



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: SEPTEMBER 12, 2006, 6:30 p.m.

LOCATION: TOWN HALL HEARING ROOM

The meeting was called to order at 6:30 p.m. by Chairman John Abodeely. Also attending were Vice-Chairman Dennis Houle and Commissioners John Parker, Larry Morin, Pete Sampou, and Tom Lee. Commissioner Blazis was absent. Erica Lerner, Conservation Coordinator, assisted.

The meeting was held in the Hearing Room, Barnstable Town Hall, Hyannis, MA

I MINUTES FOR APPROVAL

- A. August 8, 2006
- B. August 15, 2006

A motion was made to approve the minutes of August 8, 2006, and August 15, 2006.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Richard Rougeau. Install wood frame for door and windows to create 3-season porch on existing foundation with existing roof at 306 Long Beach Rd., Centerville as shown on Assessors Map 185 Parcel 024-00C. **DA-06065**

The applicant was represented by Roy Brown.

Discussion: The existing foundation and roofline would be used.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Donna Hart. Installation of natural gas line by Keyspan for residential use at 260 Oak Neck Rd., Hyannis as shown on Assessors Map 307 Parcel 188. **DA-06066**

The applicant was represented by Dave Flaherty.

Discussion: The gas line must be placed on the wetland side of the road, due to other utilities on the far side of the road.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Presbyterian Church of Cape Cod, Inc. Limbing of 4 (four) trees within the 50-ft. buffer; removal of black locusts between the 50-ft. and 100-ft. buffer at 2391 Iyannough Rd./Rte. 132, W. Barnstable as shown on Assessors Map 216, Parcel 045. **DA-06067**

The applicant was represented by Arnold Johnson, Trustee.

Discussion: Trees were not marked at time of Erica's site visit, but were marked at the Commissioners' visit.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Richard R. Bacchiocchi. Construct attached 24' x 24' garage on west side of dwelling at 12 Walley Court, Hyannis as shown on Assessors Map 324 Parcel 021. **DA-06068**

The applicant, Mr. Bacchiocchi, was present, representing the owner, Donna Nightingale.

Discussion: Commissioner Houle discussed how a State coastal bank only, meant no variance to regulations; no dumping of natural debris in the future.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Glenn Jasinski. Remove brush; bring in approximately 50 yards of fill; plant sod grass and native tree; add 6-foot-high stockade fence along rear of back yard at 24 Harbor Bluffs Rd., Hyannis as shown on Assessors Map 325 Parcel 136. **DA-06069**

The applicant represented himself.

Discussion: As the result of a prior enforcement issue, Chairman Abodeely indicated that a lot of growth had been removed. His concern was the need for additional plantings.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Jennifer C. Snyder, Tr., Palmyra Realty Trust. Construct additions and porches to existing single-family dwelling at 180 Carriage Rd., Osterville as shown on Assessors Map 071 Parcel 015. **SE3-4538**

The applicant was represented by John O'Dea, E.I.T.

Discussion: Mr. O'Dea discussed additional hardscape and mitigation requirements in a disturbed 50' buffer.

The applicant must submit a revised plan showing additional mitigation.

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

Seconded and voted unanimously.

William T. Cafferky. Construct additions with attached garage; construct pool with patio, hot tub, fencing; construct shed; construct 2nd-floor deck; reconstruct retaining wall at 250 Baxters Neck Rd., Cotuit as shown on Assessors Map 075 Parcel 025. **SE3-4543**

The applicant was represented by Michael McGrath and Ron Rouix.

(Cafferky, cont'd.)

Discussion: Mitigation requirements were discussed, and whether they were enough. The applicant was told to clarify the height of the retaining wall as being the same height as the existing one. The appropriateness of maintaining the property as a meadow area on the bank was discussed.

The applicant must submit a revised plan showing additional mitigation.

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

Seconded and voted unanimously.

JDJ Housing Development, Inc. Construct parking lot with retaining wall, berm and guardrail within the 100-foot buffer zone at 755 Independence Dr., Barnstable as shown on Assessors Map 332 Parcel 010-002. **SE3-4548**

The applicant was represented by Attorney Pat Butler.

Discussion: Discussed opinions of NHESP and Cape Cod Commission. Commissioners requested vernal pool analysis as condition of permit.

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

Seconded and voted unanimously.

Bay Road Realty Trust. Construct single-family residence, septic system, pool, retaining walls, minor grading changes, driveway, drainage structures, patio and general landscaping improvements at 172 Bay Rd., Cotuit as shown on Assessors Map 007 Parcel 016. **SE3-4547**

The applicant was represented by Jason Stone.

Discussion: There is an expired order for the house, which is already under construction. The applicant must replace the silt fence and hay bales, and must file a revised plan for approval by the Commission.

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

Seconded and voted unanimously.

Carol Crouthamel. Construct additions and deck to existing family dwelling; replace existing retaining walls and deck at 385 Elliott Rd., Centerville as shown on Assessors Map 227 Parcel 104. **SE3-4560**

The applicant was represented by John O'Dea, E.I.T.

Discussion: The discussion focused on the retaining wall and mitigation. The Commission said that the applicant needed to submit a revised plan showing mitigation. A revised plan must be submitted for approval by the Commission.

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

Seconded and voted unanimously.

IV CONTINUANCES

Shallow Pond Professional LLC. Raze existing motel; remove septic systems; construct office building with parking lot and landscaping at 1471 Route 132 (Rainbow Motel), Hyannis as shown on Assessors Map 253 Parcel 014-X01. **SE3-4533**

(Shallow Pond, cont'd.)

The applicant was represented by Attorney Pat Butler, Matthew Eddy, and Michael Ball.

Discussion: There was a variance from the 50' buffer regulation due to new delineation.

A motion was made to continue the project until October 24, 2006.

Seconded and voted unanimously.

Joan DeHechavarria. Construct elevator shaft and detached garage with drive expansion; install pond aerator; naturalize existing lawn area at 15 Hyannis Ave., Hyannisport as shown on Assessors Map 287 Parcel 118. **SE3-4539**

The applicant was represented by Lynn Hamlyn.

A motion was made to continue the project until November 14, 2006.

Seconded and voted unanimously.

No testimony was taken.

Radius Regency Operating, LLC. Construct three-story addition with associated wastewater treatment facility, underground and parking lot areas, stormwater management system, grading, landscaping, utilities, etc., at 120 South Main St., Centerville as shown on Assessors Map 208 Parcel 089-001. **SE3-4537**

The applicant was represented by Attorney Pat Butler.

Discussion: Submittals were discussed regarding new plans received and letters to abutters concerning encroachment.

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

Seconded and voted unanimously.

V OLD & NEW BUSINESS

- A. Change of meeting location for 9/19/06 ConCom hearing – to Airport.
- B. Hearing of 10/19/06 at 7:00 p.m. – Meeting with Town Council re: Commissioner biographies, etc.
- C. Coast Sweep on 9/23/06 at 9:30 a.m. at Sandy Neck parking lot.

VI CERTIFICATES OF COMPLIANCE (ez = staff recommends approval) (* = on-going conditions)

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|----|----------------------|----------|----------|--|
| A. | Wianno Club (Junior) | SE3-4122 | (coc,ez) | improve drainage of field near Crystal Lake * |
| B. | Zemke | BCC-0183 | (coc,ez) | replace deck; construct pergola |
| C. | Graf | SE3-4161 | (coc,ez) | raze & reconstruct single-family dwelling * |
| D. | Gulliver | SE3-4311 | (coc,ez) | construct addition, attached garage, & deck to sfd * |
| E. | Delaney | SE3-4067 | (coc,ez) | construct in-ground pool * |

(Certificates, cont'd.)

F.	Kalat	SE3-4110	(coc, ez)	convert seasonal pier to permanent pier *
G.	Jackson	SE3-4277	(coc, ez)	construct dock *
H.	Feder	SE3-4234	(coc, ez)	construct dock *
I.	Crowell	SE3-4019	(coc, ez)	construct single-family dwelling (not done)
J.	Fitzgibbon	SE3-4274	(coc, ez)	construct single-family dwelling *

A motion was made to issue Certificates of Compliance “A” through “J” above.

Seconded and voted unanimously.

A motion was made to adjourn the meeting.

Seconded and voted unanimously.

The time was 8:46 p.m.