



**Town of Barnstable
Conservation Commission**
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MINUTES – CONSERVATION COMMISSION MEETING

DATE: JUNE 8, 2010 9:15 a.m.

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 9:15 a.m. by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee and Commissioners, John Abodeely, Larry Morin, and Louise Foster. Commissioners Peter Sampou and Scott Blazis were teaching, Rob Gatewood, Conservation Administrator, assisted along with Darcy Karle, Conservation Agent, and Fred Stepanis, Conservation Assistant.

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

I REVISED PLANS

project type

revision

A. Wells SE3-4857

garage & drive

cobble apron

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

Issues discussed: None

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. O’Donnell SE3-4524

plantings

plant scheme

The applicant was represented by Rob Donaldson.

Issues discussed:

- The Commission noted that the current buffer zone regulation was in place at the time of the Order of Conditions when the planting was prescribed.
- The plantings represent an opportunity for environmental mitigation and should be taken as such.

A motion was made to deny the revised plan.

Seconded and voted unanimously.

A motion was made to amend the agenda to add the following revised plan:*

*C. Haseotes SE3-4830

addition

plant scheme

The applicant was represented by C. J. Reilly and Michael Neath.

(Haseotes, cont'd.)

Issues discussed:

- The landscaping plan provides a grass swath for the disabled property owner to get around the west side of the property.
- Reports will be required after years' two and three post-planting.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II EXTENSION PERMITS

A. Pascucci (Cohen) SE3-4291 outhaul posts 2nd Request; 3 yrs.

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

Issues discussed: none

A motion was made to approve a three-year extension

Seconded and voted unanimously.

B. Maginn SE3-3843 pool, guest cottage 2nd Request; 3 yrs.

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

Issues discussed: none

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

Seconded and voted unanimously.

III OLD & NEW BUSINESS

A. Conversation with Mark Robinson on Fuller Farm parcels

A motion was made to table the matter.

Seconded and voted unanimously.

B. Pier maintenance in Certificates of Compliance

Arlene Wilson attended the hearing. Her concern was for a clause in the Keally Certificate of Compliance which limited ongoing maintenance to the term of the Chapter 91 license. The condition has been included for some time (10 years, at least) in the Certificates of Compliance for piers issued by the Commission. Ms. Wilson said it might be best handled in the context of an amendment to the pier regulations. John O'Dea suggested the existing Form M maintenance allowance may provide such a vehicle for conditioning the term of maintenance. The Commission asked staff to research the matter further.

A motion was made to continue the matter to the next morning hearing of July 20, 2010.

Seconded and voted unanimously.

IV ENFORCEMENT ORDERS

- A. Eric Kinsella – 791 Old Post Road, Cotuit
Violation of an Order of Conditions, unauthorized cutting beyond work limit. Cutting trees and dumping brush on coastal bank. Vista pruning without consultation with staff.

Arlene Wilson represented Mr. Kinsella.

A mitigation plan will be prepared to address where planting should take place for the three trees cut on a coastal bank and the two trees near the pool. The plan should define the edge of the meadow, and state on the plan that there is to be no cutting between the edge of the meadow and the top of the coastal bank without prior authorization. A protocol must be in place to remove cut debris from the bank. Commissioners are welcome to visit the site. Planting shall take place by October 15, 2010.

A motion was made to continue the hearing to July 20, 2010.

Seconded and voted unanimously.

V NON-CRIMINAL CITATIONS

- A Eric Kinsella – violation of an Order of Conditions. **\$300.00**

Noted

VI CERTIFICATES OF COMPLIANCE

(ap = as-built plan) (coc = Certificate of compliance) (ez = no deviations, staff recommends approval) (ok = minor deviations, staff recommends approval) (c = staff recommends approval with contingencies) (d = deviations, staff recommends denial) (* = on-going conditions)

- A. Venter SE3-4053 (coc,ez) reconstruct bank stairs (not done)

A motion was made to approve the certificate.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 10:42 a.m.