



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: January 4, 2011 – 6:30 P.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 6:30 p.m., by Chairman Dennis R. Houle. Also attending were Vice-Chairman Tom Lee, and Commissioners John Abodeely, Peter Sampou, Scott Blazis, and Larry Morin. Commissioner Louise Foster was away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. December 7, 2010

A possible correction will be considered for the December 7th minutes with regard to the Riley Certificate of Compliance in the event the present property owner's name "O'Connell" is needed.

B. December 14, 2010

A motion was made to approve the minutes (A – B).

Commissioner Sampou abstained from the vote.

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

F. A. Harrington Family Trust. Phragmites control; remove/replace non-native and invasive species at 150 Carriage Rd., Osterville as shown on Assessor's Map 071 Parcel 015-003. **DA-11002**

[See Popeo, below – both projects were opened simultaneously]

Robert R. Popeo. Phragmites control; remove/replace non-native and invasive species at 120 Carriage Rd., Osterville as shown on Assessor's Map 071 Parcel 015-002. **DA-11003**

The applicants, F. A. Harrington Family Trust and Robert R. Popeo, were represented by Wayne Tavares.

Issues discussed:

- The projects would have a three-year longevity. The plans would be amended to remove the "perpetual care" note.

(Popeo, cont'd.)

A motion was made to issue negative determinations.

Seconded and voted unanimously.

Nelson W. Orr. Permit existing shore outhaul and proposed second shore outhaul on river at 150 Long Beach Rd., Centerville as shown on Assessor's Map 205 Parcel 010. **DA-11004**

The applicant attended the hearing.

Issues discussed:

- The new proposed shore outhaul would likely require a notice of intent application, as the outhaul serves a motorboat.
- Photographs were submitted and noted as Exhibit A (1 – 2).
- An outhaul has existed. The boat used is a 19-foot boat with 125 hp drive.
- Special conditions would require the recording of the determination, filing of the plan, and Harbormaster approval as to location.

A motion was made to issue a negative determination for the existing outhaul and a positive determination for the proposed second shore outhaul.

Seconded and voted unanimously.

Hope Hirsch. Relocate driveway; existing driveway to be removed and area re-vegetated with native plantings at 235 Nyes Neck Rd., Centerville as shown on Assessor's Map 233 Parcel 001. **DA-11001**

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

Issues discussed:

- The plan was displayed and was noted as Exhibit A.

No concerns arose.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Longfields Realty Trust. Proposed handicap ramp at 3256 Main St., Rte. 6A, Barnstable as shown on Assessor's Map 299 Parcel 033. **DA-11005**

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

Issues discussed:

- The plan was displayed and noted as Exhibit A.

Public comment:

- Charles Harden asked if use of the ramp would require use of his property. It would not.
- Trash will be removed from the slope and wetland.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Hyannisport Club, Inc. & Marchant Mill House, Inc. Raze and remove single-family home; fill in foundation hole to create grassland wildflower habitat; invasive species removal and vegetation management plan for 16th

fairway, at 188 Marchant's Mill Way and 2 Irving Ave., Hyannisport as shown on Assessor's Map 266 Parcels 037 and 031. **SE3-4916**

(Hyannisport Club, cont'd.)

The applicant was represented by Norman Hayes and Tom Columbo.

Issues discussed:

- The proposed plan was displayed and noted as Exhibit A.
- A revised arbor-cultural decision matrix was submitted and noted as Exhibit B.
- Only 20% of tree-based area would be removed along the 16th fairway. High tide bush and groundsel bush will restore approximately 500 square feet of marsh. Invasive species would be removed, releasing the native herbaceous layer. The historic home on club property is not the subject of the demolition portion of the project. The foundation tide will be filled and planted to New England wildflower, native grassland.

Public comment:

- Dennis Otto, abutter, expressed concern for odors at his condominium across the street.

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

Seconded and voted unanimously.

IV CONTINUANCES

Iodice Family Limited Partnership. Build a 13' x 12' deck extension with handicap ramp; build stairs off existing deck at 357 Lakeside Drive West, Centerville as shown on Assessor's Map 232 Parcel 050. **DA-10073**

The applicant was represented by Dana Pickup.

Issues discussed:

- No concerns arose.
- Existing gravel trenches will be revised to ensure adequate leaching on the lake side.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

W. Frederick & Diana Uehlein, Trs./109 Eel River Rd. Nominee Trust. To permit and maintain existing shore outhaul system at 109 Eel River Rd., Osterville, as shown on Assessors Map 115 Parcel 009 **DA-10056**

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

Commissioner Peter Sampou abstained.

Issues discussed:

- An affidavit was submitted and noted as Exhibit A.
- Rob Gatewood acknowledged his conversation in about 1990 with former property owner, Jay Lerner, in which Mr. Lerner was told that no local permitting would be required. Staff would put that in writing for the record. This, then, would satisfy Section B1 "grandfathering" provision in the Regulations. Mr. Uehlein deploys an 18-foot Outrage with a 115 hp drive at his outhaul.

A motion was made to issue a negative conditional determination.

Seconded and voted unanimously.

V CERTIFICATES OF COMPLIANCE (ez = staff recommends approval) (* = on-going conditions)

A. Asiaf SE3-4818 (coc,ez) replace timber retaining wall *

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|-------------------------|----------|----------|----------|--|
| B. | DaLuz | SE3-0539 | (coc,ez) | construct retail building * |
| (Certificates, cont'd.) | | | | |
| C. | Evans | SE3-0877 | (coc,ez) | reconstruct seawall (bulkhead) |
| D. | Field | SE3-4491 | (coc,ez) | rebuild stone revetment * |
| E. | Mellon | SE3-2677 | (coc,ez) | stabilize eroding coastal bank * |
| F. | Driscoll | SE3-1660 | (coc,ez) | construct addition to single-family dwelling * |
| G. | Greene | SE3-4759 | (coc,ez) | construct single-family dwelling * |
| H. | Lowrie | SE3-4657 | (coc,ez) | construct single-family dwelling * |

A motion was made to approve all certificates (A – H).

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:10 p.m.