SE3-5567**  
Continued for NHESP only

Issues discussed:

- Letter has not yet been received from NHESP
- Quorum of everyone except John Abodeely.

A motion was made to continue the project to May 29<sup>th</sup> to further await receipt of the NHESP letter.

Seconded and voted unanimously.

**V CERTIFICATES OF COMPLIANCE**

- |    |        |   |           |  |
|----|--------|---|-----------|--|
| A. | Reeves | SE3-5360<br>25 East Avenue, Osterville    | (coc, ez) | construct single family dwelling (not done)<br>Flood zone in Crystal Lake area |
| B. | Grant  | SE3-5235<br>524 Wianno Avenue, Osterville | (coc, ez) | raze & construct single family dwelling<br>Phinneys Bay – East Bay             |

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

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 7:09 p.m.**