



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: APRIL 18, 2017 @ 6:30 PM

LOCATION: TOWN HALL HEARING ROOM, 367 Main Street 2ND 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), 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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners Peter Sampou and Scott Blazis. Commissioners John E. Abodeely and Larry Morin were away.

Conservation Administrator, Darcy Karle, assisted.

I OLD AND NEW BUSINESS

- A. Greystar, LLC requesting a commitment from the Conservation Commission to hold a conservation restriction, a requirement under a Cape Cod Commission Development Agreement, prior to the development of senior housing, on a + 9.51 acre area listed as #200, #180, #160 and #0 Communication Way, map 314 parcels 038, 037, 036, and map 315 parcel 042

The matter was presented by Edward Pesce of Pesce Engineering and Associates, Dan Lee, Senior Director of Greystar, and Brian Dugdale of Goulston and Storrs.

Exhibits:

- A – Copy of PowerPoint: “The Village at Barnstable Project” dated 4/18/2017
- B – Copy of draft conservation restriction

Mr. Pesce gave a PowerPoint presentation.

Issues discussed:

- The restriction would abut property currently under Conservation Commission management
- No monetary burden to the town for management of the conservation restriction. Greystar would be responsible for any illegal dumping that might occur.
- Public access

A motion was made that the Commission make a commitment to hold the conservation restriction, to be voted on at a later date.

Seconded and voted unanimously, with one abstention.

- B. **James C. & Kathleen C. Henry.** 15 Piney Point Dr., Centerville (heard 4/4) – Review of NHESP letter

A motion was made to re-open the hearing for the sole purpose of reviewing the letter from NHESP (Natural Heritage & Endangered Species Program of the MA Division of Fisheries & Wildlife) dated 4/12/17.

Seconded and voted unanimously.

Correspondence: Chair Tom Lee read the letter received from NHESP, and stated that there were no conditions required by the program.

A motion was made acknowledge the letter from NHESP, and close the hearing.

Seconded and voted unanimously.

II REQUEST FOR DETERMINATION

John Ferris Dow. Remove vegetation and/or prune to maintain a 4-foot-wide path of a 10-foot-wide right-of-way easement at 91 Harbor Rd., Hyannis as shown on Assessor's Map 306 Parcel 173-001. **DA-17026 \$37.20**

The applicant requested a continuance via email to May 2, 2017.

A motion was made to continue the project to May 2, 2017.

Seconded and voted unanimously.

No testimony was taken.

Donovan D. & Rose Marie Fraser. Title-5 septic system upgrade of failed leach pit at 61 Mitchell's Way, Hyannis as shown on Assessor's Map 290 Parcel 157. **DA-17027 \$27.90**

The applicants were represented by Darren Myer.

Exhibits:

A – Revised plan 4/18/17

Issues discussed:

- Mr. Myer revised the plan to make the following changes:
 - 1) Planks to access pond observed during site visit were removed from the original plan
 - 2) System design change
 - 3) A couple of trees near edge of system in front yard may need to be removed as indicated on revised plan.
- Cutting/brushing observed during a site visit will be handled separately from the application by the Conservation Agent to bring the property back into compliance.

A motion was made to approve a negative determination using revised plan 4/18/17.

Seconded and voted unanimously.

III NOTICES OF INTENT

None

IV CONTINUANCES

Daniel S. & Elizabeth W. Lynch, Trs., Fox Island Realty Trust. Proposed beach nourishment at 132 Fox Island Rd., Marstons Mills as shown on Assessor's Map 096 Parcel 019. **SE3-5456**

A letter dated 4/18/17 was received from John C. O'Dea, P.E. requesting that the project be withdrawn.

Mark M. Christopher, Tr., 27 Winfield Lane Realty Trust. Construct timber boardwalk, pier, ramp and float at 73 Eel River Rd., Osterville as shown on Assessor's Map 116 Parcel 100. **SE3-5437**

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

Exhibits:

A – Confirmation of Evidential Review form signed by Vice-Chair Louise R. Foster

Issues discussed:

- The matter was first opened on 12/27/16
- A quorum was present, including the addition of Vice-Chair Louise Foster (see Exhibit A)

John O’Dea requested a fourth continuance to June 13, 2017, in order to have a full quorum present at the hearing.

A motion was made to approve a continuance, without testimony, to June 13, 2017

Seconded and voted unanimously.

Theodore G. & Stacey L. Sheehan. Construct and maintain an addition to existing single-family dwelling with associated clearing, grading, utilities, and mitigation plantings at 61 Cedar Tree Neck Rd., Marstons Mills as shown on Assessor’s Map 075 Parcel 015. **SE3-5467**

A request for a continuance to 5/2/17 was received.

A motion was made to approve a continuance without testimony to 5/2/17

Seconded and voted unanimously.

Joshua & Alexis Kouri. Raze/rebuild a portion of existing dwelling. Remove one existing shed and relocate one existing shed; remove two pine trees and two oak trees; construct two foundations with associated clearing, grading, utilities and landscaping at 45 Hornbeam Lane, Centerville as shown on Assessor’s Map 206 Parcel 066. **SE3-5463**

A request was for a continuance to 5/2/17 was received.

A motion was made to approve a continuance without testimony to 5/2/17

Seconded and voted unanimously.

Timothy Ball. Remove damaged & hazardous trees near house; seek approval for vista pruning; re-establish timber landscape features, including small sitting area near lake; pruning of shrubs and trees; mitigation planting at 379 Lakeside Drive West, Centerville as shown on Assessor’s Map 232 Parcel 048. **SE3-5451**

The applicant attended, and was represented by Michael Ball of Marsh Matters Environmental.

Issues discussed:

- Plan revision being reviewed dated 4/13/17 met with the Commission’s approval
- Bulk of work now proposed in primary vista corridor.
- A second narrow vista corridor was added to the east of the larger corridor
- No change in planting plan

A motion was made to approve the project using revised plan 4/13/17.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE

A.	Cruise	SE3-4459	(coc,ez)	construct garage & repair boathouse (not done) Construct addition & remove shed *
	276 & 294 Holly Point Road, Centerville, Bearse Pond			
B.	Cabral	SE3-4960	(coc,ez)	construct single family dwelling (not done) * Clearing to be allowed to grow back bordering vegetated wetlands & vernal pools
	388 High Street, West Barnstable			

C. Koala Inns SE3-0150 (coc,ez) raze and construct motel *
867 Route 132, Hyannis at Fresh Hole Pond

A motion was made to approve certificates A-C.

Seconded and voted unanimously.

VI MINUTES FOR APPROVAL

A. April 4, 2017

A motion was made to approve the minutes.

Seconded and voted unanimously.

B. April 11, 2017

The minutes of 4/11/17 were tabled.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 7:12 p.m.