



**Town of Barnstable  
Conservation Commission**  
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**MINUTES – CONSERVATION COMMISSION MEETING**

**DATE: July 17, 2007 8:30 a.m.**

**LOCATION: SCHOOL ADMINISTRATION CONFERENCE ROOM**

Scrivener's note: The following minutes are general in nature. For those wanting specific detail on matters heard on this agenda, the following 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 8:30 a.m. by Chairman Dennis Houle. Also attending were Vice-Chairman John Abodeely and Commissioners Larry Morin, Tom Lee, Louise Foster, Peter Sampou, and Scott Blazis. Fred Stepanis, Conservation Assistant, assisted. Rob Gatewood, Conservation Administrator, and Darcy Karle, Conservation Agent, were away.

The meeting was held in the School Administration Conference Room at 230 South Street, Hyannis, MA.

<b><u>I</u></b>	<b><u>REVISED PLANS</u></b>	<b><u>DEP No.</u></b>	<b><u>project type</u></b>	<b><u>revision</u></b>
A.	RWL Cotuit (Lloyd)	SE3-3858	sfd	downsizing to cottage

The applicant was represented by Evan Watson of Atlantic Design.

Issues discussed:

- Submission of elevation plans of cabana requested by Commission
- Vista pruning and removable stairs o.k., subject to consultation with staff.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B.	Benedetto	SE3-4203	sfd	footprint
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The applicant was represented by Steven Wilson, P.E. Larry Benedetto was also present.

Issues discussed:

- Conservation restriction note should be put back on plan

A motion was made to table the matter until 8/21/07, when Rob Gatewood will be present

Seconded and voted unanimously.

C.	Jaques	SE3-4620	sfd	footprint
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The applicant was represented by Steve Wilson, P.E.

Issues discussed: None

A motion was made to approve the revised plan.

(Jaques, cont'd.)

Seconded and voted unanimously.

## **II EXTENSION PERMITS**

A. RWL Cotuit (Lloyd) SE3-3858 cottage 2<sup>nd</sup> request/3-yr. ext.

The applicant was represented by Evan Watson.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

B. St.Onge SE3-4272 addition to sfd 1<sup>st</sup> request/3-yr. ext.

The applicant was represented by Arlene Wilson.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

C. Cohen SE3-4291 install 4 outhaul posts/mooring 1<sup>st</sup> request/3-yr. ext.

The applicant was represented by Peter Sullivan, P.E.

A motion was made to approve a three-year extension.

Seconded and voted unanimously.

D. Ellis/Anchor SE3-3856 house addition & landscaping 2<sup>nd</sup> request/1-yr. ext.

The applicant was represented by Steve Wilson, P.E.

A motion was made to approve a one-year extension.

Seconded and voted unanimously.

E. Giatrellis SE3-3635 sfd 2<sup>nd</sup> request/1-yr. ext.

The applicant was represented by Peter Sullivan, P.E.

A motion was made to approve a one-year extension.

Seconded and voted unanimously.

### **[Chairman Dennis Houle convened a dock and pier subcommittee meeting]**

The meeting convened at 9:15 a.m., with Chairman Dennis Houle and Commissioners John Abodeely and Tom Lee present. Rob Gatewood was away at a DEP hearing in Boston. Discussion was postponed until the conclusion of the Conservation Commission meeting, which adjourned at 11:21 a.m. The dock subcommittee resumed at 11:30 a.m.

## **III OLD & NEW BUSINESS**

A. Discussion with DEP's Brian Dudley on best septic system for Mycock cottage rehab SE3-4177

(Mycock, cont'd.)

Arlene Wilson and Thomas McKean, Director of Board of Health, attended, as well as Brian Dudley of the DEP.

Issues discussed:

- The pro's and con's of using a "tight tank"
- The possible use of an I/A (Innovative Alternative) System
- The Commission will look to the Board of Health for guidance.

B. Mykrantz SE3-4567 – request for reconsideration

The applicant was represented by Attorney Pat Butler and Peter Sullivan, P.E.

Issues discussed:

- Dingy docks as opposed to seasonal docks
- New/additional information requested by the Commission.

A motion was made to reconsider the matter.

Seconded and voted unanimously.

C. Cerretani emergency work: deck, davit inclusions

The applicant was represented by Peter Sullivan, P.E.

The Commission was willing to consider the deck and a minimal davit in a forthcoming NOI for bulkhead work.

D. Other

- Grating – The Commission was shown a sample of pier grating which has high light penetration.
- Crocker Neck Gate – A question of who has ultimate jurisdiction over the Crocker Neck Conservation Area was discussed

#### **IV ENFORCEMENT ORDERS**

A. Sand Shore Association / Scott Laurie – 0 Lakeside Drive, Marstons Mills – **DA-04032**  
Violation of a Determination of Applicability by limbing and cutting trees beyond scope of work. Also, placing and spreading of approximately 30 yards of sand along beach and retaining wall without prior approval.

The Sand Shore Association was represented by Scott Laurie and Michelle Atchinson, President of the Association.

The Commission requested the following:

- An RDA must be filed before any further spreading of sand;
- A letter (with copy) to Conservation Commission addressing jurisdiction, as well as the requirement to consult with Conservation staff, or be subject to civil and criminal penalties;
- An on-site inspection to determine remediation or acceptability of grow-back for cutting and vegetation removal;
- Payment of the citation.

#### **V CITATIONS**

A. Scott Laurie and Sand Shores Association, Inc. – unpermitted work and violation of a Determination of Applicability - \$300.00

The citation was voided and re-issued to Sand Shores Association.

B. Donald Goldberg – unpermitted work and violation of a Determination of Applicability - \$150.00

(Goldberg, cont'd.)

Noted.

## **VI CERTIFICATES OF COMPLIANCE**

**(ap = as-built plan) (coc = Certificate of compliance) (ez = no deviations, staff recommends approval) (ok = minor deviations, staff recommends approval) (c = staff recommends approval with contingencies) (d = deviations, staff recommends denial) (\* = on-going conditions)**

A. Houghton SE3-3882 (coc,d) enclose breezeway as part of family room \*

A motion was made to reschedule this matter to 8/21/07.

Seconded and voted unanimously.

B. Manizza SE3-3890 (coc, d) raze & construct single-family dwelling \*

A motion was made to approve the certificate, contingent upon submittal of an as-built plan, showing the actual berm and beach.

Seconded and voted unanimously.

C. Spagnulo SE3-4196 (coc, ok) rebuild boardwalk; modify porch and decks \*

A motion was made to table this matter, pending staff review of an earlier enforcement issue.

Seconded and voted unanimously.

D. Humane Society (Birdsey) SE3-0640 (coc, ok) construct addition to single-family dwelling \*

A motion was made to approve the certificate.

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

The time was 11:21 a.m.