



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION MEETING

**DATE: January 24, 2017 @ 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 Chair F. P. (Tom) Lee. Also attending were Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, and Commissioners Peter Sampou and Larry Morin. Commissioners John Abodeely and Scott Blazis were away.

Conservation Administrator, Darcy Karle, assisted.

### **I OLD & NEW BUSINESS**

- A. Barnstable Land Trust (BLT) requesting Commission support of an application to the Community Preservation Committee, requesting funds to help purchase property, 3.47 acres, located at #0 Church Street, Map 176 Parcel 006, West Barnstable with a commitment from Commission to hold the conservation restriction.

This matter was tabled to February 7<sup>th</sup>, as the BLT representative was unable to attend.

### **II REQUEST FOR DETERMINATION**

**Town of Barnstable/D.P.W.** Install drainage system in road to eliminate puddles near gatehouse on Sandy Neck Road as shown on Assessor's Map 136 & 137, (various parcels). **DA-17003**

The applicant was represented by Brian Celia.

Issues discussed:

- The Chair is reviewing the stormwater plan; however, a few pages are missing;
- The Chair stated that the proposed project should require field testing on site.

A motion was made to issue a negative determination with the following special conditions: a) field testing to be done on site; b) applicant shall submit missing pages from the stormwater plan for the Chair's review.

Seconded and voted unanimously.

### **III NOTICES OF INTENT**

**Heathwood & McCafferty.** Maintenance dredging of Windrush Lane Inlet with off-site upland spoil disposal at 40 & 50 Windrush Ln., Osterville as shown on Assessor's Map 093 Parcel 071 & 070. **SE3-5442**

The applicant was represented by Arlene Wilson, P.W.S. of A. M. Wilson Associates.

Exhibits:

- A – Large plan copy containing all sheets listed in the NOI;
- B – Post dredge survey dated June 25, 1995.

Issues discussed:

- Comments from Natural Heritage & Endangered Species (NHESP) not yet received;
- Dredge material will be dewatered on a private parking lot, most likely in Conservation jurisdiction, flood zone only;
- Concern with probable loss of shellfish habitat and eelgrass when dredging was first approved in 1992;
- Request by a Commissioner to overlay post-dredge survey with proposed maintenance dredge plan;
- Review of Shellfish Biologist Tom Marcotti's comments regarding quahog habitat, and further reduction of dredge window to October, November, December, and part of January;
- Whether there is a need for siltation curtain around abutting flupsy.

Public comment:

- Albert Suprenant, abutter and oyster grant owner, supports the project; he stated that his flupsy would not be in use during October to mid-January, making a siltation curtain (as recommended by the DMF) unnecessary.

Correspondence:

- Letter from the MA Department of Marine Fisheries (DMF)
- Email from Tom Marcotti, Shellfish Biologist

A motion was made to approve the project with special conditions:

1. Subject to any comments by NHESP;
2. Salt marsh shall not be disturbed;
3. Approved limit of dredging shall be staked in the field and adhered to;
4. Dredging shall not occur between January 15<sup>th</sup> and October 14<sup>th</sup>;
5. Dredge spoils to be taken off site by barge and be appropriately dewatered and deposited;
6. A post-dredging bathymetric survey shall be performed;
7. Dredge work shall be done from barge with a clamshell dredge working from north to south and ensue mid-tide rising to mid-tide falling.

Seconded and voted unanimously.

**Henry Fox & Tamasine Conway Greig.** Demolish existing patio; construct deck within portion of patio footprint at 93 Hawes Ave., Hyannis as shown on Assessor's Map 323 Parcel 011. **SE3-5444**

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

Exhibits:

- A – Revised site plan dated 1/19/17
- B – Remodeling plan, deck detail for Greig residence dated 1/18/17

Issues discussed:

- A revised plan was submitted to add dimensions requested by staff;
- The coastal bank referred to on plan is actually a man-made bank, i.e., a concrete wall;
- The impervious patio changed to pervious deck along with decrease in hardscape, considered a positive benefit;

A motion was made to approve the project with special conditions.

Seconded and voted unanimously.

**Richard P. Callahan, Tr., North Bay Realty Trust II.** To repair / replace existing failing timber bulkhead, stone revetment, and steel bulkhead with a new vinyl bulkhead which will be placed within the exact footprint of the existing timber bulkhead, landward of the toe of the stone revetment, and along the seaward edge of the steel bulkhead, and to replace and expand an existing shed from 9' x 17' to 20' x 30' at 138 Bridge St., Osterville as shown on Assessor's Map 093 Parcel 030. **SE3-5443**

The applicant was represented by Charles “Chuck” Rowland, P.E.

Exhibits:

A – Revised plan (Sheet 1) dated 1/19/17

Issues discussed:

- The plan “Sheet 1” was revised to add dimensions of shed and distance to resource, as requested by staff;
- Sheets 2 and 3 dated 1/10/17 will remain the same;
- Staff asked if a silt curtain near small beach, kayak-access, might be appropriate;
- It was determined that a silt curtain was not necessary, as this is a marina area;
- Sullivan Engineering discussed this project with the abutter, who was OK with it.

Correspondence:

- MA Division of Marine Fisheries dated 1/18/17

A motion was made to approve the project with special conditions, approving revised plan dated 1/19/17.

Seconded and voted unanimously.

#### **IV CONTINUANCES**

**James F. & Susan H. Whelan.** Construct and maintain timber boardwalk, pier, ramp and float at 65 Ocean Ave., Hyannis as shown on Assessor’s Map 287 Parcel 120. **SE3-5436**

A request for a continuance to February 7<sup>th</sup> was sent via letter.

A motion was made to continue the project to February 7<sup>th</sup>.

Seconded and voted unanimously.

No testimony was taken.

**Mark M. Christopher, Tr., 27 Winfield Lane Realty Trust.** Construct timber boardwalk, pier, ramp and float at 73 Eel River Rd., Osterville as shown on Assessor’s Map 116 Parcel 100. **SE3-5437**

A request for a continuance to February 21<sup>st</sup> was sent via letter.

Mr. Rowland of Sullivan Engineering changed his request to March 7<sup>th</sup>.

A motion was made to continue the project to March 7<sup>th</sup>.

Seconded and voted unanimously.

No testimony was taken.

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

A. Villa SE3-5220 (coc,ez) raise house above flood elevation \*  
at 212 Sixth Avenue, West Hyannisport – 100-year flood zone

A motion was made to approve the certificate.

Seconded and voted unanimously.

**VI MINUTES FOR APPROVAL**

A. January 10, 2017

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 7:40 p.m.**

**UP-COMING MEETINGS:**

<b>Month</b>	<b>6:30 P. M.</b>	<b>3:00 PM</b>
February	7, 21	14
March	7, 21	14
April	4,18	11