



Town of Barnstable Conservation Commission

200 Main Street
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation @ town.barnstable.ma.us

FAX: 508-778-2412

MINUTES - CONSERVATION COMMISSION HEARING

DATE: JUNE 25, 2019 @ 6:30 PM

LOCATION: Hearing Room, 367 Main Street 2nd Fl., Hyannis, MA

This meeting of the Barnstable Conservation Commission is being recorded and transmitted by the Information Technology Department of the Town of Barnstable on Channel 18. Under MGL Chapter 30A Section 20, anyone else desiring to make such a recording or transmission must notify the Chair.

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, Commissioners John E. Abodeely, Pete Sampou, and George Gillmore.

Conservation Administrator Darcy Karle assisted, along with Kim Cavanaugh, Administrative Assistant.

The Chairman advised the agenda will be taken out of order. The continuance for the TOB/DPW was heard first.

I REQUESTS FOR DETERMINATION

William Prescott. Proposed vista pruning to improve views at 190 Clamshell Cove Road, Cotuit as shown on Assessors Map 005, Parcel 050.

The applicant was represented by Peter Hansen, of Peter Hansen Design.
Commissioner Louise Foster recused herself.

Issues discussed:

- The Commission asked Peter Hansen to confirm they are not asking for any variance.
- It would be just a standard vista pruning.

There was no public comment.

A motion was made to approve as a negative determination.
Seconded and approved unanimously

II NOTICES OF INTENT

Philip & Veronica Cote. To construct and maintain a seasonal pier at 94 Waters Edge, Marstons Mills as shown on Assessor's Map 062 Parcel 045.

The applicant was represented by John O'Dea, P.E., of Sullivan Engineering.

Issues discussed:

- This is a seasonal aluminum pier on Middle Pond.
- The size is within the guidelines.
- Still waiting for a letter from NHESP.

There was no public comment.

A motion was made to approve the project as submitted and continue it until July 9, 2019 solely for the purpose to review the NHESP letter and to add any necessary conditions.
Seconded and approved unanimously.

Linda & Kevan Gibson. Proposed construction of a single family dwelling with garage, pool, patio and cabana, with all associated appurtenances, and vista pruning at a portion of 30 Indian Trail, Osterville as shown on Assessor's Map 070 Parcel 009006.

The applicant was represented by John O'Dea P.E., of Sullivan Engineering.

Exhibit A – revised site plan dated 6/25/19.

Issues discussed:

- The wetlands have been re-delineated and are in the revised plan. The re-delineation did not affect the location of the dwelling.
- There is a 50' buffer all around the project area.
- There was a discussion of mowing within the wetland area. This could be addressed at a later date instead of submitting another revised plan.
- Questions were raised of what percentage of the project is outside the 100' buffer and what percentage is hardscape.
- Calculations were not done as there is a 50' undisturbed buffer around the property per the regulations.
- In previous cases vista pruning was not addressed until after the SFR was built.

There was no public comment.

A motion was made to approve the project subject to receipt of a revised plan removing the vista corridors from the plan. A revised plan shall be submitted to the Commission, once the house is constructed, indicating proposed vista pruning.

Seconded and approved unanimously.

Robert & Paula Madonna. Request for resource area delineation for confirmation of wetland resource areas at 330, 370, 390, 400, & 420 Main Street, West Barnstable as shown on Maps 134 and 133, Parcels 26 and 2.

The applicant was represented by Donald Bracken Jr. P.E., of Bracken Engineering.

Exhibit A - color coded resource delineation plan.

Issues discussed:

- The purpose of the filing is to get the wetland resource areas approved by the Commission.
- The five parcels include one which is mostly marsh, and four that are building lots created in 1995.
- Resources areas include creeks that define the perimeter, salt marsh, coastal banks, land subject to coastal storm flowage, riverfront areas, and habitat areas totaling approximately 1/3 of the properties.
- The flagging was confirmed by staff on May 9th and is acceptable.

There was no public comment.

A motion was made to confirm the wetland resource areas and delineation as indicated on the plan dated June 13, 2019.
Seconded and approved unanimously.

Nancy B. Samiljan, Trustee. Proposed invasive species removal and native plantings at 120 East Bay Road, Osterville as shown on Assessor's Map 140 Parcel 163.

The applicant was represented by Seth Wilkinson, CERP of Wilkinson Ecological Design.

Exhibit A – packet submitted by Darcy Karle regarding prior enforcement order and DA issued to prior owner.
Exhibit B – revised restoration plan and land management plan both dated June 25, 2019.

Issues discussed:

- Filing is a housekeeping matter. There was a prior violation and the resolution was unclear.
- Pictures show before and after the loam pile was spread out and trailer moved in 2012.
- The prior owner/applicant requested lawn under the cedar tree. Order stated to return to natural surrounding and consult staff for required vegetation. There is currently lawn under the cedar tree.
- Some revisions have been made to the plan based on staff recommendations. Protocols were amended to reflect 700 additional square feet above what was on previous submission.
- A fence or stones could be placed for demarcation.

There was no public comment.

A motion was made to approve the project as submitted based on the plan dated June 25, 2019, with demarcation to be selected in consultation with staff and annual monitoring reports for three years.
Seconded and approved unanimously.

III CONTINUANCES

Town of Barnstable/DPW. Proposed stormwater retrofits for two locations within the Three Bays watershed consisting of a bioretention, dry swales, and proprietary water quality device designed to improve stormwater runoff capture and treatment. The goal of the project is to improve water quality of the Three Bays by reducing pollution from stormwater runoff. Projects are located in Town rights-of-way on South County Road (near #s 1800 & 1812), Osterville and Captain Isiah's Rd. & Putnam Ave. intersection, Cotuit.

*Taken out of order. Taken as first item on the agenda.

Tom Lee recused himself.

The quorum is met with all other attending Commissioners.

Issues discussed:

- The Storm Water Report was received today and distributed to all Commissioners.
- The seven (7) recommendations included in the report were read into record.
- Ed Pesce of Pesce Engineering stated some of the recommendations are for cost effectiveness. The calculation sheet has been updated. He feels this is the best design considering the space available and recommends approval of the project.
- A letter received from Michelle West, Project Manager, Horsely Witten Group was read into record. They agree to address the recommendations of the Storm Water Report.
- Cost effectiveness of timber vs. granite at the timber check dams was discussed.
- The project needs to be approved prior to the grant deadline.

There was no public comment.

Exhibit A – Letter from Horsely Witten Group dated June 25, 2019.

A motion was made to approve 7 recommendations made by Ed Pesce with a revised motion to state a revised plan shall be submitted prior to the start of construction.
Seconded and approved unanimously.

IV REQUESTS FOR AMENDED ORDER

Christine Scanlon. Amend Order of Conditions to replace the mitigation planting plan with invasive species management, slope stabilization, and planting of 95 native, woody shrubs and 32 native fern plugs at 127 Shell Lane, Cotuit as shown on Map 019, Parcel 158.

The applicant was represented by Theresa Sprague of BlueFlax Design.

Issues discussed:

- The original plan was submitted by Down Cape Engineering.
- Wild flower mix is being proposed north of the garage an additional 560 square feet to the south of the garage both are in the 50-100 buffer.
- A split rail fence will be installed to prevent encroachment into the buffer.
- Requesting temporary irrigation for 2-3 seasons.
- The gutters and down spouts on the garage in the original order of conditions have not been installed.

There was no public comment.

A motion was made to approve the amended order as submitted.
Seconded and approved unanimously.

V OLD & NEW BUSINESS

- A. Sandy Neck Beach 425 Sandy Neck Road, Map 263 Parcel 001 – Emergency Cert. for Mobi Mat for public safety.

Noted.

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

- | | | | | |
|----|------------------------------|----------|-------------------|--------------------------------------|
| A. | Porter | SE3-0281 | (coc, ez) | construct addition to sfd (not done) |
| | 95 Estey Avenue, Hyannis | | | wetland near Nantucket Sound |
| B. | Porter | SE3-0477 | (coc, ez) | construct addition to sfd * |
| | 95 Estey Avenue, Hyannis | | | wetland near Nantucket Sound |
| C. | Gravina | SE3-5519 | (partial coc, ez) | construct dock * |
| | 11 Heath Row, Marstons Mills | | | Mystic Lake |

A motion was made to approve A-C.
Seconded and approved unanimously.

VII MINUTES

- A. June 4, 2019
- B. June 11, 2019

A motion was made to approve minutes A and B.
5 aye, 1 abstain
Motion carries.

A motion was made to adjourn.
Seconded and approved unanimously.
The time was 7:40 p.m.