



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

DATE: JUNE 14, 2016 @ 6:30 PM

LOCATION: TOWN HALL HEARING ROOM, 367 Main Street 2<sup>ND</sup> Fl., Hyannis, MA

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](http://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.

### I OLD & NEW BUSINESS

A. Sandy Neck Conservation Restriction

Exhibits:

A – GIS map and plan of land

1<sup>st</sup> Assistant Town Attorney, T. David Houghton, attended the meeting.

The parcel is 14 acres. CPC funds were used to purchase the parcel. Atty. Houghton is requesting the Commission to certify and endorse the conservation restriction

Cottage owners will continue to have permitted access to travel through the area, as will hunting still be permitted on the parcel.

A motion was made to certify and sign the restriction, in the interest of the public.

Seconded and voted unanimously, with one abstention.

### II REQUESTS FOR DETERMINATION

**Town of Barnstable/D.P.W.** Replace existing guardrail with timber-backed guardrail; add additional parking spaces for beach along road in front of guardrail at Ocean View Ave., Cotuit as shown on Assessor's Map 033 Parcel (various). **DA-16038**

The applicant was represented by Brian Celia.

Issues discussed:

- GIS plan does not depict all proposed parking spaces;
- Temporary summer parking spaces (lines) already spray-painted on pavement;
- No issue with additional proposed spaces or location of guardrail, i.e., spaces are not a jurisdictional issue;
- Existing drainage issues to be addressed in a future filing;
- DPW willing to discuss concerns with abutter(s) regarding parking;

Public comment: David Der Hagopian of 262 Ocean Avenue was concerned with adding additional spaces, as some areas are already [too] narrow. He believes this poses a safety issue.

A motion was made to issue a negative determination, with the condition that the temporary lines/spaces will be removed from the pavement. When a new, improved plan is prepared, a copy is to be submitted to the Conservation Division.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**William F. Griffin, Jr., Tr./New Rushy Marsh Realty Trust.** Relocate wood shed structure for use as wetland observatory and relocate related walking path; landscape improvements and installation of wood fence at 1524 Main St., Cotuit as shown on Assessor's Map 017 Parcel 014. **SE3-\_\_\_\_\_**

The applicant was represented by Atty. Michael Ford and Sean Reardon of TetraTech.

Exhibits:

A – Packet or “slide printout”

Issues discussed:

- The value of proposed mitigation in a natural setting with natural vegetation already present;
- Concern with replacing boards in wetland – should be a raised structure;
- Does proposed shed/structure lend itself as an observatory structure (four walls and small windows)?
- View platforms and open area are generally permitted, not sheds;
- Does proposed structure meet the Chap. 704-2 water-dependent use definition:
- Kayak dock that was approved should be shown on the plan.

A motion was made to continue the hearing to July 12<sup>th</sup>.

Seconded and voted unanimously.

**Peter C. & Suzanne S. Minshall.** Addition to single-family dwelling; remove patio and replace with smaller patio at 246 Carriage Rd., Osterville as shown on Assessor's Map 071 Parcel 018. **SE3-5395**

The applicant was represented by was represented by John Schnaible and Rob Calderaro.

Exhibits:

A – Architecture plans

Issues discussed:

- Comparing location of proposed addition and its distance from a resource area, e. g., coastal bank vs. BVW; proposed wooden step on corner of structure needs to be listed in the calculations;
- The small boardwalk proposed to be removed as mitigation is already decomposing, and natural vegetation is growing over the top of it.

A motion was made to approve the project with standard and special conditions, subject to the submittal of a revised plan indicating replanting to be done in area where boardwalk is to be removed, and showing proposed step in the calculations.

Seconded and voted unanimously.

**Michael A. and Ena Feinberg.** Raze and replace cottage; landscape improvements at 100 Herring Run Dr., Centerville as shown on Assessor's Map 229 Parcel 045. **SE3-\_\_\_\_\_**

A letter requesting a continuance was read into the record.

A motion was made to continue the hearing to June 28<sup>th</sup>.

Seconded and voted unanimously.

No testimony was taken.

**IV OLD & NEW BUSINESS (continued)**

A. Discussion of Chapter 707, 7 – e. and f. electronic notification

Proposed changes include submission of PDF versions of NOI coastal projects to shellfish biologist and harbormaster, and to the conservation mailbox. Plans should be stamped in red or blue ink, and signed.

PDF versions will allow additional review time for departments, waterways, and shellfish committees.

Other (minor) changes were discussed and approved.

Staff will work on getting email addresses of the shellfish department.

Chairman Lee will present a draft for the Town Attorney’s office to review.

A motion was made to approve changes to the submission checklist, have the Chair proceed for legal review, and place the matter on an upcoming agenda for a public hearing.

Seconded and voted unanimously.

**V CERTIFICATES OF COMPLIANCE** (ez = no deviations, staff recommends approval) (\*= on-going conditions)

A. Town of Barnstable/DPW SE3-4582 (coc,ez) Dredging & beach nourishment \*  
at Millway, Barnstable & Sandy Neck, West Barnstable – Barnstable Harbor

[Certificate “A” was withdrawn prior to the meeting]

B. Garabedian SE3-5209 (coc,ez) expand parking lot \*  
243 South Street, Hyannis – bordering vegetated wetland

C. Lebel SE3-0616 (coc,ez) construct single family dwelling \*  
40 Three Ponds Drive, Centerville – freshwater pond

D. Homestead Development SE3-1396 (coc,ez) construct open space park, gazebo, & stairway \*  
0 Olde Homestead Drive, Marstons Mills – Muddy Pond

A motion was made to approve certificates B, C, and D. [Commissioner Blazis abstained from the vote on “C”].

Seconded and voted unanimously.

**VI MINUTES FOR APPROVAL**

A. May 31, 2016

A motion was made to approve the minutes, as amended.

Seconded and voted unanimously.

**A motion was made to adjourn.  
Seconded and voted unanimously.  
The time was 7:55 p.m.**