



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: October 15, 2024 @ 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/89995789189>

Meeting ID: 899 9578 9189

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 AND NEW BUSINESS

- A. Emergency Declaration Request, Cotuit Entrance Channel – Severe Hazard to Navigation Request for support letter from the Commission to DEP. **SE3-6100**
- B. Review and approval of 2025 Conservation Commission meeting schedule.

II. REVISED PLANS

Project Type

Revisions

- | | | |
|-------------------------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------|
| A. Gordon & Jane Slaney SE3-6152
878 Main Street, Cotuit | Replace pool, patio, maintain paths, steps and decks | To authorize as-built pool patio and provide mitigation plantings |
| B. Terry L. Simpson, Trustee SE3-6090 | Relocate SFD, replace garage, | To adjust the location of |

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

A. SE3-6002	John A. & Colleen J. Boselli, 183 Bay Street, Osterville	(COC, ez)	Renovation/addition. Guest house/pool house. Pool and associated appurtenances.
B. SE3-6103	John A. & Colleen J. Boselli 183 Bay Street, Osterville	(COC, ez*)	Permit & maintain float expansion.
C. SE3-5017	Thomas H. Lowell Ropes Farm, LLC 135 Putnam Avenue, Cotuit	(COC, ez)	Construct & maintain stairs down coastal bank.
D. SE3-6051	Pamela Ellis Simons, Et Al, Trustees Anchor to Windward Real Estate Trust 271 Eel River Road, Osterville	(COC, ez)	Adjust location of driveway.
E. SE3- 5806	Barbara C. Doherty 500 Shootflying Hill Road, Centerville	(COC, ez*)	Permit & extend formerly existing stairs and pier. Vista Pruning.
F. SE3-5212	Town of Barnstable/D.P.W. 130 Oregon Way, Cotuit	(COC, ez)	Replace drain, add armor stone around exposed sections.
G. SE3-5943	Gregory J. & Julianne P. Pinto, Trustees JDC Ocean Avenue Realty Trust 63 Ocean Avenue, Centerville	(COC, ez*)	Construct & maintain boardwalk, ramp and float.

IV. ENFORCEMENT ORDERS

- A. Patrick Braun – 91 Sterling Road, Hyannis – Map 268 Parcel 203. Alteration of the 50’ buffer to a wetland resource area – vegetated wetland – by cutting vegetation, placing fill, and regrading.
- B. Elisa D Cunningham, Tr & Al Mare Realty Trust - 547 Main Street, Osterville – Map 141 Parcel 100. Alteration of a wetland resource area - Bordering Vegetated Wetland (BVW) - by cutting trees. Failure to request a Certificate of Compliance for SE3-5821.
- C. F. Thomas Parsi, Tr & 3rd Amndtmt FTP Rev Trust of 2004 - 98 Hayes Road, Centerville – Map 210 Parcel 097. Alteration of the buffer to a wetland resource area - Lake Wequaquet - by creating and maintaining a beach without a permit
- D. ALJ Realty Corp - 700 Old Falmouth Road, Marstons Mills – Map 124 Parcel 026. Alteration of a wetland resource area - Bordering Vegetated Wetland (BVW) and intermittent stream - by cutting vegetation and placing fill AND alteration of the buffer to a wetland resource area - BVW - by cutting vegetation.
- E. New Rushy Marsh Realty LLC. – 1541 Main Street, Cotuit – Map 017 Parcel 007. Alteration of a wetland resource area – vegetated wetland and floodzone - and alteration of the buffer to a wetland resource area –

vegetated wetland – by cutting vegetation, placing fill and regrading without a permit AND failure to comply with an Order of Conditions/Approved Plan of Record.

V. WARNING LETTERS

- A. Matthew B. Wake - 396 Huckins Neck Road, Centerville – Map 233 Parcel 031. Failure to adhere to a plan of record (ADM-24036).

VI. NON-CRIMINAL TICKETS

- A. Marcilio Pina Dos Santos 700 Old Falmouth Road, Marstons Mills
Alt. of wetland resource area – cutting vegetation & placing fill \$300.00

VII. REQUESTS FOR DETERMINATION

- A. **Paul M. & Stephanie Basta.** To replace existing stairway to pier at 87 Main Street, Osterville as shown on Assessor’s Map 185 Parcel 062. **DA-24050 \$12.75**
- B. **Matthew & Stacey Ovanes.** To modify and expand existing patio and proposed stepping stones at 132 Bay Shore Road, Hyannis as shown on Assessor’s Map 325 Parcel 080. **DA-24051 \$17.85**

VIII. NOTICES OF INTENT

- A. **Thayer F. Swartwood, Alexander B. Swartwood & Helen Swartwood Carley.** Proposed beach access stairs and landing at 241 Ocean View Avenue, Cotuit as shown on Assessor’s Map 033 Parcel 018. **\$20.40**
- B. **Francis T. & Julia B. Keally, Trustees – The Keally Old Post Real Estate Trust.** To replace existing bank stairs and landings at 635 Old Post Road, Cotuit as shown on Assessor’s Map 054 Parcel 015-002. **\$20.40**
- C. **Josh Blakely – Portal Construction Company Inc.** Proposed four bedroom single family dwelling, detached one bedroom accessory dwelling unit, driveway, and associated utilities at 56 Redwing Lane, Barnstable as shown on Assessor’s Map 318 Parcel 007. **\$25.50**
- D. **David Shastany.** Proposed single family dwelling at 306 Lake Elizabeth Drive, and 61 Sound View Road, Centerville as shown on Assessor’s Map 227 Parcels 050 and 097. **\$15.30**
- E. **Town of Barnstable DPW – Engineering Division.** Removal and replacement in kind of the existing damaged raised boardwalk at Kalmus Beach Park, 670 Ocean Street, Hyannis as shown on Assessor’s Map 324 Parcel 041. **\$22.95**

IX. AMENDED ORDERS

- A. **Douglas Conigliaro.** Amend Order of Conditions to remove paved driveway and replace with stone, remove concrete pad and replace with loam and seed, rotate pool and add apron, re-build portion of deck, rebuild stone wall, add two aprons at driveway entrances at 289 East Bay Road, Osterville as shown on Assessor’s Map 163 Parcel 017. **SE3-6008 \$33.15**

X. CONTINUANCES

- A. **Marc Casper – CB Enterprises LLC.** Enhancement of Coastal Bank by the removal of invasives, select pruning of lower and fallen branches, and planting of native species. Also, repair and maintenance of existing brick retaining wall and steps at 315 Main Street, Osterville as shown on Assessor’s Map 164 Parcel 003-001. **SE3-6207 Continued from 10/1. Continuance requested to 10/29.**

XI. MINUTES

- A. September 10, 2024
- B. September 17, 2024
- C. October 1, 2024

Upcoming Meetings:

Month	6:30 P. M.	3:00 PM
October	29	
November	12, 26	5
December	10, 17	3