



Town of Barnstable Conservation Commission

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CONSERVATION COMMISSION HEARING

DATE: APRIL 16, 2019 @ 6:30 PM

LOCATION: 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 Larry Morin and George Gillmore. Commissioners John E. Abodeely and Pete Sampou were away.

I NOTICE OF INTENT

Donna J. Layhe. Construct addition consisting of mudroom, bath, porch, re-located bedroom and exit stairs at 4140 Main St., Cummaquid as shown on Assessor's Map 351 Parcel 001. **SE3-5672**

The applicants were represented by Daniel Ojala, P.E. of Down Cape Engineering and Steve Cook of Cotuit Bay Design.

Issues discussed:

- The area where mitigation is being proposed is very wet and may not be suitable for plants.
- Plant sizes should be at least 3 gallon.
- Dumping of debris within the 50' buffer near the shell path should be cleaned up.

A motion was made to approve the project as submitted with two conditions. The winterberry or silky dogwood shall be increased to a 3 gallon size, and the pile of leaves and branches will be removed from the 50' buffer.

Seconded and approved unanimously.

Vic Myer. Landscape improvements to include replacing a shell terrace with timber decking, proposed landscape steps, grill pad, temporary barbeque area, and native plantings at 24 Bay Rd., Cotuit as shown on Assessor's Map 020 Parcel 118. **SE3-5673**

The applicant was represented by Chuck Rowland, P.E. of Sullivan Engineering. Tom Benjamin, Registered Landscape Architect assisted with the plans.

Issues discussed:

- The project is located in both 50' and 100' buffer.
- There is a site plan showing existing conditions. There should be a proposed plan submitted.

- Proposed area of the concrete platform for grill and circular sand area was given up for mitigation in the 2013 permit.
- There should have been three rows of plantings for that permit. There are only two now and a shorter row where the plants are not doing well.
- There will be a total of 600 plants going in.
- The regrading of some of the property in the proposal is only very slight hand grading, more like raking.
- The barbeque is a temporary removable unit, not built in.
- There is a pine tree on the bank that has lost its top. Looks like a fresh cut. On March 27th vista pruning was approved. Topping is not allowed as part of vista pruning.

Exhibit A – Sketch by Chuck Rowland

Exhibit B – Plant List

A motion was made to approve the project as submitted, subject to receipt of a revised plan removing the sand circle and replacing it with additional plants. Revised engineering plan should indicate dimensions of all hardscape.

4 = Aye, 1 = Nay

Motion carries.

BW Residential LLC. Proposed renovations to existing dwelling including new foundation slid 5' to the east; 4' addition to porch and covered deck; replace existing garage with 10' landward expansion over existing driveway; landscape walls and walkways, timber stairs and boardwalk, and all associated appurtenances including septic upgrade at 23 Atlantic Ave., Hyannisport as shown on Assessor's Map 286 Parcel 001. **SE3-_____**

Request for continuance to 4/30

The applicant was represented by Chuck Rowland, P.E. of Sullivan Engineering.

- Request to continue to April 30, 2019.

A motion was made to approve continuance without testimony.
Seconded and approved unanimously.

John Scott. Raze existing structure and construct a new single-family dwelling with utilities, sewer connection, driveway and appurtenances at 30 Commerce Rd., Barnstable as shown on Assessor's Map 301 Parcel 040. **SE3-5674**

Terry Haze, Registered Sanitarian represented the applicant for Robin Wilcox PLS, of Sweetser Engineering.

There is a second revised plan dated 4/6/19 that has been submitted.

Issues discussed:

- The project is within 100' of salt marsh.
- The new dwelling will be three bedrooms.
- There is a cedar tree near road that should be kept.

Public comment:

Robert Johansen, 12 Sunset Lane, Barnstable

- What is the footprint of the rebuild? Concerned about how close it is to his boundary line.
- There is a 20' setback. He is ok with that.
- Concerned with the grading of the lot and flooding.
- Asked about a future project being done by DPW to curb flooding problem. Commission cannot comment about future projects.

Miriam Kronish, 14 Commerce Road, Barnstable

- Lives next door to the proposed project.
- Concerned about grading issues with this project. Area flooded on 1/14/18 and they were unable to stay at their house for three months because of flooding.
- DPW is working on a project to address the flooding issue.

Attorney Richard Shiffman, 3220 Main Street, Barnstable

- He has been working on the flood control issue in the area.
- He was a construction engineer and feels there are several solutions to the flooding problem.

A motion was made to approve the project as submitted with one special condition requesting the applicant save the evergreen tree near the edge of the road.

Seconded and approved unanimously.

Thomas Rooney, Tr./Thomas J. Rooney Trust Agreement, Sharon J. Rooney Trust Agreement. Upgrade existing septic system to new Title-5 system at 261 Nyes Neck Rd., Centerville as shown on Assessor's Map 232 Parcel 004. **SE3-5675**

Terrence Hayes, Registered Sanitarian of Punkhorn Services represented the applicant.

Issues discussed:

- A Board of Health variance is being requested for the septic because of the well and size of the lot.
- There is a generator on the backside of the garage within the 50' buffer that is not on the drawing and has not been permitted.
- Ground water flow will be toward Lake Wequaquet, which is a Board of Health issue.

A motion was made to approve the project subject to receipt of a revised plan showing the generator pad.
Seconded and approved unanimously.

II CERTIFICATES OF COMPLIANCE (ez = no deviations, staff recommends approval)

A. Silva SE3-0123 (coc, ez) replace bulkhead (not done)
568 Shootflying Hill Road, Centerville Wequaquet Lake

A motion was made to approve the Certificate of Compliance.
Seconded and approved unanimously.

III MINUTES

A. March 19, 2019

A motion was made to approve the minutes.
Seconded and approved unanimously.

A motion was made to adjourn.
Seconded and approved unanimously.

TIME ADJOURNED: 7:22 PM