



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION MEETING

DATE: September 20, 2016 @ 6:30 PM

LOCATION: Town Hall Hearing Room, 367 Main Street 2ND 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), 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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners John E. Abodeely, Peter Sampou, Scott Blazis, and Larry Morin.

Conservation Administrator, Darcy Karle, assisted.

I REQUESTS FOR DETERMINATION

None

II NOTICES OF INTENT

James & Elizabeth Young. Construct a second-story addition over the existing garage, adding a deck off this addition to connect to an existing deck, and relocating existing deck stairs at 298 Wheeler Rd., Marstons Mills as shown on Assessor's Map 082 Parcel 018 **SE3-5413**

The applicant was represented by Danny Gonsalves, E.I.T. of Down Cape Engineering.

Issues discussed:

- Proposed project falls in Natural Heritage & Endangered Species (NHESP) habitat.

A motion was made to approve the project with special conditions, subject to any conditions set forth by NHESP after its review.

Seconded and voted unanimously.

48 Magnolia Avenue LLC. Construct a pool and patio at 48 Magnolia Ave., Centerville as shown on Assessor's Map 225 Parcel 011 & 035. **SE3-5415**

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

Issues discussed:

- The approved planting plan under SE3-5343 was reviewed
- The relocation of the flagpole will delete the need for a path to access it.

A motion was made to approve the project with special conditions, subject to the receipt of a revised plan showing the new location of the proposed flagpole as closer to the existing path or patio.

(48 Magnolia Ave., LLC, continued)

Seconded and voted unanimously.

Wianno Club. Stormwater management improvements at holes 3-7, 10 and the driving range to include slit and surface inlets, drainage pipe and tide gate replacements, and stormberm repair at 379 Parker Rd., Osterville as shown on Assessor's Map 115 Parcel 022. **SE3-5414**

The applicant was represented by John C. O'Dea, P.E. and Charles (Chuck) Rowland, P.E. David Johnson, Superintendent of the Wianno Golf Course attended.

Issues discussed:

- The impact of proposed project on associated wetlands;
- The Commission would like to see if phragmites treatment could be explored at the 5th hole;
- The use of biological controls, such as those listed under the IPM program, instead of chemical treatment for grubs and pests;
- Discussion on rate of drainage into North Bay after the project is completed, and whether herbicides, pesticides and fungicides reach North Bay at a faster rate;
- Currently, course management is only ¾ lb. the rate of granular slow-release, much less than prior years of course management;
- Construction schedule: slit draining to start in 6 – 8 weeks; pipe replacement or drainage to begin next fall. Will follow an off-season timeline.

Public comment: Richard Kidder, abutter to 4th hole, was concerned with the possibility of additional flooding onto his property from the proposed course improvements.

A motion was made to approve the project with special conditions: 1) annual monitoring reports for three years; 2) restore plants on berm if they don't survive; 3) submit phragmites-treatment plan in area of 5th hole tee box, in consultation with staff and the DEP; 4) examine the feasibility of using biological agents to control pests.

Seconded and voted unanimously.

III FOR RECONSIDERATION

A. **Louis N. & Zacharie H. Vinios.** Demolish existing detached garage; construct new pool, patio, cabana, retaining wall, new detached garage; reconfiguration of driveway and renovations to existing dwelling at 47 Sea View Ave., Osterville as shown on Assessor's Map 162 Parcel 025. **SE3-5407**

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

Exhibits:

- A – 2001 aerial photo
- B – 2008 aerial photo

Issues discussed:

- A quorum existed of original Commissioners, all except Peter Sampou;
- Ms. Karle gave an overview of the reason the project was back before the Commission;
- The deck expansion by a prior owner came to the attention of staff during a building permit review, before an order of conditions was issued;
- The proposed revised plan indicates the expanded deck and the required mitigation planting;

A motion was made to allow a re-consideration.

Seconded and voted unanimously.

Chuck Rowland summarized the revised plan and mitigation offered for the deck expansion.

(Vinius, continued)

A motion was made to approve the project under the reconsideration, with standard and special conditions.

Seconded and voted unanimously.

IV CONTINUANCES

Jack Lyons. Repair and maintain existing pier with improved boat lift accessory to single-family home at 261 Sandy Neck, off Trail #5, West Barnstable as shown on Assessor's Map 303 Parcel 007. **SE3-4518**

A continuance was requested in writing prior to the hearing to November 1st, 2016.

Seconded and voted unanimously.

No testimony was taken.

V CERTIFICATES OF COMPLIANCE

A. Young SE3-5230 (coc,ez) construct timber retaining wall *
at 237 Prince Avenue, Marstons Mills – Prince Cove

A motion was made to approve the certificate.

Seconded and voted unanimously.

VI MINUTES FOR APPROVAL

A. Chair's Executive Session Review

In consultation with the Town Attorney, the Chair is taking the following action:

Approve and continue to retain the minutes for the executive session of May 17, 2016 that relates to the Heckscher matter, as the litigation in the case of Gormally v. Town of Barnstable is still on-going.

B. September 6, 2016

A motion was made to approve the minutes.

Seconded and voted unanimously.

A motion was made to adjourn.

Seconded and voted unanimously.

The time was 7:46 p.m.