



Town of Barnstable Conservation Commission

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MINUTES

CONSERVATION COMMISSION MEETING

DATE: MAY 10, 2016 @ 3:00 PM

LOCATION: SELECTMEN'S CONFERENCE ROOM – 367 Main St., 2nd Floor, 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 Larry Morin, and Louise R. Foster. Commissioners Peter Sampou and Scott Blazis arrived at 3:19 p.m. Commissioner John Abodeely was away.

Darcy Karle, Conservation Administrator, assisted, along with Martin Wunderly, Conservation Agent, and Fred Stepanis, Conservation Assistant.

3:00 PM AGENDA

I CERTIFICATES OF COMPLIANCE (ok = minor deviations, staff recommends approval) (* = on-going conditions)

- A. **Gounaris SE3-1620** (coc,ok) landscaping of single family dwelling *
at 49 Hollidge Hill Lane, Marstons Mills – Hamblin Pond

The applicant was represented by Mr. Bonvie.

The applicant was told he must stake the 50-foot buffer, leaving a four-foot-wide access to the stairs; no future mowing to be done in the 50-foot buffer; concrete steps must be removed.

A motion was made to approve the certificate.

Seconded and voted unanimously.

II REVISED PLANS

Project type:

Revision:

- A **Baxter SE3-4918** addition to sfd as-built conditions (Tabled from 4/12)
69 Studley Rd., Hyannis

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

Exhibits:

A – Revised plan dated 4/23/16 with Joyce Landscaping notes at top.

Mr. Wilson submitted a revised plan showing landscaping notes for required mitigation plantings.

A motion was made to approve the revised plan with date of 4/28/2016.

Seconded and voted unanimously.

B. **Hamblin SE3-5274** sfd, barn, landscaping landscape plan
76 Maki Rd., W.Barnstable

The applicant attended.

Exhibits:

A – Packet of photos with associated plan sections

Issues discussed:

- The Commission had concern with increase of lawn in the 50-foot buffer;
- Appropriate ground cover plantings from approved planting list was considered best option;
- The area once planted with native trees, shrubs, and groundcover in the 50' buffer should not look manicured.

A motion was made to approve the proposed project with submission of a new revised plan to staff, showing no additional lawn area in 50-foot buffer; instead, the area planted with native groundcover and plantings, in consultation with staff.

Seconded and voted unanimously.

C. **Bradley SE3-5343** raze/rebuild sfd footprint, location, elevation
48 Magnolia Ave., Centerville

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

A motion was made to approve the revised plan as submitted. If a further plan revision is requested by the Zoning Board, the revised plan will need to be submitted to Conservation staff for review.

D. **Brown SE3-5103** pier & bulkhead Time of year restriction (TOY)
250 Smoke Valley Rd., M.M.

The applicant was represented by Chris Haggerty of Beacon.

A motion was made to approve the revised plan.

Seconded and voted unanimously.

E. **Gaudreau SE3-5111** garage, addition, etc. expand 1st floor deck
165 Holly Point Rd., Centerville

The applicant attended, and was represented by Craig Ferrari of Down Cape Engineering, Inc.

Issues discussed:

- Claculations and dimensions of deck should be indicated on the plan;
- Planting list from original order was reviewed but a better layout of plants should be submitted;

A motion was made to approve the project with the submission of a revised plan showing planting calculations, deck dimension, planting locations planting list.

The motion was not seconded.

[After the motion was made, the applicant decided to ask if he could increase the deck size by an additional amount. He was told this would require a revised plan and new mitigation calculations.]

The project was tabled by the Chairman till May 31st, in order to allow the applicant to submit a new revised plan with additional deck space and associated mitigation.

<u>II</u>	<u>EXTENSION REQUESTS</u>	<u>Project type:</u>	<u>Time requested:</u>
A.	Brown SE3-5061 250 Smoke Valley Rd., M.M.	elevate cottage	1 st Request; 3 years

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

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

Seconded and voted unanimously.

IV ENFORCEMENT ORDERS

- A. **Poli – 190 Holly Point Rd.** Alteration of a resource area, Bearse Pond, with unauthorized activity beyond order of conditions and certificate of compliance.

The Poli’s were represented by Atty. Albert Schulz and Edmund Poli III.

Exhibits:

- A. 2003 Certificate of Compliance SE3-3992 Aluminum dock.
- B. 2015 Aerial GIS photo showing non-compliant dock.
- C. 2003 COC photos for aluminum dock, by Conservation Assistant.
- D. 2003 Plan of record for aluminum dock SE3-3992.
- E. 2006 Order of Conditions for deck and plant mitigation buffer SE3-4497.
- F. 2007 COC for deck and plant mitigation buffer SE3-4497.
- G. 2007 COC photos of deck and planting buffer with 2016 photo comparisons.
- H. 2006 Plan of record (deck and planting buffer SE3-4497) with violations.
- I. 2008 Assessors photo.
- J. 2008 Aerial GIS photo showing expanded sandy beach dimension

Issues discussed:

The owner replaced a broken aluminum dock with the unpermitted dock, and would like to restore it to original size and relocate the sand beach that was expanded. They will work with Sullivan Engineering to submit NOI’s with a new deadline of July 15, 2016

A motion was made to approve an amended enforcement order to change one of the requirement options to submit two NOI applications, one for a dock and the other for landscape and deck addition; to be received in the Conservation office no later than July 15th, 2016.

Seconded and voted unanimously.

- . **Creelan – 78 Sawmill Rd.** Alteration of a resource area, Mystic Lake, by maintaining non-compliant floating dock on lake and stairwell structure in wetland buffer zone.

Exhibits:

- A. Town GIS Aerial from 2015 with dock.
- B. Town Assessor photos from 2015.

- C. Realtor photos from Zillow.com 2016.
- D. Letter and photos of removed stairs/dock from Attorney Scarano.

No one attended the hearing.

Ms. Creelan's attorney, Mr. Scarano, had submitted photos ahead of the hearing, showing the dock and stairs removed. A planting plan was submitted, to be completed by Michael Neath Landscaping to restore the shoreline.

The Commission recommended that the present owner convey the terms of the enforcement order to future buyers of the property. The Commission wished to thank the owner for her prompt response to the matter.

V CONTINUANCE

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 \$13.26**

No one attended the hearing.

Correspondence:

- Tom Lewis Email dated 5/10/16, confirming delineation field survey
- Aerial view of site, given by Ms. Karle

A motion was made to issue a negative determination chicking off #5. Project meets requirements for the following exemption: 310 CMR 10.03 (6) (b) and 10.58 (6) (a).

Seconded and voted unanimously.

4:30 PM AGENDA

VI REQUESTS FOR DETERMINATION

LSDP 15, LLC. To confirm all wetland resource areas at 280 & 0 Old Falmouth Rd., Marstons Mills as shown on Assessor's Map 200 Parcels 007 & 008. **DA-16032**

The applicant was represented by Brian Madden of LEC Environmental.

A motion was made to issue a positive determination for review and approval for resource delineation.

Seconded and voted unanimously.

VII NOTICES OF INTENT

Charles & Nicole King. Construct a walkover structure and pier with seasonal ramp and float into waters of Mystic Lake at 273 Regency Dr., Marstons Mills as shown on Assessor's Map 064 Parcel 041. **SE3-5391**

An Email dated 5/9/16 from Matt Creighton of BSC Group, requesting a continuance to May 31, was read into the record.

A motion was made to continue the hearing to 5/31/2016.

Seconded and voted unanimously.

No testimony was taken.

Rod Sroczenski. To permit existing float system within waters of Lake Wequaquet, at 14 Johnson Ln., Centerville as shown on Assessor's Map 193 Parcel 077. **SE3-5392**

An Email dated 5/9/16 from Matt Creighton of BSC Group, requesting a continuance to May 31, was read into the record.

A motion was made to continue the hearing to 5/31/2016.

Seconded and voted unanimously.

No testimony was taken.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 4:38 p.m.

UP-COMING MEETINGS:

Month	6:30 P. M.	3:00 PM
May	17, 31	
June	14, 28	21
July	12,26	19