



**Town of Barnstable  
Conservation Commission**  
200 Main Street  
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: [conservation@town.barnstable.ma.us](mailto:conservation@town.barnstable.ma.us)

FAX: 508-778-2412

**MINUTES – CONSERVATION COMMISSION MEETING**

**DATE: August 7, 2018 @ 6:30 PM**

**LOCATION: 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, Larry Morin, and George Gillmore.

Conservation Administrator, Darcy Karle, assisted.

**I OLD & NEW BUSINESS**

A. Annual Election of Officers

A motion was made to continue with the current Conservation Commission officers in their current positions for another year:

- Fat Piu (Tom) Lee – Chair
- Louise R. Foster – Vice-Chair
- Dennis R. Houle – Clerk

Seconded and approved unanimously.

**II NOTICES OF INTENT**

**John J. Finn.** Permit and maintain pond access stairs and bench; permit and maintain seasonal dock with platform; vegetative management at 254 Long Pond Rd., Marstons Mills as shown on Assessor's Map 029 Parcel 003. **SE3-5594**

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

Exhibit A – Color photos referenced in email from Arlene Wilson dated 8/3/18

Issues discussed:

- Stairs are an “after-the-fact” and the request for the dock is a new request.
- Ms. Wilson addressed the concerns raised from staff comments.
- Concern was raised regarding bare areas along both side of stairs and the desire to plant with grass instead of shrubs.
- Ms. Wilson stated they would be willing to add additional shrubs in consultation with staff.
- Request for wildflowers to be added on bank.

A motion was made to approve the project subject to receipt of a revised plan allowing a two-foot clearance around the bench, only; otherwise the other existing space around the stairs and bench is to be planted with additional native

woody and herbaceous vegetation in consultation with staff. When stairs need to be reconstructed, the middle section of the stairway must be brought into compliance according to standard guidelines.

Seconded and approved unanimously.

**William Kanarick.** Install outdoor hot tub and associated drywell for seasonal shutdown-and- maintenance draining at 571 South Main St., Centerville as shown on Assessor’s Map 186 Parcel 078. **SE3-5595**

The applicant was represented by Brad Brattola on behalf of Ed Pesce Engineering.

Exhibits:

- A – Revised plan dated 8/3/18 with cover letter dated 8/4/18
- B – Photos submitted by staff

Issues discussed:

- Request to have mitigation moved to top of bank.
- Planting pallet should be provided originally with the NOI application.
- Steps added off of a slider without a permit.
- Placement where additional mitigation for steps should be located
- Steps should be located on a revised plan.
- Concern raised that the property is not staked.

A motion was made to continue the project to 8/21/18.

Seconded and voted unanimously

**Tim & Mary Ball.** Install seasonal removable dock on Lake Wequaquet at 379 Lakeside Drive West, Centerville as shown on Assessor’s Map 232 Parcel 048. **SE3-\_\_\_\_\_**

Correspondence – Email dated 8/7/18 requesting a continuance to August 21<sup>st</sup>.

A motion was made to continue the project to August 21<sup>st</sup>.

Seconded and voted unanimously. No testimony was taken.

### **III REQUEST FOR AMENDED ORDER**

**Virginia & Ryan McCourt.** To amend Order of Conditions **SE3-5578** (stabilize/repair existing seawall) to include approval of an installed 37-ft. fire pit on lawn within the 50-ft. buffer zone of the Centerville River at 206 Long Beach Rd., Centerville as shown on Assessor’s Map 206 Parcel 001.

The applicant was represented by Kieran Healy of BSC Group.

Issues discussed:

- Request to have mitigation spread out, placing new mitigation plantings between areas indicated as “planted/mulch area” to help provide a buffer along the sea wall.

A motion was made to approve the project subject to a revised plan showing the three-foot-wide planting area buffer strip spread out along the stone wall between the two “planted /mulch areas.” Mitigation should be 3 -5-gal. container size.

Seconded and voted unanimously

### **IV CONTINUANCES**

**Louis N. & Zacharie H. Vinios.** Repair or replace existing stone revetment and groin, and nourish beach at 47 Sea View Ave., Osterville as shown on Assessor’s Map 162 Parcel 025. **SE3-\_\_\_\_\_**

(Continued for NHESP only)

A quorum was present.

An email dated 8/7/18 was received from Sullivan Engineering requesting a continuance to August 21<sup>st</sup>, as NHESP comments had not yet been received.

A motion was made to approve a continuance for NHESP comments only.

Seconded and voted unanimously

**Catherine Laurent/Town of Mashpee/DPW.** Replace existing culvert and associated retaining walls with new open-bottom structure to restore stream continuity and improve fish passage; roadway improvements to address pavement condition and implement stormwater management system to improve infrastructure at 213-299 Sampsons Mill Rd. (Santuit River), Mashpee. **Road drainage improvements on Barnstable side, Old King's Road. SE3-5589**

The applicant was represented by Amanda Houle of Tighe and Bond, and Dale Saad, PhD of Barnstable DPW.

Issues discussed:

- A majority of this project falls within the Town of Mashpee.
- Only two catch basins fall within the Town of Barnstable

Correspondence read: Emails between both Town departments and consultants; letter from MA Division of Marine Fisheries dated 8/7/18.

A motion was made to establish a finding, stating that the proposed culvert is in Mashpee and this is covered exclusively by an order of conditions approved by the Mashpee Conservation Commission under SE3-432970 and what is before the Commission tonight is only stormwater improvements and road surface improvements on the Barnstable side of the bridge.

Seconded and voted unanimously

A motion was made to approve the project based on the above finding and the evidence provided.

Seconded and voted unanimously

**James Pinho.** Construct additions to a single-family home, including new garage, link, decks, and relocation of existing rinse station; existing structures and impervious surfaces are to be removed at 65 Short Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 105. **SE3-5576**

The applicant was represented by Kieron Healy of BSC Group.

Issues discussed:

- Concern raised that this project was not properly staked; mitigation areas should be shown.
- Location of selected plants should be indicated on a planting plan.
- Additional information needed on proposed location of enhanced mitigation being offered by homeowner.
- Dimensions of buffer strips to be planted, and measurement off of house should be indicated on a revised plan.
- Larger plant size, i.e., 3-5 gallon
- Three-year annual reports should be required in the Order of Conditions.

A motion was made to approve a continuance to 8/21/18.

Seconded and voted unanimously

**Joseph R. Jenkins, Tr., South Bluff Realty Trust of 1997.** Continued bank management to include existing pollarding with proposed coppicing, leader management and native plantings for increased density and height diversification at 195 Seapuit River Rd., Osterville as shown on Assessor's Map 070 Parcel 015. **SE3-5570**

The applicant was represented by Michael Eagan, John O'Dea, P.E., and Attorney Liza Cox.

Exhibits:

A – Including, a letter from Bartlett Tree Experts dated 8/1/2018, photos with tree representation grow-back and list of trees submitted via email.

B – Revised plan dated 7/31/18.

Issues discussed:

- Concern raised in statement made in Bartlett letter regarding “pollarding causing disfigured trees;” does it mean that when the Commission does allow pollarding are we disfiguring the trees?
- Concern with 1<sup>st</sup> and 3<sup>rd</sup> vista corridors (looking right to left) have been widened, placing 5 trees within the vista.
- Concern 101 and 102 should be listed as naturalized through structural pruning. John O'Dea said it was a mistake on the list and should be corrected
- Concern raised that only approximately 38.8% along this bank will be allowed to naturalize versus about 61% vista- managed
- Concern raised that there will be a possible lack of habitat diversity in this managed vista area.
- Concern raised that the view corridor is not indicated as cone-shaped. They are combining 6 or 7 vistas into 4 requested corridors. This is a substantial change than what the Commission usually approves.
- Request that at least the 3<sup>rd</sup> corridor go back to the original size/shape requested.
- Question raised on the need for vista corridor #4.
- Possibility of allowing 48, 49, 50, 51, 60 taken out of the vista and allow them to be naturalized.
- Applicant's counter offer made, taking 31, 28, 29, 30, 27 out of the vista and allow those trees to be under naturalized pruning.
- Annual reports should be required.

A motion was made to approve the project subject to a revised plan and list, moving the line east on vista #3, which would take #27, #28, #29, #30, and #31, out of the vista corridor; these trees will be managed through structural pruning to become naturalized. Also, a condition to require three-years of annual monitoring reports.

Seconded and voted: 6 votes = Aye; 1 vote = Nay. The motion carried.

**V CERTIFICATES OF COMPLIANCE** (ez = no deviations, staff recommends approval)

- |    |                |                               |           |                            |
|----|----------------|-------------------------------|-----------|----------------------------|
| A. | North Bay R.T. | SE3-4930                      | (coc, ez) | maintenance dredging       |
|    |                | 138 Bridge Street, Osterville |           | North Bay                  |
| B. | Callahan       | SE3-4999                      | (coc, ez) | emergency revetment repair |
|    |                | 138 Bridge Street, Osterville |           | North Bay                  |

Commissioner Gillmore recused himself when voting on Certificates A and B.

A motion was made to approve Certificates A and B.

Seconded and voted unanimously

- |    |                 |                            |           |                                 |
|----|-----------------|----------------------------|-----------|---------------------------------|
| C. | Akro Associates | SE3-5124                   | (coc, ez) | Raze & construct sfd (not done) |
|    |                 | 160 Tern Lane, Centerville |           | Wequaquet Lake                  |

A motion was made to approve Certificate C.

Seconded and voted unanimously

---

AG080718

**VI MINUTES**

A. 7/17/18

A motion was made to approve the minutes, as amended.

Seconded and voted unanimously

**A motion was made to adjourn.**

**Seconded and voted unanimously**

**The time was 8:35 p.m.**