



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: AUGUST 5, 2008 – 6:30 P.M.

LOCATION: TOWN HALL HEARING 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 6:31 p.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman John Abodeely and Commissioners Scott Blazis, Larry Morin, and Tom Lee. Commissioners Peter Sampou and Louise Foster were away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. July 15, 2008

B. July 22, 2008

A motion was made to approve the minutes, including the July 22nd Executive Session minutes.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Leonard E. & Patricia A. Curran. Vista pruning at 208 Maple St., W. Barnstable as shown on Assessors Map 132 Parcel 024. **DA-08071**

The applicant was represented by Arne Ojala.

Issues discussed:

- One scraggly willow will be removed in the 50–100-foot buffer zone.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Cindy Keifer. Remove 5 tagged oaks and 1 tagged oak stem; remove low limb and low deadwood; remove low large dead wood from oak; stump grinding below grade at 172 Ralyn Rd., Cotuit as shown on Assessors Map 022 Parcel 054. **DA-08072**

The applicant did not show.

A motion was made to continue the hearing to August 19th.

(Keifer, cont'd.)

Seconded and voted unanimously.

Michael A. & Maureen O. Champa. Vista pruning and enhancement plantings of native species along coastal bank and associated buffer at 239 Eel River Rd., Osterville as shown on Assessors Map 115 Parcel 006. **DA-08073**

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

Issues discussed:

- An as-planted landscaping plan will be submitted.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Thomas S. & Mary E. Olsen. Construct and maintain a timber boardwalk and seasonal pier at 122 Starboard Ln., Osterville as shown on Assessors Map 166 Parcel 110. **SE3-4750**

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

Issues discussed:

- The pier would serve only non-motorized boats
- Pier regulations were met.

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

Seconded and voted unanimously.

John Greene. Construct single-family dwelling with porch, deck, retaining wall, subsurface septic system and drive at 269 So. Main St., Centerville as shown on Assessors Map 207 Parcel 097-002. **SE3-_____**

The applicant was represented by Lynne Hamlyn.

Issues discussed:

- The same project was approved three years ago by the Commission and the Board of Health. The Order recently expired without an extension request coming forward.

Public comment:

- Cheryl Johnson submitted a letter in opposition to the project
- Kate Whouley submitted a letter in opposition to the project

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

Seconded and voted: 4 votes "Aye;" 1 vote "Nay."

Kevin McCune/NSTAR Electric. Install two new 25kV electric supply lines in a single casing via Horizontal Directional Drill approximately 30 feet below sea floor just south of Bridge Street at West Bay as shown on Assessors Map 093. **SE3-_____**

The applicant was represented by Kevin McHugh.

Issues discussed:

- Emergency contingencies were set forth to address any "frac-out," which could result in release of bentonite clays to the water column. It was considered an unlikely event.

(McCune/NSTAR, cont'd.)

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

Seconded and voted unanimously.

Ann Swaim. Construct single-family home and utilities at 369 Wheeler Rd., Marstons Mills as shown on Assessors Map 082 Parcel 001-001. **SE3-4751**

The applicant was represented by Jack Vaccaro.

Issues discussed:

- A pier exists at the site and is shared at this time.

Public Comment:

- Fred Timmy was concerned for construction equipment blocking the cul-de-sac.

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

Seconded and voted unanimously.

Carol Ann Gordon. Construct additions, install patio, and repair existing deck at 54 Woodvale Ln., Centerville as shown on Assessors Map 190 Parcel 183. **SE3-4752**

The applicant was represented by Jack Vaccaro.

Issues discussed: No concerns arose.

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

Seconded and voted unanimously.

IV CONTINUANCES

Denise G. Swan. Requesting confirmation of delineation of fresh water wetland and town-defined coastal bank at 170 Grand Island Dr., Oyster Harbors as shown on Assessors Map 053 Parcel 012-001. **DA-08065**

The applicant requested a continuance, via letter.

A motion was made to continue the hearing to September 2nd.

Seconded and voted unanimously.

Peter Menounos. Replace existing pier, ramp and float with new pier, ramp, float, beach access stair and water access ramp; remove lower section of bank access stairs; revegetate at 176 Clamshell Cove Rd., Cotuit as shown on Assessors Map 005 Parcel 031. **SE3- 4749**

The applicant was represented by Arlene Wilson.

Issues discussed:

- The existing approved pier doesn't function well for the owner or the environment. The pier permit contains a restriction that boats simply must not rest on the bottom at low tide. The 24' Striper drafts 33" with prop down; with prop up, it drafts 17" up.
- While mapped as a "9 out of 10" for habitat value, it was described as not, in fact, productive. The Shellfish Committee disagreed and provided a letter in opposition.

(Menounos, cont'd.)

Commissioner Abodeely stated that the proposed pier represents a substantial improvement, so the new regulations would apply.

Commissioner Blazis desired to see a 4" x 4" seasonal pile construction, while Commissioner Morin suggested that no larger boat be approved at the new dock.

Both Commissioners Abodeely and Blazis were concerned about the proposed grated access.

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

Seconded and voted: 4 votes "Aye;" 1 vote "Nay."

V REQUEST FOR AMENDED ORDER

Town of Barnstable/Conservation Division. Amend Order of Conditions SE3-4531 (Create inlet between Rushy Marsh Pond and Nantucket Sound by installing culvert, stone groin, snow fencing and associated appurtenances) by adding requirements of: 1) removal of an existing groin at 60 Oregon Way, Cotuit as shown on Assessors Map 016 parcel 011; and, 2) abandonment of existing 18" culvert (via capping and removal up to limit of dune line) at 130 Oregon Way, Cotuit as shown on Assessors Map 017 parcel 018.

The applicant was represented by Rob Gatewood.

Issues discussed: No concerns arose.

A motion was made to amend the Order.

Seconded and voted unanimously.

James & Justine Laugharn. Amend Order of Conditions SE3-4710 (Construct two additions, a five-foot deck extension; new crawl- space foundation to replace existing foundation; second-floor dormers to existing dwelling, construct garage) to allow razing and reconstruction of existing dwelling at 100 Bay View Rd., Barnstable as shown on Assessors Map 319 Parcel 030

The applicant was represented by Allison Allesi, R.A.

Issues discussed:

- Additional landscape mitigation was required near the top of the bank
- Small increases to the dormers were reflected in revised elevation drawings

A motion was made to amend the Order.

Seconded and voted unanimously.

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

A.	Largay	SE3-4382	(coc,ez)	replace timber pier with aluminum pier *
B.	Healy	SE3-4516	(coc,ez)	install PVC sheet pile retaining wall *
C.	Baker	SE3-4298	(coc,ez)	construct single-family dwelling *
D.	Martignetti	SE3-3919	(coc,ez)	modify existing pier*
E.	Burke	SE3-4377	(coc,ez)	construct stairs on coastal bank *

(Certificates of Compliance, cont'd.)

F. Sea View SE3-4369 (coc,ez) construct pool & patio (not done)
Nominee Trust

A motion was made to approve all the certificates.
Seconded and voted unanimously.

VII OLD & NEW BUSINESS

A. Morning meeting Tues., 8/12/08 at 8:30 a.m.

At this time, a quorum existed for the meeting.

B. Other

None.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:02 p.m.