



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

DATE: October 16, 2007 8:30 a.m.

LOCATION: SELECTMEN'S CONFERENCE ROOM

Scrivener's note: The following minutes are general in nature. For those wanting specific detail on matters heard on this agenda, several resources are available to you: video-on-demand (free on the Town website at town.barnstable.ma.us), audiocassette 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, and Louise Foster. Commissioners Peter Sampou and Scott Blazis were away teaching. Rob Gatewood, Conservation Administrator, assisted along with Darcy Karle, Conservation Agent, and Fred Stepanis, Conservation Assistant.

The meeting was held in the Selectmen's Conference Room, Barnstable Town Hall, Hyannis, MA.

I OLD & NEW BUSINESS

A. Sandy Neck Park – End of Year Report

Nina Coleman, Sandy Neck Park Manager, presented her end-of-year report.

B. Scanlon – 133 Breakwater Shores, Hyannis

This matter was continued to November 20, 2007.

C. Conservation Agent represented the Division and Commission on 3 cases at First District Court in September:
Troy Bigelow – defaulted again – warrant issued - \$1,500.00 in fines out standing
Craig Coombs – new summons issued
Scott Manley – complaint issued

Darcy Karle updated the Commission on District Court cases. The Commission will contact Chief McDonald regarding our policy for enforcing bench warrants.

D. ToB/Structures & Grounds – replanting plan, Forte Beach, Hyannisport

Joe Marshall presented the revised planting plan.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. Clarification of policy regarding dead trees in 50' buffer and on coastal banks

Discussed

<u>II</u>	<u>REVISED PLANS</u>	<u>DEP No.</u>	<u>project type</u>	<u>revision</u>
A.	Benedetto (from 8/21)	SE3-4203	sfd	footprint

Via letter, the applicant requested a continuance to November 27th.

Issues discussed:

- Staff indicated that this matter is likely to be replaced by a request for an amended order.

A motion was made to continue the matter to November 27th.

Seconded and voted unanimously.

B.	Linnell	SE3-4344	addition, deck, landscaping	remove trees
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The applicant was represented by Arlene Wilson.

Issues discussed:

A large diseased hemlock will be taken down and replaced with a small black cherry tree.

A motion was made to approve the revised plan.

Seconded and voted unanimously

C.	Bay Road Realty Trust	SE3-4547	pool	footprint
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The applicant did not attend the hearing.

Issues discussed:

- Staff was familiar with the project.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D.	Mass Audubon	DA-07060	control invasive species	methodology, etc.
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The applicant was represented by Ian Ives.

Issues discussed:

The Commission discussed the potential wider use of the aerial spray method. Mr. Ives also wanted permission to conduct follow-up spraying. The Commission wanted a protocol from the applicant.

A motion was made to approve the revised plan, reserving the decision for follow-up treatments until a report is submitted to the Conservation Agent.

Seconded and passed : 4 votes “Yea;”; 1 vote “Nay”

Seconded and passed.

E.	Moore	SE3-4254	control invasive species	treatment areas
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The applicant was attended.

(Moore, cont'd.)

Issues discussed:

- Expansion of the mowing method into a portion of the phragmites stand, southward toward Bay Street.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

III EXTENSION PERMITS

A. Vinios SE3-4333 pool, wall, landscape 1st Req/3-yr. ext.

The applicant attended.

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

B. Baxter SE3-4328 remove Gov. Brann vessel 1st Req/3-yr. ext.

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

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

C. Fish Hills Rlty. Tr. SE3-4326 sfd 1st Req/3-yr. ext.

The applicant was represented by Arlene Wilson.

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

D. Rudman SE3-4420 delineation of resource area 1st Req/3-yr. ext.

The applicant was represented by Norm Hayes, P.E.

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

E. Drake SE3-3624 sfd 2nd Req/6-mo.ext.

The applicant attended.

A motion was made to approve a 3-year extension.

Seconded and voted unanimously.

F. Carey SE3-4336 garage/guest house, septic 1st Req/3-yr. ext.

The applicant did not attend.

A motion was made to approve a 3-year extension, provided there is concurrence among staff following their review.

(Carey, cont'd.)

Seconded and voted unanimously.

IV ENFORCEMENT ORDERS

A. James R. Hayes – 234 Greenwood Avenue, Hyannis

Alteration of a wetland resource area, Commission's 50' undisturbed buffer and flood zone by removing understudy without prior approval from the Conservation Commission.

Mr. Hayes and Kenny Barbour, landscaper, attended the hearing.

Based upon historical photos, testimony from the landscaper, and letters from the prior owner, as well as that of an abutter, the Commission made a motion to void the enforcement order. Mowing to the edge of the creek may continue, based upon historical practice.

Seconded and voted unanimously.

V CITATIONS

A. Goldberg – 551 Santuit Road, Cotuit **File# SE3-4490**
power boat berthed at dinghy dock \$200.00

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. Gluck SE3-3384 & ART-0167 (coc,ok) construct pier; dredging *

A motion was made to approve the certificate.

Seconded and voted unanimously.

Conservation to set up a collection system for the applicant's payments to a shellfish productivity account.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:37 a.m.