



Town of Barnstable Conservation Commission

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 Hyannis Massachusetts 02601

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MINUTES

CONSERVATION COMMISSION MEETING

DATE: SEPTEMBER 22, 2015 @ 3:00 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 3:30 p.m. by Chairman Fat Piu (Tom) Lee. Also attending were Vice-Chair Dennis R. Houle, and Commissioners John E. Abodeely (arrived at 3:30 p.m.), Peter Sampou (arrived at 3:22 p.m.), Scott Blazis (left at 4:17 p.m. and returned at 4:30 p.m.), Larry Morin, and Louise R. Foster. Conservation Administrator, Darcy Karle, assisted.

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

3:00 PM AGENDA

I REVISED PLANS

Project type:

Revision:

A. Taylor SE3-5208 Redevelop property Pool, wall, terraces

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

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Wianno Club SE3-5190 deck, patio, walkway Landscape

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

A motion was made to approve the submission of a revised plan, noting additional conditions.

Seconded and voted unanimously.

II EXTENSION REQUESTS

Project type:

Time requesting:

A. Mattakeese Wharf Restaurant SE3-4392 floats, dredging 2st Request/3 years

The applicant was represented by Lynne Whiting Hamlyn.

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

Seconded and approved unanimously

B. Millway Marina SE3-4390 dredging, floats 2nd Request/3 years

The applicant was represented by Lynne whiting Hamlyn.

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

Seconded and approved unanimously

C. Blair SE3-4389 maintenance dredge 2nd Request/3 years

The applicant was represented by Lynne whiting Hamlyn.

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

Seconded and approved unanimously

D. Rosiello SE3-5034 additions, septic 1st Request/3 years

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

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

Seconded and approved unanimously

III CERTIFICATES OF COMPLIANCE

A. Trust SE3-5005 (coc,ez) construct ramp & float to existing dock *

A motion was made to approve the certificate.

Seconded and approved unanimously

B. Pratt SE3-1381 (coc,ok) construct addition & deck to single family dwelling *

A motion was made to deny the certificate, with the following options: 1) remove shed from conservation jurisdiction; 2) move shed outside of the 35' buffer; or, 3) file an RDA to seek approval to keep the shed at the current location.

Seconded and approved unanimously

IV ENFORCEMENT ORDERS

A. Adam Hostetter – 981 Main St. Osterville
Adding fill to a wetland buffer zone (50 - 60 ft) from a resource area (wooded swamp) and possibly in the wetland, in violation of an existing enforcement order.

Atty. Michael Schulz represented Mr. Hostetter.

A motion was made to approve an amended order stating site restoration to be done in consultation with staff.

Seconded and approved unanimously

V VIOLATION WARNINGS

A. Peter Menounos – 176 Clamshell Cove Rd. Cotuit
§237-6A Violation of an order of conditions (Failure to request Certificate of Compliance; unauthorized boats on pier)

No one attended the hearing.

A motion was made to approve the warning, re-written as an enforcement order for unauthorized motorcraft.

Seconded and approved unanimously

- B. Daniel and Wendy Kraft – 98 Tracey Rd. Cotuit
§237-6A Violation of an order of conditions (Unauthorized motorcraft berthed at float and grounded at low tide)

No one attended the hearing.

A motion was made to approve the written warning.

Seconded and approved unanimously

VI NON-CRIMINAL CITATIONS

- A. Adam Hostetter – 981 Main St. Osterville
§237-10B Violation of an enforcement order. \$300.00

Noted

4:30 PM AGENDA

VII REQUESTS FOR DETERMINATION

Adam J. Hostetter, Tr., Eagle Trust. Repair sections of pavement between Lots 30 and 36 at Whistleberry Dr., Marstons Mills as shown on Assessor's Map 062 Parcels 033 – 035. **DA-15048**

The applicant was represented by Atty. Michael Schulz.

A motion was made to issue a negative determination with conditions: erosion control in consultation with staff, and a written protocol for construction.

Seconded and voted unanimously.

Adam J. Hostetter, Tr., Eagle Trust. Repair two sections of pavement totaling approx.. 60' x 13' on Berry Hollow Dr., Marstons Mills as shown on Assessor's Maps 044 and 045. **DA-15049**

The applicant was represented by Atty. Michael Schulz.

Exhibits:

- A – Letter dated 9/20/15 from Mark Dibb, P.E. to Whistleberry Residents Assoc., Inc.
B – Letter dated 4/29/96 from Daniel c. Hostetter to Patti Kellogg.

Public Comment:

Atty. Brian Wall, George Quart (abutter), and Gary Blazis.

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

Seconded and voted unanimously.

(Commissioner Scott Blazis returned to the meeting.)

Joan M. LeGraw. Remove invasive species and replant at 110 Allyn Lane, Barnstable as shown on Assessor's Map 259 Parcel 014. **DA-15050**

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

Exhibits:

A – Letter dated 9/22/15 from Bethiah Crane to the Conservation Commission.

A motion was made to continue the hearing to 9/29/15.

Seconded and voted unanimously.

Stephen H. Stepanian & Darcy M. Vary. Install 10' x 14' shed in rear corner of yard at 291 S. Main St., Centerville as shown on Assessors Map 207 Parcel 085-001. **DA-15045**

The applicants attended.

A motion was made to issue a negative determination.

Seconded and approved: 4 votes Aye; 2 votes Nay. 1 abstention.

The vote carried.

Linda G. Polivy. Beach renourishment on existing beach above spring high water mark of lake at 312 Holly Point Rd., Centerville as shown on Assessors Map 232 Parcel 028. **DA-15047**

The applicant was represented by Mark Holmquist.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

Colonial Gas Company. Install new gas service main on Woodwind Way from existing main on High Street; install three service lines to existing residential lots as shown on Assessor's Map 111 Parcels 017, 018, 040-001. **DA-15051**

The applicant was represented by Amanda Crouch-Smith.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

VIII NOTICES OF INTENT

Dennis A. Ausiello & Eric S. Slifka. Dune and beach nourishment along approx. 180 feet of coastline to enhance existing resources and provide a more resilient shoreline at 100 Cross St., Cotuit as shown on Assessor's Map 033 Parcel 032. **SE3-5319**

The applicant was represented by Leslie field and Atty. Sarah Turano-Flores.

Public Comment: Arlene Wilson

A motion was made to continue the hearing to October 13, 2015.

Seconded and voted unanimously.

Steven E. Hirsch. Dune and beach nourishment along approx. 85 feet of coastline to enhance existing resources and provide a more resilient shoreline at 0 Cross St., Cotuit as shown on Assessor's Map 033 Parcel 031. **SE3-5320**

The applicant was represented by Leslie Fields and Atty. Sarah Turano-Flores.

A motion was made to continue the hearing to October 13, 2015.

Seconded and voted unanimously

Evergreen 69 Realty Trust & Pickwick Realty Trust. Dune and beach nourishment along approx. 378 feet of coastline to enhance existing resources and provide a more resilient shoreline at 69 & 71 Ocean View Ave., Cotuit as shown on Assessor's Map 034 Parcels 045 and 045-001. **SE3-5318**

The applicant was represented by Leslie Fields and Atty. Sarah Turano-Flores.

Exhibits:

A – Letter dated 9/21/15 from Edward R. Gargiulo

A motion was made to continue the hearing to October 13, 2015.

Seconded and voted unanimously

John F. Fitzgerald, Tr., Bluff Point 1999 trust No. 2. Dune and beach nourishment along approx. 275 feet of coastline to enhance existing resources and provide a more resilient shoreline at 128 Bluff Point Dr., Cotuit as shown on Map 034 Parcel 069 **SE3-5321**

The applicant was represented by Leslie Fields and Atty. Sarah Turano-Flores.

A motion was made to continue the hearing to October 13, 2015.

Seconded and voted unanimously

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 6:28 p.m.