

D. Vedder SE3-5105 replace pilings & sheeting foundation

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

Exhibits:

- A – Proposed revised plan.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. Miller SE3-4638 foundation/deck supports pre-existing condition

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

A motion was made to approve the revised plan.

Seconded and voted unanimously.

F. Condon SE3-4914 landscaping retaining wall in lieu of stairs

The applicant was represented by Rob Caldararo.

Exhibits:

- A – Proposed revised plan.

Two canopy trees will be provided, in consultation with staff.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

G. Murphy SE3-4980 concrete apron address erosion issue

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

Exhibits:

- A – Proposed revised plan.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II OLD & NEW BUSINESS

A. Fitzgerald SE3-4888 COC replace dock, ramp & float; replace bulkhead
Requesting beachgrass be substituted for planting of 2 cedars at 90 Short Beach Rd., Centerville

The applicant attended the meeting.

Exhibits:

- A (1-8) – Site photography

A motion was made to approve the as-built conditions and the release of the Certificate of Compliance (additional planting not required).

Seconded and voted unanimously.

III ENFORCEMENT ORDERS

- A. Gaudalupe Amaral – 90 Uncle Willies Way, Hyannis
Violation of an enforcement order dated August 1, 2012. Order stated cease and desist from any activity affecting the buffer zone and/or other resource areas. Stockpiling landscape debris within the 100' buffer zone, in an area once restored under original enforcement order.

Mr. Amaral attended.

Exhibits:

- A. photos 1-4 taken by Darcy Karle on September 12, 2013
- B. disturbed area sketched on approved buffer restoration plan dated 9/28/12 by Vaccaro Environmental
- C. Nov. 4, 2013 photo submitted by Mr. Amaral.

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

Seconded and voted unanimously.

- B. Trade Winds Development –A Inc. John Howe 780 Craigville Beach Rd **SE3-4939**
Violation of an order of conditions under SE3-4939. Failure to submit the following: Work protocol for removal of old concrete pad, forms A and B, start of work letter and violation of work window. Violation of work protocol set in superseding order of conditions.

Mr. Howe attended the meeting.

Exhibits:

- A. photos 1-2 taken by Darcy Karle on September 26, 2013
- B. photo stamped in Oct. 28. 2013 submitted by Kim Hopkins

An email from Kim Hopkins, Asset Manager, was read.

A letter from Bee Green Landscaping was read.

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

Seconded and voted unanimously.

- C. Richard P Callahan Tr. c/o Adam Hostetter 981 Main Street, Osterville
Alteration of a buffer zone (50-60 ft.) from a wetland resource area (wooded swamp) by storing landscape debris pallets, and dumpsters, previously maintained as lawn.

Exhibits:

- A. aerial photo 2001
- B. aerial photo 2002
- C. aerial photo 2008
- D. aerial photo April 2009
- E. aerial photo July 2009
- F. aerial photo 2011
- G. aerial photo March 11, 2012
- H. photos 1-4 9/26/2013 photos taken by Darcy Karle and 9/25/13 photos taken by Robin Anderson
- I. existing conditions plan 9/24/13

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

Seconded and voted unanimously.

- D. Penelope P. Feuillan Trust C/O Bank of America Trustee – 370 Clamshell Cove Road, Cotuit
Alteration of the Barnstable Conservation Commission's 50' undisturbed buffer zone by installation of hot tub on platform, 33' from top of coastal bank. Alteration of a wetland resource area, flood, zone and 50' buffer by mowing understory near a salt marsh.

The Trust was represented by David Rickel and Brian McNeil.

Exhibits:

- A. photo from Town of Barnstable Assessing Dept. 1/29/2009
- B. photo from Town of Barnstable Assessing Dept. no date
- C. photos 1-3 taken by Darcy Karle on 10/3/2013
- D. aerial photo April 2001
- E. Google earth photo taken 2012

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

Seconded and voted unanimously.

- E. Geoffrey S. Rehnert – 285 Seapuit Road, Osterville
Alteration of a resource area., cutting lower woody vegetation on a coastal bank. Removal of a large pine tree, top of coastal bank. Kayak rack side of pier.

Mr. Rehnert was represented by Stephen Wilson, P.E.

Exhibits:

- A. photos 1-2 taken by Darcy Karle dated 10/7/2013
- B. photo taken by Darcy Karle dated 10/7/2013
- C. photo 1-3 taken by Phyllis Cole date 11/13/ 2011 from file SE3-4794
- D. photos 1-4 taken by Fred Stepanis on 09/13/2011 from file SE3-2017
- E. photos 1-7 taken by Darcy Karle dated 10/07/2013
- F. photo taken by Darcy Karle dated 10/7/13

A motion was made to approve an amended enforcement order.

Seconded and voted unanimously.

- F. Mrs..Janice Scullin – 144 Pinguickset Cove Road, Cotuit
Violation of an order of conditions and on-going condition under file SE3-4259 by topping trees beyond original work limit line. Trees located in resource area, flood zone, and within the Barnstable Conservation Commission 50' undisturbed buffer zone.

The Scullins attended the meeting.

Exhibits:

- A. photos taken by builder 2004 under SE3- 4259 and more recent photo taken by Assessing Dept.
- B. group of photos taken by Darcy Karle dated 10/30/13
- C. 1-3 photos taken by Darcy Karle 10/30/13
- D. 1-3 photos taken by Darcy Karle 10/30/13

A motion was made to issue an amended enforcement order prohibiting cutting within the buffer zone without advance approval of the Conservation Commission.

Seconded and voted unanimously.

G. William Towey – 279 Lakeside Drive West

Alteration of a wetland resource area, wooded swamp and 50' undisturbed buffer off Wequaquet Lake. Violation of Prior enforcement order and ongoing conditions under SE3-2522 by following actions: Brush pile in wetlands after warning, extension of lawn, associated grading, large storage box, in area slated for grow back. Relocation of landscape timber steps with additional stone added to path down to beach, new deck and outdoor shower. Reconstruction of steps to dock, stone added to path to dock, permitted floating dock, under SE3-2143, switched to aluminum dock with reconfiguration.

Mr. Towey attended, along with Ken Hayes.

Exhibits:

- A. photos 1-4 taken by Darcy Karle on 10/22/2013 – lawn expansion
- B. photos 1-3 taken by Darcy Karle on 10/22/2013 – new timber step with stone
- C. photos 1-3 taken by Darcy Karle on 10/22/2013 – new deck and outdoor shower, rebuilt stairs and dock

A motion was made to approve an amended enforcement order stating the path with stone and relocated timber steps (exhibit B) shall be reduced to a 4' width in consultation with staff. Notice of Intent filing with after the filing fees shall be submitted within 4 weeks to try and seek approval for the rest of the items listed in the enforcement order.

Seconded and voted unanimously.

H. Robert and Deborah Armitage – 80 Point of Pines Avenue, Centerville **SE3-4966**

Violation of an order of conditions/approved plan of record dated 10/26/11, under file SE3-4966, by increasing width of approved path at the edge of the lake to 22' wide.

Exhibits:

- A. photos 1-2 taken by Darcy Karle on 10/18/13
- B. photo from Assessing Dept. 5/30/13
- C. photo taken Aug. 15, 13 from anonymous complainant
- D. section of approved plan of record date 10/26/13

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

Seconded and voted unanimously.

IV NON-CRIMINAL CITATIONS

- A. Gaudalupe Amaral – 90 Uncle Willies Way, Hyannis Violation of an enforcement order **\$300.00**
- B. Trade Winds Develop – A Inc. – 780 Craigville Beach Road Violation of an order of conditions **\$300.00**
- C. Janice Scullin – 144 Pinguickset Cove Road Circle Violation of an order of conditions **\$300.00**

All non-criminal citations (A – C) were noted.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:15 a.m.