



Town of Barnstable Conservation Commission

230 South Street
Hyannis Massachusetts 02601

Office: 508-862-4093

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

AGENDA – CONSERVATION COMMISSION HEARING

DATE: June 11, 2024 @ 6:30 PM

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Remote Participation Instructions

The Conservation Commission's Public Hearing will be held by remote participation methods.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website: <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
2. Real-time public comment can be addressed to the Conservation Commission utilizing the Zoom link or telephone number and access code for remote access below.

Join Zoom Meeting

<https://townofbarnstable-us.zoom.us/j/83345002488>

Meeting ID: 833 4500 2488

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3. Applicants, their representatives and individuals required or entitled to appear before the Conservation Commission may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to Darcy.Karle@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing Darcy.Karle@town.barnstable.ma.us. Comments should be submitted at least 8hrs prior to the hearing.

The meeting was called to order at 6:30 p.m. by Chair F. P. (Tom) Lee. Also in attendance were: Clerk George Gillmore, Commissioners Abodeely, and Tangney. Vice-Chair Louise Foster and Commissioner William Hearn were absent. Commissioner Sampou arrived at 6:36 p.m.

Administrator Darcy Karle was present along with Administrative Assistant, Kim Cavanaugh.

I. REQUESTS FOR DETERMINATION

- A. **John Galante.** Construct a one-story sunroom, 10'W x 8'D, addition onto an existing deck at 558 Lumbert Mill Road, Centerville as shown on Assessor's Map 146 Parcel 024. **DA-24026**

The applicant represented himself.

Issued discussed:

- Some support pilings will be added under the existing deck.
- This is a prefabricated structure.
- The addition will stay within the existing footprint of the deck.

Public Comment: None

A motion was made to approve the project as a negative determination.

Seconded.

Aye – Abodeely, Gilmore, Lee, Tangney

Nay – none

Abstain - Sampou

II. NOTICES OF INTENT

- A. **Wianno Club.** Proposed wastewater treatment facilities for the Wianno Club properties at 107 Sea View Avenue and 82 Warren Street, Osterville as shown on Assessor’s Map 162 Parcel’s 001 and 024. **SE3-6198**

The applicant was represented by John O’Dea, P.E. of Sullivan Engineering and Consulting, Attorney Eliza Cox, Mark Krebs, Manager of Wianno Club, Katie Connery and Kevin Klein of Stantec.

Issued discussed:

- The affluent coming out will be monitored by a licensed operator on staff five days a week for two hours. There will be in-house testing, will be sent out to a lab monthly for testing, and monitoring wells will be tested quarterly.
- The reports will be sent to DEP every month.
- The current system for nitrogen removal does very little. There will be 85-95 percent removal of nitrogen with the new system.
- The team was thanked for their efforts.
- This will be a much better system.

Public Comment: None

A motion was made to approve the project as submitted.

Seconded.

Aye – Abodeely, Gilmore, Lee, Sampou, Tangney

Nay – none

- B. **Town of Barnstable Department of Public Works.** Construct sidewalks and shared use paths, a raised crosswalk, drainage improvements, new/additional streetlights, new driveway to Kalmus Beach, guardrails, watermain extension, repave parts of Ocean Street, install signs and pavement markings, other associated work on Town right-of-way from 480 to 670 Ocean Street and on Town Properties at 480 and 670 Ocean Street, Hyannis as shown on Assessor’s Map 324 Parcels 038 and 041.

The applicant was represented by Paul Graves, P.E. of Town of Barnstable Public Works.

Issued discussed:

- There will be a new gate across at the end of the new driveway.
- The area in front of the existing entrance will be blocked off and re-vegetated. There should be a consultation with staff for approval of the vegetation going in.
- The contractor will stabilize the area and then TOB Structures and Grounds Division will do the planting.
- A monarch butterfly garden was suggested to go in with native vegetation.
- There should be a condition that all disturbed vegetation will be replaced in kind.
- Some trees will be coming down in the park area.
- There was discussion on new plantings being put in or if it may be beneficial for the existing trees not to replant.
- Any disturbed vegetation in Conservation jurisdiction should be replaced in consultation with staff.
- The check-in point for vehicles will be at the end of the driveway near the parking lot, not near the road.
- There will be a portable hut that is not a fixed structure at the check in point.
- The rinse stations are on the plan.

- The water main extension will be within the pavement area on Ocean Street, mainly on the shoulder.
- Traffic will be disrupted during installation.
- The DEP number has not been issued.

Public Comment:

Ed Cannom - 500 Ocean Street - resident requested information about the lighting. He would like to see more lighting. Paul Graves advised the existing lighting is overhead lighting on telephone poles. Additional similar lighting will be installed on some additional poles. It will be put on every pole instead of every other pole.

Sandy Tise – 467 Ocean Street. Would like to see the additional lighting as long as it is not too bright.

A continuance was requested to June 25th for receipt of the DEP #.

The stormwater report is fine.

A perk test should be done to verify the infiltration rate during construction.

A motion was made to approve the project subject to the perk test infiltration test to confirm infiltration rate during construction, any disturbed vegetation in the buffer zone area will be replaced in consultation with staff with a continuance to June 25th for receipt of the DEP number.

Seconded.

Aye – Abodeely, Gilmore, Lee, Sampou, Tangney

Nay – none

III. CONTINUANCES

- A. Raymond Martin.** Installation of proposed access stairway, pier, ramp, float, remove four trees and vista pruning at 40 Bay Road, Cotuit as shown on Assessor’s Map 007 Parcel 040. **SE3-6195 Continued from 5/28/24 WC Form Received.**

The applicant was represented by Michael Borselli.

Tom Lee is not eligible to vote on the project.

The revised plan is dated June 7, 2024

Access stairway and pier have been moved to the center of the property.

At low tide there will be a separation of 1 ½’ from the substrate using float stops.

Issued discussed:

- This is for non-motorized vessels.
- Any cutting of vegetation to be done should be in consultation with staff.
- Vista pruning is requested in the original area as well as near the location of the stairs and dock.
- This is a fairly narrow lot but a request for two vista corridors is not an extreme request.
- There is no anticipated tree removal on the bank with the current plan.
- A question was raised about the need for two vista corridors.
- There is no problem with pruning for access to the dock but the 3 to 4 feet on each side may be excessive.
- There will not be a lot of cutting needed for the second corridor.
- Representative reports the second corridor is not a necessity.
- They could do it in consultation with staff.
- Vegetation needs to be cut back next to the dock but not establishing another vista corridor.
- After the dock is in, he could meet with staff for minimal cutting of vegetation on either side of the dock.

Public Comment: None

A motion was made to approve the project with revised plan dated June 7th allowing standard vista pruning for the primary corridor and in consultation with staff for the minimal pruning on second corridor once the pier is installed.

Seconded.

Aye – Abodeely, Gilmore, Sampou, Tangney

Nay – none

B. Town of Mashpee. Proposed maintenance dredging at the existing approach, inner, and 1916 channels within Popponesset Bay that extends into Barnstable. **SE3-6191 Continued from 5/14/24, 5/28/24, and 6/4. WC Form received.**

The applicant was represented by Paul Mancuso, P.E. of BSC Group.

Commissioner Gillmore is not eligible to vote on this project.

Issued discussed:

- The channels in Barnstable have been permitted in the past. The permit expired approximately one year ago.
- There is no dredging currently needed. The permit is in case a storm comes in and it needs to be dredged.
- All sediment will be pumped into Mashpee.
- The NHESP letter has not been received.
- They assume a Time Of Year restriction will be needed.
- The DMF letter was received and TOY is needed.
- The waterways and harbor master have no issues with the project.
- The DMF letter comments were read into record.

Public Comment: None

A motion was made to approve the project with a continuance to June 25, 2024 for receipt of NHESP letter only.

Seconded.

Aye – Abodeely, Lee, Sampou, Tangney

Nay – none

IV. CERTIFICATES OF COMPLIANCE

(ez = no deviations, staff recommends approval) (* = on-going conditions)

A. SE3-5669 **Francis O'Brien** (COC, ez*) Float additions, maintenance dredging.
90 Bayshore Road, Hyannis

A motion was made to approve A.

Seconded.

Aye – Abodeely, Gilmore, Lee, Sampou, Tangney

Nay – none

A motion was made to adjourn the meeting.

Seconded.

Aye – Abodeely, Gilmore, Lee, Sampou, Tangney

Nay – none

The time was 7:46 p.m.

