



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: OCTOBER 23, 2012, 6:30 PM

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 6:35 p.m. by Chairman Dennis R. Houle. Also attending were Commissioners Scott Blazis, Larry Morin, and Louise Foster. Vice-Chairman Tom Lee and Commissioners John Abodeely and Peter Sampou were away. Rob Gatewood, Conservation Administrator, assisted.

The meeting was held in the Town Hall Hearing Room, Barnstable Town Hall, 367 Main Street, Hyannis, MA.

I MINUTES FOR APPROVAL

A. October 9, 2012

B. October 16, 2012

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

Seconded and voted unanimously.

II REQUESTS FOR DETERMINATION

Justin LaRhette. Seek approval for 8' x 12' shed, play structure, lawn, and fencing at 10 Flowing Pond Cir., Osterville as shown on Assessor's Map 144 Parcel 066. **DA-12082**

The applicant attended the hearing.

Issues discussed:

- The filing was prompted by an enforcement order.

Public comment:

- Two letters were received – one in support of the project and one expressing concern for the adjacent drainage easement.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Steven Hirsch. Vista pruning at rear (waterside) of property at 149 Ocean View Ave., Cotuit as shown on Assessor's Map 033 Parcel 015. **DA-12080**

The applicant was represented by Phil Miller

Issues discussed:

MN102312

- A “to die for” view already exists at the parcel.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Joseph Norberg. Cut invasives from initial 12 feet of wood line, leaving all trees except for one hazardous leaning cherry tree; relocate landscape bed from next to driveway to along west property line at 42 Marchant’s Mill Rd., Hyannisport as shown on Assessor’s Map 266 Parcel 027. **DA-12083**

The applicant was represented by Robert Kennedy.

Issues discussed:

- Mostly honeysuckle will be removed.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

Barbara Rosiello. Construct additions to house and replace failed septic system at 60 Winfield Ln., Osterville as shown on Assessor’s Map 116 Parcel 101. **SE3-5034**

The applicant was represented by Stephen Wilson, P.E.

Issues discussed:

- Mitigation planting was proposed, equaling or exceeding the required 1,290 square feet.

A motion was made to approve the project with standard and special conditions

Seconded and voted unanimously.

Leonard Lewin/153 Bayview Realty Trust. Construct pool and expand patio; remove invasive plants/vines; replant with native shrubs and grasses; repair/replace existing stairway on coastal bank at 153 Bayberry Way, Osterville as shown on Assessor’s Map 091 Parcel 010. **SE3-_____**

The applicant was represented by Stephen Wilson, P.E., and Bruce Besse.

Issues discussed:

- Recent cutting on the subject property, apparently not at the applicant’s hand, was briefly discussed.

A motion was made to approve the project with standard and special conditions, contingent upon receipt and approval of a revised plan showing the revised spa location.

Seconded and voted unanimously.

George & Kristen Haseotes. Construct pile-supported timber pier with ramp, float and jet ski float at 218 Long Beach Rd., Centerville as shown on Assessor’s Map 205 Parcel 003. **SE3-_____**

The applicant was represented by Arlene Wilson, P.W.S.

Issues discussed:

- Grated surface decking is proposed over the marsh.
- Shellfish habitat is of low significance
- Soundings at the end of the float were lacking; however, the applicant acknowledged that a waiver for available depth was being applied for.

A motion was made to approve the project with a finding that the Ch. 702 “12 inch rule applies”, and with standard and special conditions, requiring depth soundings at the float, approving a non-motorized pier only, and requiring the applicant to bring to the Commission for advance consideration any motorcraft proposed for use at the pier in the future. The proposed jet ski float would be allowed as conditioned by the Commission.

Seconded and approved: 3 votes = aye;
1 vote = nay.

IV CONTINUANCES

David Rosengard. Construction of hard-surface tennis court; grading; restoration plantings; pea-stone driveway; stabilization of existing steep slope with timber terracing; maintain existing paths at 41 Weaver Rd., Centerville as shown on Assessor’s Map 207 Parcel 106. **SE3-_____**

Issues discussed:

- Commissioner Blazis completed the Mullen Rule review, and is now part of the quorum.

A motion was made to continue the hearing to December 4, 2012.

Seconded and voted unanimously.

No testimony was taken.

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

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|----|----------|----------|----------|--|
| A. | Moore | SE3-1171 | (coc,ez) | construct single-family dwelling * |
| B. | TOB/DPW | SE3-1150 | (coc,ez) | drainage improvements at Cotuit Town Landing |
| C. | Cullinan | SE3-1116 | (coc,ez) | construct single-family dwelling * |

A motion was made to approve the certificates (A – C).

Seconded and voted unanimously.

IV OLD & NEW BUSINESS

- A. Proposed ‘open gate’ access for 1 week (Dec. 10-16) of primitive firearm hunting season at W. Barnstable Conservation Area

A motion was made to approve the proposed access for December 10 – 16 for primitive firearm season.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:30 PM.