



Town of Barnstable Conservation Commission

230 South Street
Hyannis Massachusetts 02601

Office: 508-862-4093

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

AGENDA – CONSERVATION COMMISSION HEARING

DATE: September 12, 2023 @ 3:00 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 live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website: <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/83658011162>

Meeting ID: 836 5801 1162

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.

REMINDER TO APPLICANTS:

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

NEW* Conservation Commission meeting materials are available through Laserfiche. Links to application materials can be accessed [HERE](#).

I. OLD & NEW BUSINESS

- A. Edward M. & Lorraine P. Bennett, Trs. AND AEB Realty Trust - 161 Knowlton Ln., Marstons Mills - Map 102 Parcel 180. Request the Commission reconsider revegetation and restoration requirement from an Enforcement Order (originally heard May 2, 2023).

II. REVISED PLANS

	<u>Project Type</u>	<u>Revisions</u>
A. Donald MacKinnon, Trustee SE3-5914 910 Main Street, Cotuit	Demo patio, construct additions, upgrade septic Driveway, deck, retaining Wall, hot tub/grill area, walkways	Remove walkways and staircase, increase patio size

III. EXTENSION REQUESTS

A. Peter & Suzanne Minshall SE3-5395
246 Carriage Road, Osterville

Project Type

Addition to SFD, remove
and replace patio

Time Requested

3 years (2nd request)

IV. ENFORCEMENT ORDERS

- A. Clyde Van & Susan Paige Birchard, Trs. AND Birchard Revocable Trust – 122 Stoney Cove Lane, Barnstable – Map 351 Parcel 011. Alteration of a wetland resource area - Intermittent Stream - by changing bank characteristics, adding stones/boulders, without permit; AND Alteration of the buffer to a wetland resource area - Intermittent Stream - by cutting trees/understory, placing fill, changing grade, expanding driveway (50'-100'), installing an 18" diam, (approximately 110' long) pipe from a drain outside jurisdiction and building/extending a rock wall AND Alteration of the buffer to a wetland resource area - vegetated wetland - by clearing trees/understory, planting lawn and a wildflower meadow and other native plants, without permitting.

V. WARNING LETTERS

- A. Joyce Landscaping and Construction – 271 East Bay Road, Osterville – Map 163 Parcel 005. Failure to comply with an Order of Conditions (SE3-5900), pre-construction conditions.

VI. ENFORCEMENT ORDER RESPONSE PLAN

- A. Junction Ink, LLC – 3009 Main Street, Barnstable – Map 279 Parcel 050.00. Restoration plan for returning an unpermitted pipe installation to the original invert elevation conditions approved under SE3-1992.

VII. REQUESTS FOR DETERMINATION

- A. **Karin Gilbert.** Proposed vista pruning within existing vista corridor at 41 Highview Circle, Marstons Mills as shown on Assessor's Map 030 Parcel 079. **DA-23046 \$19.68**

VIII. NOTICES OF INTENT

- A. **Chris Dittrich.** Proposed pool and patio at 35 Williams Path, West Barnstable as shown on Assessor's Map 111 Parcel 033. **BCC-0202 \$16.40**
- B. **Deborah & John Merlesena.** Proposed construction of an attached garage to an existing dwelling at 55 Allan Road, West Barnstable as shown on Assessor's map 194 Parcel 001-004. **BCC-0203 \$22.96**
- C. **Lawrence and Elizabeth Sullivan.** Raze and replace an existing single family dwelling at 91 Craigville Beach Road, Hyannis as shown on Assessor's Map 267 Parcel 115. **\$22.96**
- D. **Whileaway Realty Trust.** Proposed raze and replace of a single family dwelling and associated site improvements at 175 Seapuit Road, Osterville as shown on Assessor's Map 095 Parcel 013-001. **\$22.96**

IX. CONTINUANCES

- A. **Quarterra Multifamily Communities.** Proposed construction of multifamily apartment buildings along with a community pool, clubhouse, associated driveway access, parking areas, and storm-water management systems at 35 Scudder Avenue, Hyannis as shown on Assessor's Map 289 Parcel 110. **SE3-6124 Continued from 9/5/23**

X. CERTIFICATES OF COMPLIANCE

(ez = no deviations, staff recommends approval) (* = on-going conditions)

- A. BW Residential, LLC** **SE3-5679** (COC, ez*) Raise house and build new foundation. Addition to porch and covered deck. Replace garage and reconfigure driveway. Landscape walls, walkway, timber stairs, and boardwalk over marsh. Septic upgrade. Coastal bank restoration.
- B. Cornwall (Rudman)** **SE3-5167** (COC, ez) Ramp, Pier, and Float Installation.
40 Waterman Farm Road, Centerville Centerville River, Marsh

Upcoming Meetings:

Month	6:30 P. M.	3:00 PM
September	19	
October	3, 17, 31	10
November	14, 28	7