



**Town of Barnstable  
Conservation Commission**  
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**MINUTES**

**CONSERVATION COMMISSION MEETING**

**DATE: FEBRUARY 24, @ 8:30 AM**

**LOCATION: TOWN HALL HEARING ROOM**

**I REVISED PLANS**

**project type**

**revision**

A. Roberts SE3-5020 replace boathouse as-built, steps, curbs

The applicant was represented by John C. O’Dea, P.E.

**Exhibits:**

A – Proposed Revised Plan

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Town of Barnstable/ DPW SE3-4821 bulkhead repair defects

The applicant was represented by John Juros, R.A.

An update was provided.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

C. MacDonald & Hanson SE3-4467 sfd size, location

The applicant was represented by Charles Rowland, E.I.T. and John C. O’Dea, P.E.

**Exhibits:**

A – Proposed revised plan

A motion was made to approve the revised plan.

Seconded and voted unanimously.

D. Barr SE3-4757 sfd expand footprint

The applicant was represented by Charles Rowland, E.I.T. and John C. O’Dea, P.E.

**Exhibits:**

A - Proposed site plan

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. ToB/DPW SE3-5257 dredge basin extend limits of stabilization

The applicant was represented by Christine Player and John Juros, R.A.

Exhibits:

A – Proposed site plan

A motion was made to approve the revised plan.

Seconded and voted unanimously.

**II ENFORCEMENT ORDERS**

A. Christian Swenson – 110 Nyes Neck Road East, Centerville **SE3-4995**

Violation of a certificate of compliance ongoing conditions and plan of record by cutting beyond observable grass line(in approved mitigation meadow area) into woody shrub line edge of wetlands. Removal of infested tree and cutting vegetation at edge of pond without seeking approval from conservation staff. Large stacks of wood within 50' buffer in old garden area.

Christian and Heather Swenson attended the hearing.

Exhibit A – Section of last approved plan of record with disturbed areas marked up

Exhibit B – Before photo of mitigation area taken by Fred Stepanis dated 8/1/2013

Exhibit C – 5 photos of mitigation area taken by Darcy Karle on 01/21/15

2 photos taken of mitigation area taken by Christian Swenson

Exhibit D – Before photo of showing vegetation at edge of pond dated 8/1/15 taken by

Fred Stepanis and 2014 photo from Assessors data base 3/31/2014.

Exhibit E – photo taken showing pond edge vegetation taken by Darcy Karle on 1/21/15

Exhibit F – photo of tree removed taken by Darcy Karle on 1/21/15

Exhibit G – photos of stacks of wood taken by Darcy Karle 1/21/15

A motion was made to amend the enforcement order to move the wood pile out of the 50-buffer and contact staff to arrange a site visit on or before May 15, 2015 for demarcation of edge of meadow line with boulders.

Seconded and voted unanimously.

B. Richard Hatfield – 122 Church Street, West Barnstable

Alteration of a 100' buffer zone from a shrub swamp by clearing vegetation, storage of equipment.

No one attended the hearing.

Exhibit A – 3 photos taken by Darcy Karle on 1/21/15

Exhibit B – GIS aerials 2008 and 2011

Exhibit C – Google earth 2012 and 2014

Exhibit D – Plot plan 1974

A motion was made to approve the enforcement order.

Seconded and voted unanimously.

### **III ENFORCEMENT ORDER RESPONSE PLAN**

A. Jean Russell – 350 Sandy Neck Road

Ms. Russell was represented by Matthew Creighton, P.W.S.

#### **Public comment:**

An email dated 2/23/15 from Joe Gill, direct abutter, was read into the record.

A run-off issue will be monitored for three-years.

A motion was made to approve the enforcement order response plan, with an annual report to be submitted to the Commission for three years.

Seconded and voted unanimously.

### **IV NON-CRIMINAL CITATIONS**

A. Christian H. Swenson – Unauthorized activity beyond approved plan and COC \$300.00

Noted

B. Richard M. Hatfield – Alteration of a buffer zone \$200.00

Noted

### **V WRITTEN WARNINGS**

A. Jonathan Tyler – 67 Cranberry Lane, Centerville SE3-4194

No one attended the hearing.

A motion was made to approve the written warning.

Seconded and voted unanimously.

### **VI CERTIFICATES OF COMPLIANCE**

NONE

### **VII OLD & NEW BUSINESS**

A. Proposed solution at Countryside Development (SE3-5140 = withdrawn). Discussion with Atty. Sara Turano-Flores

Attorney Sara Tureno-Flores attended the meeting.

#### **Exhibits:**

A (1-3) – Site photos

The Commission provided initial feedback on a concept to remove concrete stairs to Long Pond as their mitigation.

A new Notice of Intent filing may be forthcoming.

B. Route 28 & Bearses Way Improvements – 4F Requirements, MA DOT.

MN022415

Town Engineer Roger Parsons attended the meeting.

The subject wetland parcel is not parkland, a wildlife refuge, or public open space.

A letter will be sent from the Chairman to the MA DOT.

An update on project status will be provided by the D.P.W. within 120 days.

<b><u>VIII REVISED PLANS (continued)</u></b>	<b><u>project type</u></b>	<b><u>revision</u></b>
F. Taylor (Dodge) SE3-4836	pier, ramp, float	float size, timber piles

The applicant was represented by John C. O’Dea, P.E.

Exhibits:

A – Proposed Revised Plan

A motion was made to approve only the specified vessel and the updated bathymetry. A requirement for bow-in-only berthing was handed down.

Seconded and voted: 3 votes = “Aye;” 1 vote = “Nay.” (Other proposed pier improvements contained in the request for a revised plan may be advanced in the amended order track).

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 10:16 a.m.**