



Town of Barnstable Conservation Commission

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MINUTES OF THE CONSERVATION COMMISSION HEARING

DATE: October 15, 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 Vice-Chair Louise R. Foster, Clerk Dennis R. Houle, Commissioners Pete Sampou, Larry Morin, John E. Abodeely, and George Gillmore. Chair F. P. (Tom) Lee was away.

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

I REQUESTS FOR DETERMINATION

Robert J. & Rita M. Davis. Reconfigure existing floats and piles in West Bay, upgrade water and power, and provide pier lighting at 986 Sea View Avenue, Osterville as shown on Assessor's Map 091 Parcel 002. **DA-19046**

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

There is a purchase and sale agreement on the property. They are trying to get improvements done before closing.

Issues discussed:

- The project does not constitute a substantial deviation or change from the existing pier and therefore does not require a change to what is required under the current permit.
- They are moving parallel floats and placing them end to end.
- The pier is approximately 25 years old. There is currently only a 1 foot restriction on the size of a boat.
- A question was raised on the shellfish habitat rating. This may be a missed opportunity to protect a natural resource if no additional depth restriction is in place. The map rating is a 7.
- There is an expired dredging permit. The project is located within a previously approved dredging maintenance area.
- The Commission is bound by regulation, which states a "substantial expansion in the dock".

A motion for a finding to be made, the proposal does not constitute a substantial deviation or change from the existing pier, therefore it does not require change to the current regulations (permit).

Seconded and voted 5 Aye – 1 Nay

Motion was made based on the finding to issue a negative determination.

Seconded and voted 5 Aye – 1 Abstention

Approved unanimously with one abstention.

II NOTICES OF INTENT

Robert J. & Rita M. Davis. Proposed repairs/renovations to existing dwelling and accessory structures, improvements to include replacing and expanding balconies and entry porch, reconstruction of 8' X 30' room with balcony above, resurfacing

terraces, proposed deck with spa, basement entry stairs, driveway entry gate and sheds at 986 Sea View Avenue, Osterville as shown on Assessor's Map 091 Parcel 002. **SE3-5726**

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

Issues discussed:

- The large mitigation area to the north is all grass. There is no other vegetation or shrubbery.
- The elevation in the area is higher and should be able to sustain other plantings for diversity and wild life habitat.
- There should be a label on the plan showing the rinse station.
- No COC has been issued on earlier OOC SE3-4336. No work can be done under this permit until the COC has been issued.
- Offer of fully restoring 50' buffer is gracious. Commissioners are satisfied with the vertical complexity of other plantings.
- The full 50' will not be restored because of structures.
- A concern was raised about beach grass growing in the shade. Staff recommended having it planted with some woody material.

There was no public comment.

A motion was made to approve the project as submitted subject to a revised plan showing woody shrubs in the mitigation areas, especially to the south (under trees) with some in the northern mitigation area in consultation with staff, demarcation of the mitigation area in consultation with staff, and a special condition that SE3-4336 must be closed out prior to start of work under this order.
Seconded and voted unanimously.

III CONTINUANCES

Carlton C. & Christine A. Sands, Jr. Construct dock system to include a 100-foot-long pier to a ramp at 16' leading onto a 6' x 16' floating dock; ramp and float will be seasonal, at 4 Bay Shore Rd., Hyannis as shown on Assessor's Map 326 Parcel 082. **SE3-5676 Received request to withdraw.**

The quorum is satisfied with Commissioners present.
The letter received dated October 10, 2019 requesting to withdraw the application was read into record.
The application is withdrawn.

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

A.	McDermott	SE3-0593	(coc, ez)	construct single family dwelling *
	156 Tonela Lane, Barnstable	-	swamp	

A motion was made to approve A.
Seconded and voted unanimously.

V MINUTES

A. October 1, 2019

There are a couple of minor corrections.
A motion was made to approve the minutes as amended.
Seconded and voted unanimously.

A motion was made to adjourn.
Seconded and voted unanimously.
The time was 6:58 p.m.

