



**Town of Barnstable
Conservation Commission**
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Hyannis Massachusetts 02601

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MINUTES

CONSERVATION COMMISSION MEETING

DATE: December 3, 2013 6:30 PM

LOCATION: 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 E. Abodeely, Peter Sampou, Larry Morin, and Louise R. Foster. Commissioner Scott Blazis was away. Rob Gatewood, Conservation Administrator, assisted.

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

I MINUTES FOR APPROVAL

A. November 5, 2013

A motion was made to approve the minutes.

Seconded and voted unanimously.

B. November 12, 2013

A motion was made to approve the minutes.

Seconded and voted unanimously. Commissioner Abodeely abstained from the vote.

II REQUESTS FOR DETERMINATION

Cheryl Gardner. To seek approval to replace rotten timber retaining wall with a stone face wall, same footprint; add clean sand to existing beach; replace existing stockade fence with same at 175 Holly Point Rd., Centerville as shown on Assessor's Map 232 Parcel 017. **DA-13070**

The applicant attended the hearing.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Town of Barnstable/Water Supply Division. Replace existing 8-inch water main with new 12-inch water main along Main St. from west end rotary to Sea St. within riverfront area and within paved surface of Main St., as well as within 100-ft. buffer zone related to Aunt Betty's Pond. Various maps/parcels. **DA-13074**

The applicant was represented by Hans Keisjer and Steve Olson.

Exhibits:

- A – Proposed plan

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Indian Point, Inc. Replace a 12' x 16' float with an 8' x 24' float at 8 Indian Trail, Osterville as shown on Assessor's Map 091 Parcel 001. **DA-13072**

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

Exhibits:

- A – Proposed plan

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Hugh H. & Constance C. Tompkins. Construct an 18' x 18' (landward) addition to existing home in buffer zone to coastal bank at 166 North Bay Rd., Osterville as shown on Assessor's Map 073 Parcel 014-003. **DA-13073**

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

Exhibits:

- A – Proposed plan

A motion was made to issue a negative determination.

Seconded and voted unanimously.

David G. Drake & Jacqueline B. Llinas. Install split-rail fence (as previously approved) along east & south of driveway and turnaround; install pervious path from driveway to rear of house and patio; vista pruning corridors N/NE side of property at 1112 Craigville Beach Rd., Centerville as shown on Assessor's Map 206 Parcel 136. **DA-13071**
\$17.40

The applicant attended the hearing and was represented by Justin O'Connor.

Exhibits:

- A – Proposed plan and information sheets for pervious paving stones.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

III NOTICES OF INTENT

John G & Wilma R. Kassakian. Replace and extend existing licensed ramp and float at 200 Baxters Neck Rd., Marstons Mills as shown on Assessor's Map 075 Parcel 023. **SE3-5142**

The applicant was represented by Chuck Rowland, E.I.T.

Commissioner Foster recused herself.

Exhibits:

- A – Proposed plan

The 30-inch rule applied, due to the presumption of high value shellfish habitat.

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

Seconded and voted unanimously.

Donn & Eileen R. O’Connell, Trs., Hillbilly Hollow Nominee Trust. Construct pool, patio and additions to existing single-family dwelling; vista pruning at 390 North Bay Rd., Osterville as shown on Assessor’s Map 072 Parcel 001.
SE3-5138

The applicant was represented by Atty. Michael Ford, John O’Dea, P.E. and Chuck Rowland, E.I.T.

Exhibits:

- A – Proposed plan
- B – Cross-section view of proposed pool
- C – West elevation view (proposed)
- D – Photo showing existing west elevation view.

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

Seconded and voted unanimously.

Luis Vidal. Construct addition to existing house; construct new pool & pool patio at 220 East Bay Rd., Osterville as shown on Assessor’s Map 140 Parcel 169-004. **SE3-5139**

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

Exhibits:

- A – Proposed revised plan

Besides planting mitigation, invasive shrubs like bittersweet and bush honeysuckle will be eliminated.

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

Seconded and voted unanimously.

Countryside Building and Development Corp. Construct addition, raze/replace garage to include guest suite above; relocate existing septic system at 100 Herring Run Dr., Centerville as shown on Assessor’s Map 229 Parcel 045.
SE3-5140

The applicant was represented by Matthew Creighton, P.W.S.

Exhibits:

- A – Proposed plan

An alternative location for the mitigation planting was also discussed, but failed to garner support of the Commission.

A motion was made to continue the hearing to December 17th.

Seconded and voted unanimously.

IV CONTINUANCES

Stuart Bornstein/Stuborn LLC. Remove existing wharf, construct private docking facility to include maintenance dredging, removal of fill (considered improvement dredging), bulkheads, repair of existing bulkhead with protective stone revetment; placement of pier, ramp, floats in Barnstable Harbor at 153 Freezer Rd., Barnstable as shown on Assessor's Map 301 Parcel 006. **SE3-5052**

The applicant attended, and was represented by Matthew Creighton and Kieran Healy.

Exhibits:

- A – Proposed plan, Sheet 3 of 7
- B (1-5) – Site photographs (including one rendering)

Public comment:

Letters were received from Robert Betti, Doug Lane, John Murphy, Bob Howe, John Maloney, Terry and Prudence Pigott, Roger True, Peter Schuntermann, C.M. D'Esapo, Kate Plettner and Chris Van Duzer.

Ms. Plettner said that a permanent floating wave attenuator was needed.

Ann Cannedy said that all proposed berths should be to the inside of the existing pile line.

Peter Jasin said the proposed dredging still falls within the public domain.

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

Seconded and approved: 4 votes = "Aye;" 1 vote = "Nay." Commissioner Tom Lee was not part of the quorum.

V CERTIFICATES OF COMPLIANCE

- | | | | | |
|----|------------|----------|----------|-------------------------------------------------------------------|
| A. | Nolan | SE3-4921 | (coc,ez) | construct addition with attached garage * |
| B. | Mikutowicz | SE3-4602 | (coc,ez) | prepare lot for construction of single-family dwelling (not done) |
| C. | Sousa | SE3-1020 | (coc,ez) | driveway & landscaping |
| D. | Cerretani | SE3-4668 | (coc,ez) | replace timber bulkhead & bank stairs, etc. * |

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

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 8:46 PM.