



Town of Barnstable Conservation Commission

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MINUTES – CONSERVATION COMMISSION HEARING

DATE: November 8, 2022 @ 6:30 PM

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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.

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. CONTINUANCES

- A. Matthew and Laurie Kelley.** Relocate existing dwelling, vegetation management, resurface existing stepping stones, add handrails and lighting on pathway to beach at 554 Wianno Avenue, Osterville as shown on Assessor's Map 162 Parcel 013. **SE3-6033 Continued from 10/04/22 for NHESP letter.**

The NHESP letter dated 10/11/2022 was received and read into record.

A motion was made to close the public hearing and authorize staff to issue the Order of Conditions.

Seconded and voted by roll call.

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

Nay

Abstain - Foster

- 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 Continued from 10/11/22.**

A continuance without testimony was requested to 12/6/22.

A motion was made to approve the continuance to December 6, 2022.

Seconded and voted by roll call.

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

Nay

II. OLD AND NEW BUSINESS

- A. **CHAPTER 704** – Commission review and continued discussion regarding a draft revision to Chapter 704 in order to provide clarifications on mitigation calculations - Commission discussion only.

Issues discussed:

- Comments received from Commissioners Morin and Hearn were acknowledged.
- After discussion with Commissioners it will go back out to the public for comments.
- This is just to clarify the interpretation of the mitigation calculations the Commission has been using.
- There was discussion about mitigation in the buffer zone areas.
- Some Commissioners would like to see changes, not just clarification. There is more than one issue that needs to be looked at.
- The in lieu fee should be increased.
- During the re-draft different scenarios were discussed.
- Some Commissioners are not comfortable making the by-law more restrictive at this time. Everything is considered on a case by case basis. There needs to be the ability for flexibility.
- The primary responsibility is environmental protection.
- There was discussion on beach nourishment.
- There was discussion on boat houses.
- The feedback from consultants seems to be they want it to be clear what is required.
- There was discussion on septic systems being a big problem. There needs to be a way to allow the installation of new innovative systems considered as mitigation.
- There are two issues agreed upon. One is increasing the in lieu fee, and the other is if there is a fully undisturbed 50' buffer mitigation should still be required in the 50-100' buffer if someone wants to increase hardscape.
- The Chair requested Commissioners submit suggestions and comments within the next few weeks on what the standard should be for mitigation calculations in the 50–100' buffer with and undisturbed 50.

A motion was made to adjourn.

Seconded and voted unanimously by roll call.

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

The time was 8:00 p.m.