



Town of Barnstable Conservation Commission

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MINUTES

CONSERVATION COMMISSION MEETING

DATE: JANUARY 19, 2016 @ 3:00 PM

LOCATION: TOWN HALL HEARING ROOM – 367 Main St., Hyannis, MA 02601

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 F. P. (Tom) Lee. Also attending were Vice-Chairman Dennis R. Houle, and Commissioners Peter Sampou (arrived at 3:20 p.m), Larry Morin, and Louise R. Foster. Commissioners John E. Abodeely and Scott Blazis were away.

Darcy Karle, Conservation Administrator, assisted, along with Martin Wunderly, Conservation Agent.

3:00 PM AGENDA

I CERTIFICATES OF COMPLIANCE

(coc = Certificate of compliance) (d = staff recommends denial)

A. Robbins SE3-5216 (coc,d) raze & construct single family dwelling (not done)

The applicant was represented by Dan Ojala, P.E. of Down Cape Engineering,

Mr. Wunderly summarized a prior violation on the site, a buffer zone cutting violation and a failure to provide annual reports.

Mr. Ojala stated that many plants had failed to survive.

The Commission briefly discussed approving the certificate and following replanting and annual reports under an enforcement track.

It was decided by the Commission that a letter, describing a bond to be posted, is to be received by January 25th, 2016, before closing on the sale of the property.

A motion was made to approve the certificate contingent upon the following:

1. Applicant to post a bond sufficient to cover the required amount of replanting necessary to comply with the original enforcement order replanting plan dated 10/3/13;
2. Annual reports to be submitted for three years;
3. No mowing to be done in the replanted buffer zone.

Seconded and approved unanimously.

II REVISED PLANS

Project type:

Revision:

A. Sunrise Nom. Trust SE3-5342

sfd

fence, septic

The applicant was represented by Dan Ojala, P.E.

The revised plan showed the proposed fence on the work limit line and an adjustment of the septic leaching area.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

B. Rosiello SE3-5034 additions shed

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

The revised plan showed the addition of a shed with mitigation plantings.

A motion was made to approve to revised plan.

Seconded and voted unanimously.

III EXTENSION REQUESTS **Project type:** **Time requested:**

A. Vedder SE3-5059 cottage; landscaping 1st Request; 3 years

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

This was a first extension request. Landscaping and mitigation planting had not yet been completed.

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

Seconded and approved unanimously.

IV ENFORCEMENT ORDERS

A. Rod Sroczenski – 14 Johnson Ln., Centerville
Alteration of a resource area, Lake Wequaquet, by adding on to pier structure, out of compliance with special conditions in permit# ART-0052 by not matching the approved plan.

Mr. Sroczenski thought the permit for the dock allowed any alterations, and needed the extension parts for handicap-access to the boat.

The Commission was concerned with the negative impact to the lake bottom habitat, and suggested reviewing the freshwater dock guidelines before deciding to apply for approval or removal of the unpermitted section. A variance could be requested for the handicap accessibility.

A motion was made to approve the certificate.

Seconded and voted unanimously.

V OLD AND NEW BUSINESS

A. Jack Lyons – 261 Sandy Neck, Barnstable – Letter dated Dec. 21, 2015 from US Army Corps of Engineers

Commissioner Houle read into the record the U.S. Army Corps of Engineers' letter dated 12/21/2015.

Mr. Houle recommended that the Commission respond with a follow-up letter based on evidence collected at the June 9th, 2015 hearing. His draft letter was also read into the record.

A motion was made to approve the draft, and for the Chair to sign and send the letter.

Seconded and approved unanimously.

4:30 PM AGENDA

VI REQUESTS FOR DETERMINATION

None

VII NOTICES OF INTENT

Erik M. Stien & Pamela Esposito. Construct additions to existing dwelling; remove portion of pavement at 100 Meadowlark Ln., Osterville as shown on Assessor's Map 117 Parcel 022. **SE3-5354**

The applicants were represented by Brad Hall.

Exhibits:

- A – Mitigation planting plan dated 1/19/16, submitted by Brad Hall;
- B – 4 photos submitted by Ms. Karle 1/19/16, showing cuttings left on bank beyond area where pavement removed.

Issues discussed:

- Who is responsible for cutting on abutting parcel?
- Staff to follow-up with enforcement visit.

A motion was made to approve the project with special conditions, stating the following: once asphalt is removed, the hay bale line will be moved to the correct side of the property line; a demarcation/hay bale line will be set, indicating no cutting beyond that point.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 4:42 p.m.