



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION HEARING

DATE: FEBRUARY 18, 2020 6:30 PM

LOCATION: James H. Crocker Jr. Hearing Room, 367 Main Street 2nd Fl., Hyannis, MA

This meeting of the Barnstable Conservation Commission is being recorded and transmitted by the Information Technology Department of the Town of Barnstable on Channel 18. Under MGL Chapter 30A Section 20, anyone else desiring to make such a recording or transmission must notify the Chair.

The meeting was called to order at 6:30 p.m. by Chair F.P. Tom Lee. Also in attendance were: Vice Chair Louise R. Foster and Clerk Dennis Houle with Commissioners Pete Sampou, Larry Morin, and George Gillmore. Commissioner John Abodeely was not present.

Conservation Administrator, Darcy Karle, was present along with administrative assistant, Grayce Rogers.

I REQUESTS FOR DETERMINATION

Nathan Coelen. Replace existing lawn area with swimming pool at 469 Main Street, Centerville as shown on Assessor's Map 208 Parcel 085 002. **DA-20004.**

- Revised plan being reviewed 2/17/2020

The applicant was represented by Marcos Silva with Quality Pools of Cape Cod Inc.

Issues Discussed:

- There was a question from the Commission about whether or not trees would be involved in this project.
- There was a question about page 2 of the application regarding the map number.
- The location of the wetland was confirmed.

There was no public comment.

There was a motion made to approve for a negative determination.

The motion was seconded and voted unanimously.

Town of Barnstable/DPW. Routine maintenance work, including new asphalt, guardrails, structural repairs to the underneath and top of the bridge deck and timber piling protection system at the Bumps River Bridge, off of South Main Street, at the Osterville/Centerville line. **DA-20005.**

The applicant was represented by Jose Pichardo of Green Seal Environmental with Paul Graves Town of Barnstable Department of Public Works.

Correspondence was received and read into record:

February 3, 2020 – Letter from the Massachusetts Department of Environmental Protection

Issues Discussed:

- There was a question raised about whether or not the bridge will be able to be used while it is worked on.

- There was a follow up question about when the work will be completed.
- There was a discussion about whether or not potential parking spots would be included on the work of the bridge. However, it was determined that it would not be safe to park at the bridge.
- There was a question about how the project, specifically the jacket pilings, will be executed with the surrounding water.

There was no public comment.

There was a motion made to approve as a negative determination.
The motion was seconded and voted unanimously.

Juan Marichal. Proposed septic system upgrade including removal of existing septic tank at 504 South Main Street, Centerville as shown on Assessor's Map 206 Parcel 061. **DA-20006.**

- Revised plan being reviewed 2/14/2020

The applicant was represented by Peter McEntee, P.E., of Engineering Works, Inc.

Issues Discussed:

- There was a question about when the project will go before the Board of Health.

There was no public comment.

There was a motion made to approve as a negative determination.
The motion was seconded and voted unanimously.

II NOTICES OF INTENT

Red Lily Pond Project Association, Inc. The proposed project consists of a vegetation management plan and includes the pruning and thinning of native vegetation as well as the removal of non-native invasive plant species at 160 Lake Elizabeth Drive, Centerville as shown on Assessor's Map 226 Parcel 137. **SE3-5762 Continuance Request until 3/3/20.**

Correspondence was received and read into record:
February 18, 2020- Electronic Mail from Cameron Larson

There was a motion to approve a continuance to March 3, 2020 no testimony taken.
The motion was seconded and voted unanimously.

Christian Camp Meeting Association. The proposed vegetation management plan involves vista pruning, removal of invasive plants, thinning of trees, and girdling of trees to enhance wildlife habitat value at 932 Craigville Beach Road and 39 Prospect Street, Centerville as shown on Assessor's Map 226 Parcel 009 and Parcel 183. **SE3-5763 Continuance Request until 3/3/20.**

Correspondence was read into record:
February 18, 2020- Electronic Mail from Cameron Larson

There was a motion to approve a continuance to March 3, 2020 no testimony taken.
The motion was seconded and voted unanimously.

941 Sea View, LLC. Proposed replacement of the existing beach shelter at 941 Sea View Avenue, Osterville as shown on Assessor's Map 090 Parcel 006. **SE3-5764.**

The applicant was represented by Chuck Rowland, P.E. of Sullivan Engineering & Consulting with Dan Gordon of Landscape Architects.

Issues Discussed:

- There was a concern raised from the Commission about the proposed structure potentially having a negative impact on the dune.

- The Commission acknowledged that historically there has been a structure in the proposed location.
- It was noted that the proposed structure is located in a velocity zone.
- There was a comment from the Commission about alterations to be made to the structure to limit dune coverage.
- A question was posed about a maintenance plan.
- There was a concern about the alteration of the function of the structure and its impact on the resource. It was noted that the proposed project appears to be expanding beyond the historical functionality and footprint of the existing structure. .
- There was a question about how the platform area will compare to the existing.
- There was discussion regarding a previous project similar to the proposed project.
- A concern was brought forth about the elevations of the proposed structure in comparison to the existing structure.
- It was proposed that the retaining system on the platform be one that has less of a visual impact than the proposed design.

There was no public comment.

There was a motion made to approve a continuance to March 3, 2020.
The motion was seconded and voted unanimously.

III AMENDED ORDERS

J. Paul III and Susan Condryn. To amend the Order of Conditions SE3-5254 to eliminate Special Condition 6 (certificate of occupancy) and 14 (time of year) for approved pier construction at 270 Smoke Valley Road, Marstons Mills as shown on Assessor's Map 097 Parcel 001-001.

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

Issues Discussed:

- It was confirmed that the Commission did not vote for a time of year restriction.
- There was a question about whether or not the applicant had obtained both a Chapter 91 license and an Army Corps license. The Commission followed up with discussion regarding a hesitation in granting a waiver without the licenses.

There was public comment.

There was a motion to grant a waiver to special condition #14, Time of Year Restriction, and remove it from the Order of Conditions. As for special condition #6, the commission invites the applicant to return once they have their Army Corps and Chapter 91 licenses.

The motion was seconded and voted upon unanimously.

IV CONTINUANCES

Josh Garvey. Raze and replace existing family home at 111 George Street, Barnstable as shown on Assessor's Map 319 Parcel 052. **SE3-5704** Continued from 12/17/19. Final continuance.

The applicant was represented by Matthew Creighton, PWS, with BSC Group with Erik R. Tolley of ERT Architects.

Issues Discussed:

- A question was asked about whether or not the applicant had gone to the historic board.
- There was a concern raised about the proposed fire pit in its relation to the coastal bank as well as the volume of relative activity.
- There were questions and discussion about the elevations of the dwelling, the basement, and foundation.
- The Commission did note that their jurisdiction was purely environmental.
- A recommendation was made that trees be planted along with the proposed grasses and shrubs.
- A comment was raised about the planting plan and its demarcation.
- Discussion took place about the projects proposed drainage and silt fence placement.

There was public comment:

Stephen St Onge of 99 George Street, Barnstable is an abutter on the southerly side of the proposed project. St Onge stated that an appeal had been filed with the Old Kings Highway Commission. He would like to see the present structure remain. There is concern about the displacement of water. Another concern was raised about the exact square footage of the property and what it is actually zoned for, but he will seek out the appropriate boards and divisions for that information. There was further comment made about the red cedars and if alternative plans could be proposed due to his now limited vista.

There was a motion to approve the project as submitted subject to the receipt of 2 revised site plans showing the extension of silt fencing to protect from runoff into Harborview and to the abutter to the immediate south, and a revised planting plan indicating the 3 larger gallon plants to be planted at interface between lawn and mitigation to serve as demarcation. As well as, pulling back the fire pit and sand 2' landward. In addition, show planting of 2 eastern red cedars placed at an appropriate place between house and revetment.

The motion was seconded and voted unanimously.

Michael Rolfe. A proposed 846 sq. ft. addition is proposed to occur where a 798 sf. garage once stood in the 100 ft. buffer zone. Portions of gravel driveways, a new garage, and a semi-pervious patio are proposed within the 100 ft. buffer zone. These structures are all outside of the 50 ft. buffer zone except a deck replacement at 256 Bog Lane, Marstons Mills as shown on Assessor's Map 046 Parcel 006. **SE3-5746.**

The applicant was represented by Garrett Tunison, PWS, with Tunison Environmental Consultants, LLC.

There were no issues discussed.

There was no public comment.

There was a motion made to approve the project as revised.
The motion was seconded and voted unanimously.

James Herrington, Halls Creek Preservation Fund, Inc. Proposed maintenance and improvement dredging, for navigation purposes, sections of Halls Creek, beach nourishment of Squaw Island Spit and Green Dunes Beach, and repairing two existing jetties at 0 Beach Street, 0 Island Avenue, 149 Island Avenue, 251 Green Dunes Drive, 3 Beach Street, and 5 Beach Street, Hyannis Port as shown on Assessor's Map 245, Parcels 034, 033, 035, 137, Map 244 Parcel 001, Map 265 Parcels 001, and 019. **SE3-5755.**

- Quorum everyone except Vice Chair Foster and Commissioner and Sampou

Correspondence was received and read into record:
February 17, 2020 – Letter from the Massachusetts Division of Fisheries & Wildlife.

The Applicant was represented by Matthew Creighton, PWS, with BSC Group with Arlene Wilson of A.M. Wilson Associates, Inc.

Issues Discussed:

- A question was raised from the Commission about who would be monitoring the plovers and terns. There was a follow up inquiry about whether or not Conservation would have to participate in the monitoring.
- An additional question was posed about Tom Marcotti's, Town of Barnstable Shellfish Biologist, involvement in the project.

There was no public comment.

There was a motion made to approve the project as submitted with the incorporation of the 5 conditions listed in the NHESP letter and the work protocol to be done prior to the start of work with the contractor and staff onsite and post dredge survey.

The motion was seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE (ez = no deviations, staff recommends approval) on-going conditions)

- A. Melampy SE3-5402 (coc, ez) vegetative management on coastal bank *
52 Ships Eagle Lane, Osterville - Centerville River

There was a motion made to approve the Certificate of Compliance.
The motion was seconded and voted unanimously.

There was a motion made to adjourn the meeting.
The motion was seconded and voted unanimously.

Time Adjourned: 8:25 P.M.