



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: SEPTEMBER 29, 2015 at 6:30 PM

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 6:30 p.m. by Chairman F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle, and Commissioners John E. Abodeely, Peter Sampou, Scott Blazis, Larry Morin, and Louise R. Foster. Darcy Karle, Conservation Administrator, assisted.

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

I REQUESTS FOR DETERMINATION

James Hermitage & Sarah Almy-Hermitage. Septic system upgrade at 54 Nyes Neck Rd., Centerville as shown on Assessor's Map 233 Parcel 010. **DA-15046**

The applicant was represented by Michael Pimentel of JC Engineering, Inc.

A motion was made to issue a negative determination.

Seconded and approved unanimously.

Niraj S. & Jill M. Shah. Reconfiguration of driveway turnaround; steps to new pool area (beyond jurisdiction) within 200' Riverfront, and proposed spa with stone terrace within 100' buffer to coastal bank at 110 East Bay Rd., Osterville as shown on Assessor's Map 141 Parcel 123-001. **DA-15052**

The applicant was represented by John C. O'Dea, P.E. of Sullivan Engineering and Consulting, Inc., and David Hank of Hank Design.

Exhibits:

A – Photo of fern sod used on another site

Public comment: Arlene Wilson, representing Remondi.

A motion was made to issue a negative determination.

Seconded and approved unanimously.

John Parziale. Enclose existing deck attached to shed at 50 Moco Rd., W. Barnstable as shown on Assessor's Map 215 Parcel 007. **DA-15053**

The applicant attended.

Exhibits:

A – Photo of woodshed under construction, taken September, 2015 by Dennis Houle.

A motion was made to issue a negative determination stating that this determination does not approve the woodshed currently under construction. The property owner shall submit a separate application showing the woodshed and all existing wooden walkways.

Seconded and approved unanimously.

II NOTICES OF INTENT

Thomas F., Jr. & Katherine E. Ryan. Reconsideration of a notice of intent to replace existing seasonal pier with a permanent pier at 260 North Bay Rd., Osterville as shown on Assessor's Map 072 Parcel 008. **SE3-5312**

The applicant was represented by Atty. Michael Ford and John O'Dea, P.E.

Exhibits:

- A – Email from Fred Stepanis to Peter Sullivan dated 11/12/09
- B – Email dated 11/5/09 from Chris Gargiulo of Cotuit Oyster Co. to Peter Sullivan
- C – Pier Sounding Plan dated 10/20/11, mark up in red by Peter Sampou
- D – Information packet submitted by Peter Sampou
- E – Conservation File #SE3-4434

Comments: Letter received from MA Division of Fisheries & Wildlife dated 9/15/15;

Public comment: Kris Clark of W. Barnstable

A motion was made to continue the hearing to October 27, 2015.

Seconded and voted unanimously.

Jan T. Barr, Tr., Jan T. Barr 2010 Revocable Trust. Rebuild existing accessory structure on existing slab; rebuild and expand existing deck at 49 Main St., Osterville as shown on Assessor's Map 185 Parcel 020. **SE3-5324**

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

Exhibits:

- A – Proposed site plan with boathouse dated 9/3/2015
- B – 4 sheets of architectural renderings
- C – Revised site plan dated 9/29/2015

Public comment – Michael Payne, abutter

A motion was made to approve the project with standard and special conditions subject to the receipt of a revised plan showing deck not to be expanded (as shown in orange [see Exhibit A]); may rebuild existing deck as a single level; boat house not to be used as a bedroom; no bathroom structure approved.

Seconded and voted unanimously.

Nicholas David Samra & Erica Pearson. Raze and replace dwelling and site improvements at 265 Seapuit Rd., Osterville as shown on Assessor's Map 095 Parcel 004. **SE3-5323**

The applicants were represented by Atty. Sarah Turano-Flores, Sean Riley, P.E. of Coastal Engineering, David Hawk of Hawk Design, and Seth Wilkinson of Wilkinson Ecological Exhibits: Design.

Exhibits:

- A – Plan high-lighting work limit agreement with abutter
- B – 9/25/15 plan by Wilkinson Ecological showing proposed tree removal

Public Comment: Carl Redfield and Charles Wellington

A motion was made to continue the hearing to October 27, 2015.

Seconded and voted unanimously.

William Gordon. Move existing pier off property line and re-plank, at 62 Point of Pines Ave., Centerville as shown on Assessor's Map 210 Parcel 106. **SE3-5317**

The applicant attended.

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

Seconded and voted unanimously.

III CONTINUANCES

Suzanne & Benjamin Baxter. Construct pool and pool patio. A waiver of Commissions 50-foot buffer policy requested for this work at 69 Studley Rd., Hyannis as shown on Assessor's Map 306 Parcel 010. **SE3-5310**

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

Exhibits:

- A – Revised site plan dated 9/18/15, with note by Joyce Landscaping

A motion was made to designate this area as a constrained site.

Seconded and voted: 2 votes Aye; 5 votes Nay.

The motion did not carry, as it did not meet the opinion of the majority of the Commission that it is a constrained site.

A motion was made to continue the hearing to October 27, 2015.

Seconded and approved: 4 votes Aye; 3 votes Nay.

Patricia Bradley. Treat and remove phragmites growing on property at 15 Cross Way, W. Hyannisport as shown on Assessor's Map 245 Parcel 042. **SE3-5314**

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

Commissioner Peter Sampou recused himself, as he was not a part of the original quorum.

A motion was made to approve the project with standard and special conditions, as stated in original NOI application for phragmites removal only.

[Commissioner Scott Blazis left the hearing at this point]

Adam J. Hostetter, Tr., Eagle Trust. Repair two sections of pavement totaling approx.. 60' x 13' on Berry Hollow Dr., Marstons Mills as shown on Assessor's Maps 044 and 045. **DA-15049**

Commissioner Scott Blazis recused himself.

A motion was made to continue the hearing to October 20, 2015.

Seconded and voted unanimously.

No testimony was taken.

Joan M. LeGraw. Remove invasive species and replant at 110 Allyn Lane, Barnstable as shown on Assessor's Map 259 Parcel 014. **DA-15050**

The project was withdrawn.

IV REVISED PLAN

Project

Revision

A. Town of Barnstable/D.P.W SE3-4580 Maintenance dredge Dewatering

The applicant was represented by Christine Player of CLE Engineering, Inc.

A motion was made to approve the revised plan, subject to a further revision, showing the location of the discharge pipes.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE

(* = on-going conditions)

- A. Lewis SE3-4996 (coc,ez) construct landscape wall *
- B. Acton SE3-5251 (coc,ez) raze & construct single family dwelling *
- C. Dalby SE3-4703 (coc,ez) construct addition to single family dwelling *

A motion was made to approve the certificates.

Seconded and voted unanimously.

VI MINUTES

A. 9/15/2015

A motion was made to approve the minutes.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:17 p.m.