



**Town of Barnstable
Conservation Commission**
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MINUTES – CONSERVATION COMMISSION HEARING

DATE: SEPTEMBER 13, 2022 @ 6:30 PM

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.

Remote Participation Instructions

The Conservation Commission's Public Hearing will be held by remote participation methods.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be accessed the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Real-time public comment can be addressed to the Conservation Commission utilizing the Zoom link or telephone number and access code for remote access below.

Join Zoom Meeting

<https://townofbarnstable-us.zoom.us/j/85168445000>

Meeting ID: 851 6844 5000

US Toll-free 888 475 4499

3. Applicants, their representatives and individuals required or entitled to appear before the Conservation Commission may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to Darcy.Karle@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing Darcy.Karle@town.barnstable.ma.us. Comments should be submitted at least 8hrs prior to the hearing.

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REMINDER TO APPLICANTS:

FEES FOR LEGAL ADS ARE LISTED BELOW. PLEASE MAIL CHECKS TO CONSERVATION, 230 SOUTH STREET, HYANNIS, 02601

The meeting was called to order at 6:30 p.m. by Chair F. P. (Tom) Lee. Also in attendance were: Vice Chair Louise R. Foster, Clerk George Gillmore, Commissioners Abodeely, Hearn, Morin, and Sampou.

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

I. NOTICES OF INTENT

- A. Home Port Investments, LLC.** Proposed replacement of existing failing timber bulkhead with a vinyl bulkhead at 17 Indian Trail, Osterville as shown on Assessor's Map 070 Parcel 009 004. **SE3-6029**

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

Division of Marine Fisheries letter dated September 7, 2022 was acknowledged and recommendations were read into record.

- The depth of the new vinyl bulkhead will be the same as the current bulkhead. It will be embedded 8' down, and will be the same height. The grade fluctuates from 3.3 to 3.7. It will have a 5' face wall, and 14' long sections.
- The existing bulkhead will be removed first and then replaced with the new.
- This is standard construction.
- The construction protocol was reviewed and should be submitted in writing.
- The limit of work behind existing bulkhead should be put on the plan.
- The limit of the vegetation for the beach grass should also be put on the plan.
- Pictures should be taken before and after.

There was no public comment.

A motion was made to approve the project subject to receipt of a revised plan showing the work limit line and planting area for beach grass, put a label SE3-1860 for the pier on the plan, written protocol to be submitted four weeks prior to the pre-construction meeting.

Seconded and voted unanimously by roll call.

Aye – Abodeely, Foster, Gillmore, Hearn, Lee, Morin, Sampou

Nay

B. Helen Hughes. To construct and maintain fixed pier, ramp and floats at 94 Long Beach Road, Centerville as shown on Assessor's Map 206 Parcel 007. **SE3-6028**

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

Comment letter from DMF was acknowledged and read into record.

Comment letter from Harbor Master dated 9/13/2022 was acknowledged. There are concerns with the length of the proposed dock and how it will affect navigation in the area. This project will be discussed at their 9/27/2022 meeting.

Issues discussed:

- There are 3 variances needed for the project, J2, J4 and L under 703-4.
- Harbor Master has concern about length of the dock.
- The boat at the existing float will be the boat at the new float.
- A question was raised if it will be the only boat at the float. He will check with owner.
- No jet skis are proposed to be kept at the float.
- This would be a substantial change therefore current Conservation regulations will apply.
- A question was raised about dredging. The area has been dredged in the past.
- A depth indication around the float should be put on the plan.
- The length of the existing pier is approximately 20'. The proposed length would be doubled.
- The Waterways Committee comments will be very important.
- There is not a residence associated with this pier.
- A question was raised if 33' of float needed for a 26' boat. Dan Ojala advised it is safer to tie up in a storm and it is easier to load and unload.
- The distance between the float with the boat on it and the float across the way was requested.
- Harbor Master has concerns about navigation.
- The Regulations require a dock be attached to a residence, but this is grandfathered as this is an existing pier.
- This is a positive project for this Commission, to get the boat moved out further away and in deeper water.
- A finding should be done for the variances. The finding should note there is no residence attached to this property.
- A ghost footprint of the vessel should be put on the plan.
- Approval for a second vessel would have to come back as a revised plan.

- Lighting will have to be put on a revised plan as it is not shown on the plan.

Public Comment:

Paul and Carol Anne Cushing - abutter at 98 Long Beach Road, asked what portion of the wall will be raised, and if the float will be closer to their property.

Daniel Ojala advised the rock wall will not move. The decking above will be raised about 1/1/2' higher. It will not be closer to their property. It will be moving a little further away.

A continuance was requested to October 11th to allow for comments from the Waterways Committee.

A motion was made to approve the continuance request to October 11, 2022.

Seconded and voted unanimously by roll call.

Aye – Abodeely, Foster, Gillmore, Hearn, Lee, Morin, Sampou

Nay

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

(* = on-going conditions)

- | | | | | |
|-----------|-------------------------------|------------------------------|-----------|--|
| A. | Brian Connolly | SE3-5272 | (COC, ez) | Phragmites Management
Coastal Bank / Coastal Beach / Salt Marsh |
| | 169 Salten Point Road | | | |
| B. | Ron & Sheila Perry | SE3-5656 | (COC, ez) | Pool / Pool Cabana / Retaining
Salt Marsh / Coastal Dune |
| | Wall / Split Rail Fencing | 52 Cailouet Lane, Osterville | | |

A motion was made to approve A & B.

Seconded and voted unanimously by roll call.

Aye – Abodeely, Foster, Gillmore, Hearn, Lee, Morin, Sampou

Nay

III. OLD & NEW BUSINESS

- A. Proposed Scudder Lane boat ramp improvements 10% plans, Paul Graves DPW – Informal Commission discussion only.**

Amy Croteau from Natural Resources and Paul Graves were invited.

Paul Graves, DPW project engineer, addressed the Commissioners.

- A public meeting was held last year. They wanted the boat ramp replaced with minimum changes.
- A formal public meeting will be held this fall to present some ideas and receive public comments on what the scope of the project should be.
- The project may include reconstructing the revetment and guardrail. It may trigger the requirement for an ADA accessible parking space.
- The steep hill going down to the ramp may need some drainage.
- Potential add on's may include a wider boat ramp, a truck with trailer turn-a-round area, several truck with trailer parking spaces.
- Improving on street parking could include widening of the road.
- Solar LED lighting is another possibility.

Amy Croteau, Shellfish Constable addressed the Commissioners.

- Potential loss of accessibility is a concern.
- Concerned about how extensive this project could end up being.
- She was asked about trailer parking. She feels designated parking in the lot would be good.

- It is a very busy area utilized by many different groups. The widening of the road could have a negative impact on the residents in the area.

Commissioners

- There could be traffic concerns.
- Drainage should be fixed.
- Retention and guardrail should be fixed.
- Should not be a double wide launching ramp.
- It is very flat. Large boats cannot use the area.
- The tarmac needs to be fixed, the pavers below it are not necessary as the sediment gets very packed.
- A question was raised about relocating the existing boulders.
- The turn-around area does not need to be that large.
- The size of the development and growth is a concern.
- It is valuable to discuss the options in a public forum.
- The more expansive the area is made the larger the boats trying to use it will be.
- It should be staked for a site visit.
- Would like to see the parking spaces at the bulkhead facing the bay so people can go park there and enjoy the view of the area.
- Paul was thanked for bringing the project in front of the Commission for discussion in advance.

A motion was made to adjourn.

Seconded and voted unanimously by roll call.

Aye – Abodeely, Foster, Gillmore, Hearn, Lee, Morin, Sampou

Nay

The time was 7:46 p.m.