



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: AUGUST 25, 2015 @ 3:00 PM

LOCATION: TOWN HALL, GROWTH MANAGEMENT CONF. ROOM, 3RD FLOOR

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 3:00 p.m. by Chairman Fat Piu (Tom) Lee. Also attending were Vice-Chairman Dennis Houle, and Commissioners John Abodeely, Peter Sampou (arrived at 3:40 p.m.), Scott Blazis (arrived at 3:12 p.m.), Larry Morin, and Louise Foster. Conservation Administrator Darcy Karle assisted.

The meeting was held in the Growth Management Conference Room, 3rd Floor, Barnstable Town Hall, 367 Main St., Hyannis, MA 02601.

3:00 PM AGENDA

I REVISED PLANS

project type

revision

A. Barr SE3-4757 raze/rebuild sfd landscape & transplant trees

The applicant was represented by Charles Rowland, P.E. of Sullivan Engineering and Consulting.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Williams SE3-5259 stairway to access lake stairway

The applicant was represented by Stephen Wilson, P.E. of Baxter Nye Engineering.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

II EXTENSION REQUESTS

A. Tung SE3-5025 rear patios, drive, etc. 1st Request; 3 years

The applicant was represented by Arlene Wilson, P.W.S. of A. M. Wilson Associates.

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

Seconded and voted unanimously.

III CERTIFICATES OF COMPLIANCE

NONE

IV ENFORCEMENT ORDERS

- A. Richard Rakauskas – 14 Pine Lane Hyannis
Alteration of a resource area, flood zone, and alteration of the 50' undisturbed buffer and 100' buffer from a wetland, Snow's Creek, by removing of vegetation, creating lawn space, and other landscaping improvements.

Attorney John Kenny represented Mr. Rakouskas.

Exhibits:

- A – GIS Sketch by Martin Wunderly
B – 1968 aerial
C – Three photos dated 8/5/15 by Martin Wunderly
D – Seven photos dated October, 2014, submitted by property owner

A motion was made to amend the enforcement order to read that property owner shall demarcate 50-foot buffer, once located by staff, and allow it to grow back; no mowing allowed; demarcation to be done in consultation with staff; single-rail fence or approved alternative; an RDA application must be filed for work in 50' – 100' buffer, with fee of \$100; gang plank removal stricken from the enforcement order.

Seconded and approved: 6 votes = Aye, with one abstention.

- B. Demetrios B. Haseotes – 312 Long Beach Rd. Centerville
Failure to request certificate of compliance. Alteration of a resource area, Centerville River, by constructing additional non-permitted pier sections. Alteration of a resource area by leaving abandoned floating boat lift aground in Centerville River channel off of Town of Barnstable Conservation area.

No one attended the meeting.

Exhibits:

- A – Two photos dated 8/7/15 by Martin Wunderly
B – 2009 aerial
C – 2014 aerial
D – Engineering plan by Bernard Munro dated 9/14/1992.

A motion was made to approve the enforcement order as written.

Seconded and voted unanimously.

- C. Bernard Weiss – 400 Lakeside Dr. West, Centerville
Alteration of the 50' undisturbed buffer from a wetland, Lake Wequaquet, by nourishing an unpermitted sand beach and constructing a retaining wall.

Mr. Weiss attended.

Exhibits:

- A – Aerial dated April, 2014 with sketch by Martin Wunderly; Google map 2014 street view; 2014 photo beach area, submitted by property owner; two photos dated 8/14/15 by Martin Wunderly.
B – Photo dated 3/1/14 submitted by Mr. Weiss

A motion was made to approve the enforcement order as written.

Seconded and approved unanimously.

V OLD & NEW BUSINESS

A. Paul D. Kaneb, 165 Bayberry Way, Osterville – replanting requirement under enforcement order.

Mr. Kaneb represented himself.

Exhibits:

A – Four photos by Mr. Kaneb and Email dated 5/20/15.

A motion was made requiring Mr. Kaneb to replant six trees by October 15th, 2015, chosen from approved planting list, in consultation with staff (temporary irrigation permitted), or property owner to submit a letter from a certified arborist by September 15th, 2015 addressing viability and location issues that would prevent trees from being replanted and surviving at this location.

Seconded and approved unanimously.

B. Gil Wood, 76 Bay Shore Road, Hyannis – to dredging issues

The matter was withdrawn.

4:30 PM AGENDA

**REMINDER TO APPLICANTS:
FEES FOR LEGAL ADS ARE DUE AT HEARING. YOUR FEE IS LISTED
BELOW**

This meeting of the Barnstable Conservation Commission is being recorded and transmitted by the Information Technology Department of the Town of Barnstable on Channel 18. Under MGL Chapter 30A Section 20, anyone else desiring to make such a recording or transmission must notify the Chair.

VI NOTICES OF INTENT

Suzanne & Benjamin Baxter. Construct pool and pool patio. A waiver of Commissions 50-foot buffer policy requested for this work at 69 Studley Rd., Hyannis as shown on Assessor’s Map 306 Parcel 010. **SE3-5310**
Request for continuance

A motion was made to continue the hearing to September 29th, 2015.

Seconded and approved unanimously.

No testimony was taken

Thomas F., Jr. & Katherine E. Ryan. Replace existing seasonal pier with a permanent pier at 260 North Bay Rd., Osterville as shown on Assessor’s Map 072 Parcel 008. **SE3-5312**

The applicant was represented by Charles Rowland, P.E.

Exhibits:

A – List of town regulations re: private docks

Correspondence: MA Division of Marine Fisheries; Barnstable Shellfish Committee, Email from Tom Marcotti, Town Shellfish Constable, dated 2006; T. Marcotti Email to Darcy Karle dated 8/25/15 with 2005 N.R. shellfish report, noting 4/23/15 email sent to Dennis Houle.

A motion was made to approve the project.

Seconded and voted: 3 votes = Aye; 4 votes = Nay. Motion failed to carry.

The project was denied.

VII AMENDED ORDERS

Brian Guarco. Amend Order of Conditions under **SE3-5238** to remove existing garage and create new driveway with drive under garage at 163 Estey Ave., Hyannis as shown on Assessor's Map 306 Parcel 197.

The applicant was represented by Kieron Healy of BSC Group.

A motion was made to approve the amended order.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 5:44 p.m.