



**Town of Barnstable
Conservation Commission
200 Main Street
Hyannis Massachusetts 02601**

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: AUGUST 14, 2018 @ 3:00 PM

LOCATION: Hearing Room – 367 Main St., 2nd Floor, Hyannis, MA 02601

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 John E. Abodeely, Larry Morin, and George Gillmore. Commissioner Peter Sampou was away.

Martin Wunderly, Conservation Agent, assisted.

3:00 PM AGENDA

I CERTIFICATES OF COMPLIANCE

(coc = Certificate of compliance) (ez = no deviations, staff recommends approval) (* = on-going conditions)

- | | | | |
|----|---|----------------|--|
| A. | Calabro SE3-5406
80 Great Bay Road, Osterville | (coc, ez)
- | construct timber bulkhead *
North Bay |
|----|---|----------------|--|

A motion was made to approve the certificate.

Seconded and voted unanimously

II EXTENSION REQUESTS

Project Type:

Time Requested:

- | | | | |
|----|----------------|------------------|----------------------------------|
| A. | Samra SE3-5323 | raze/replace sfd | 1 st Request; 3 years |
|----|----------------|------------------|----------------------------------|

A motion was made to approve a three-year extension.

Seconded and voted unanimously

III REVISED PLANS

Project Type:

Revision:

- | | | | |
|----|--|-----------------------------|---|
| A. | White SE3-5462 (tabled from 7/17)
50 Fox Island Rd., Marstons Mills | tree removal, vista pruning | additional vista pruning &
tree replacement & tree removal |
|----|--|-----------------------------|---|

Chuck Rowland, P.E. of Sullivan Engineering & Consulting represented the applicant.

Vista corridors two and three were modified. They will provide two new cedars and bearberry understory to block old view corridor #1. Three diseased trees will be removed.

A motion was made to approve the revised plan.

Seconded and voted unanimously

IV ENFORCEMENT ORDERS

- A. **George P. Haseotes – 773 South Main St., Centerville** - Alteration of wetland resource area buffer, Centerville River, by cutting vegetation. Unauthorized activity beyond scope of an order of conditions, stone wall construction. Violation of Order of Conditions and Certificate of Compliance addition to dock, jet ski boat lifts.

Attorney Sean Keough and Emile Tayeh, Jr. represented Mr. Haseotes.

Exhibits:

- A. Photos of trees before and after cutting
- B. Email from Conservation Assistant regarding limb pruning on trees on Haseotes property
- C. SE3-4963 Order of Conditions and plan of record for 773 South Main St. landscape work
- D. Photos of dock
- E. SE3-1452 Order and plans for dock
- F. Tree Appraisal Report
- G. Text message between the Haseotes' property manager and Crain's property manager.

The Commission will require an Amended Order or new Notice of Intent to seek approval for the changes to the retaining wall. A separate new NOI will be required to seek approval for the changes to the dock.

A motion was made to approve portions of the enforcement order.

Seconded and voted unanimously

The remainder of the enforcement order for cutting trees on the neighboring property was also discussed. Attorney Barry Weiner represented the neighbors (Crain) and spoke about the trees that were cut by Mr. Haseotes' landscapers. The Crain's submitted an arborist's report detailing the number and species of trees that were cut, and their distance from the coastal bank resource area. The Commission tabled this portion of the item to September 11, and required that a restoration plan, agreed upon by both parties, be submitted for review at that meeting.

V ENFORCEMENT WARNINGS

- A. **Stephen Kidder & Mark Elefante Trs. – 225 Ocean View Ave., Cotuit** - Work on groin and dock walkway without Conservation review.

Exhibit A. Photos and plans for dock.

Arlene Wilson represented the property owner. The Commission noted that the property owner should have had the contractor submit a pier maintenance form.

A motion was made to approve the enforcement warning.

Seconded and approved unanimously.

VI CITATIONS

- A. **George P. Haseotes – 773 South Main St., Centerville** - Alteration of wetland resource area buffer, Centerville River, by cutting vegetation. Unauthorized activity beyond scope of an order of conditions, stone wall construction. Violation of Order of Conditions and Certificate of Compliance addition to dock, jet ski boat lifts. **\$300.00**

Noted

- B. **Robert & Estelle Colgan – 624 Poponessett Rd., Cotuit** – Unauthorized activity beyond the scope of a determination. Cutting vegetation on coastal bank. **\$300.00**

Noted

VII OLD & NEW BUSINESS

A. ATF (After-the-Fact Filing) – Mitigation calculation discussion

The Commission discussed whether higher mitigation ratio should be imposed for after-the-fact Notice of Intent filings. It was noted that each case should not be judged for this requirement. The Clerk noted that section 704-7 already includes options for site specific requirements in findings, and can be applied to after-the-fact Notice of Intent filings.

B. Appropriate hours for site visits

The Commission agreed that appropriate times for site visits for upcoming application reviews should be at a reasonable hour, not too early in the morning or too late in the evening. There is a list of Commissioners' names at the Oyster Harbors gate house.

4:30 PM AGENDA

VIII REQUEST FOR DETERMINATION

Kerry Kent. Remodel three-season porch on current footprint; remove 160 sf of hardscape from house entrance and replace with a 60 sf deck and a 30 sf walkway at 149 Point of Pines Ave., Centerville as shown on Assessor's Map 230 Parcel 072. **DA-18040**

Applicant Kerry Kent was present. The Commission noted that the changes were an improvement to reduce impervious surfaces.

A motion was made to approve a negative determination.

Seconded and approved unanimously.

IX NOTICES OF INTENT

Home Port Investments, LLC. Construct single-family dwelling with pool and patio at 21 Indian Trail, Osterville as shown on Assessor's Map 070 Parcel 009-002. **SE3-5599**

Chuck Rowland, P.E. represented the applicant.

The Commission commended the proposal for removing an old shed from the wetland buffer area.

A motion was made to approve the project.

Seconded and approved unanimously.

Town of Barnstable/DPW. Reconfigure float, existing rock revetment, concrete ramp & shellfish floating nursery system (FLUPSY) at 235 Cedar Tree Neck Rd., Marstons Mills as shown on Assessor's Map 076 Parcel 024. **SE3-_____**

Roger P. Michniewicz, P.E. represented the applicant.

The Commission discussed the protocol for operating in the proposed zone of reconfiguration, and other items that needed approval, such as the rock wall, the FLUPSY, and the old ramp.

A motion was made to approve the project.

Seconded and approved unanimously.

Town of Barnstable/DPW. Roadway and sidewalk restoration and realignment improvements along Main St. (Rte. 6A), Rendezvous Ln., Pine Ln., Railroad Ave., Hyannis Rd., Freezer Rd., and Millway. The work also involves modifying an existing concrete headwall and installing a concrete retaining wall along the south side of Main St. west of Rendezvous Ln.
SE3-5598

Paul Graves, Town Engineer, attended.

There were questions as to the potential change in flow through the culvert before and after construction. The Commission reiterated that they were only reviewing portions of the project within jurisdictional wetland buffers.

Mr. Graves and the Commission Chair stated that all abutters of the entire length of the project were notified, out of courtesy. Staff questioned the planting density in the proposed replicated wetland, and the Chair would like to see where the replicated wetland will be located. Members of the public expressed concern over the impact of the project upon the Main Street area of Barnstable Village.

Mr. Charles Harden commented that the culvert is not working properly and should be restored as part of this project. Mr. Graves agreed to answer general questions about the project that are not within Conservation Commission jurisdiction.

A motion was made to approve the project, subject to the receipt of a revised plan indicating the location of the replicated wetland and the change of density of winterberry and red chokeberry, six feet on center. Approval also subject to review of the storm water plan by the Chair.

Seconded and approved unanimously.

A motion was made to adjourn.

Seconded and approved unanimously.

The time was 5:18 p.m.