



**Town of Barnstable
Conservation Commission**
200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

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

FAX: 508-778-2412

MINUTES – CONSERVATION COMMISSION MEETING

DATE: August 7, 2012 8:30 a.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, additional resources are available to you: video-on-demand (free on the Town website at 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 by Chairman Dennis R. Houle. Also attending were Commissioners John Abodeely, Larry Morin, and Louise Foster. Commissioners Peter Sampou and Scott Blazis were away. Rob Gatewood, Conservation Administrator, assisted, along with Darcy Karle, Conservation Agent, and Fred Stepanis, Conservation Assistant.

The meeting was held in the Town Hall Hearing Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

I REVISED PLANS

project type

revision

A. Pieper SE3-4163(from 5/15/12) construct addition, patio, & wall landscape restoration plan
(cont'd. from 6/26)

The matter was withdrawn.

B. Rahilly SE3-4892 sfd footprint

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II ENFORCEMENT ORDERS

A. Debra Boschetti – 32 Hawes Avenue, Hyannis
Alteration of a flood and zone and 100' buffer zone by reconstruction of a deck without prior approval
from the Conservation Commission.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

B. Michael Guarco – 141 Estey Ave., Hyannis
Alteration of the Barnstable Conservation Commission 50' buffer zone by the reconstruction and
expansion of a deck without prior approval of the Conservation Commission.

Exhibits A through C were submitted.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

MN080712

- C. Wianno Club c/o Mark Williams – 329 Parker Road, Osterville **SE3-3848**
Enforcement order addresses the request by Wianno Club to remove the two pipes at 4th Tee that were placed without prior approval from the Conservation Commission, instead of filing NOI to try and seek approval.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- D. Lisa Tzellas – Barnstable Village LLC (Market) – 3214 Main Street/ RTE 6A **SE3-0982**
Alteration of the Barnstable Conservation Commission 50' undisturbed buffer zone.
Violation of ongoing condition in SE3-0982 by failing to maintain 20' buffer strip from top of bank, under SE3-0982. Bringing in fill, removal of understory and one tree, associated grading with bobcat, brush and debris over bank.

Exhibits A through C (1 – 5) were submitted.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously

- E. Ronald Crisp – 67 Pilots Way, West Barnstable **SE3-3837**
Violation of an Order of Conditions and Ongoing Conditions. Activities within 50' buffer: removal or failure to maintain sections of single rail fencing, goats and wire fencing along edge of marsh, additional shed for goats near marsh, turkey coop and fencing. Large pile of fire wood within proximity of single rail fence.

Exhibits A (1 – 4) through C (1 – 4) were submitted.

All violations identified in the enforcement order have been corrected as confirmed by photographs shown at the hearing and in the file.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously

- F. Susan F. Curran – 60 Madison Ave., Centerville
Failure to comply with an enforcement order dated June 15, 2012. Failure to retain an environmental wetland consultant to correct wetland violation near bog.

Darcy Karle, Conservation Agent, read a letter she sent recently to Mrs. Curran, explaining the Commission's position on the matter. Mrs. Curran had been asked to attend, but was not present.

A motion was made to approve the enforcement order as written, and as amended as necessary.

Seconded and voted unanimously

- G. Guadalupe Amaral – 90 Uncle Willies Way, Hyannis
Alteration of a wetland, Town of Barnstable Conservation Commission 50' buffer and 100' buffer zone,
by
clearing and grading a section of a vacant lot with a bobcat without prior authorization.

Exhibits A through C (1 – 4) were submitted.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously

- H. Albert Testa and Ronald Palumbo – 22 Cameron Lane (15 Cameron Lane) Marstons Mills
Alteration of a wetland. Unpermitted seasonal dock, on an easement off of 22 Cameron Lane, Mystic Lake.

Exhibit A was submitted.

The property owners have indicated that they intend to file a Notice of Intent to seek approval of the seasonal pier. Application is due by Sept. 7, 2012.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously

III NON-CRIMINAL CITATIONS

- | | | |
|----|---|----------|
| A. | Lisa Tzellas – 3214 Main Street, Barnstable, Barnstable Village LLC (Market)
Alteration of a buffer zone. | \$200.00 |
| B. | Ronald A. Crisp – 67 Pilots Way, West Barnstable
Alteration of a buffer zone. | \$200.00 |
| C. | Susan Curran – 60 Madison Ave, Centerville
Failure to comply with enforcement order. | \$300.00 |

The above citations (A – C) were noted.

IV 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. Parker RT SE3-0005 (coc) request to extend performance date

A motion was made to extend the performance date for filing an NOI until August 26th, or removing unauthorized floats.

Seconded and voted unanimously.

- B. McGonigle SE3-1326 (coc,ok) construct single-family dwelling *

A motion was made to issue a certificate with ongoing conditions.

Seconded and voted unanimously.

- C. Alden Homes SE3-1159 (coc,ok) construct single-family dwelling *

A motion was made to issue a certificate with the June 5, 1986 plan recognized, and giving relief from a requirement for a restrictive covenant.

Seconded and voted unanimously.

V OLD AND NEW BUSINESS

- A. Shriver planting report (#1) – 31 Atlantic Ave., Hyannisport

Rob Kennedy said that three red maples previously planted were salt-damaged in Hurricane Irene. His client is happy to replant these and two cedars, as well.

A motion was made to approve the planting report and additional tree plantings, along with approval of hand-trimming around installed plantings, as specified by staff.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 9:47 a.m.