



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

**DATE: APRIL 19, 2016 @ 6:30 PM**

**LOCATION: TOWN HALL HEARING ROOM, 367 Main Street 2<sup>ND</sup> Fl., Hyannis, MA**

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](http://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 Vice-Chairman Dennis R. Houle. Also attending were Commissioners Peter Sampou, Scott Blazis, and Larry Morin. Chairman F. P. (Tom) Lee and Commissioners John E. Abodeely and Louise R. Foster were away. Martin Wunderly, Conservation Agent, assisted.

### **I REQUESTS FOR DETERMINATION**

**Gerard & Mary Halpin.** Conduct vista pruning in conformance with Conservation Commission guidelines at 252 School St., Cotuit as shown on Assessor's Map 020 Parcel 063. **DA-16022**

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

Issues discussed:

- Width of corridor;
- Desire of applicant to remove some understory.

A motion was made to issue a negative determination.

Seconded and voted unanimously.

### **II NOTICES OF INTENT**

**Jason Taylor.** Permit and maintain existing pier on Simmons Pond at 50 Circle Dr., Hyannis as shown on Assessor's Map 288 Parcel 037. **SE3-5382**

The applicant was represented by Lynne Whiting Hamlyn.

Issues discussed:

- Requirement that, when life of pier ends, no new reconstruction under a Form M (maintenance) be submitted, including removal of the concrete slab.

A motion was made to approve the project with standard and special conditions, including no reconstruction of this pier allowed under a Form M; when pier reaches end of its useful life, a new NOI to be submitted, in compliance with Commission guidelines, including removal of concrete slab.

Seconded and voted unanimously.

**Maureen O'Shea.** Replace rotting timber walls with rock walls; replace rotting stairways with new; replace block patio with natural stone at 104 Moco Road, W. Barnstable as shown on Assessor's Map 195 Parcel 014. **SE3-5384**

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

Issues discussed:

- Applicant's desire to rebuild failing retaining walls;
- Question of whether the concrete pad had ever been permitted, and the year of its construction;
- Staff asked to verify the [concrete] structure on previous plans;
- Dimensions of the existing – versus previous, structures;
- Should the structure be considered a plan on its own, regardless of its history?
- Commission practice of viewing a structure shown on previously-approved, stamped plan as being “grandfathered.”

A motion was made to approve the project with standard and special conditions subject to the following: a) submittal of a revised plan (2003) noting the two stairs not to exceed four-feet wide, and with dimensions of proposed and existing deck; b) staff to verify existence of concrete pad on previous (2003) plan; and, c) concrete pad to be demolished by hand.

Seconded and voted unanimously. .

### **III CONTINUANCES**

**TEC Associates on behalf of Massachusetts Coastal Railroad.** To delineate wetlands for herbicide application within protected wetland buffer zone along MA Coastal Railroad right-of-way in Barnstable. **DA-16021**

An email dated 4/19/16 from Tom Lewis of TEC Associates requested a continuance to May 10<sup>th</sup> in order to complete a field review.

A motion was made to continue the hearing to May 10<sup>th</sup>.

Seconded and voted unanimously. No testimony was taken.

### **IV CERTIFICATES OF COMPLIANCE** (ez = no deviations, staff recommends approval) (\*= on-going conditions)

A. Gounaris SE3-1173 (coc,ez) construct one single family dwelling \*  
at 49 Hollidge Hill Lane, Marstons Mills – Hamblin Pond

A motion was made to approve the certificate.

Seconded and voted unanimously.

### **V MINUTES FOR APPROVAL**

A. April 5, 2016

A motion was made to table the minutes, as they had not yet been made available.

Seconded and voted unanimously.

**A motion was made to adjourn.**

**Seconded and voted unanimously.**

**The time was 7:07**