



**Town of Barnstable  
Conservation Commission**  
200 Main Street  
Hyannis Massachusetts 02601

Revised agenda originally  
posted 10/28/2021 at 8:48  
a.m., to add item III. C.

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**AGENDA – CONSERVATION COMMISSION HEARING**

**DATE: November 2, 2021 @ 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 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://zoom.us/j/95534262031>

**Meeting ID: 955 3426 2031**

**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](mailto: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](mailto: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, 200  
MAIN STREET, HYANNIS, 02601**

**3:00 PM AGENDA**

**I. OLD AND NEW BUSINESS**

- A. Emblem Hyannis Project, 35 Scudder Ave. Hyannis – Informal discussion with Conservation Commission: 1) Jurisdictional call on one man-made pond, and 2) initial revised layout concept plan. Conservation Commission discussion only. Project manager Edward L. Pesce, P.E., Pesce Engineering & Associates, Inc.
- B. Stanley Davitoria – 55 and 61 Beechwood Rd., Centerville – Map 252 Parcel 182 and 108. Discussion of Engineers Report and Existing Conditions Plan prepared by Down Cape Engineering. **Continued from 10/26/21.**

## II. REVISED PLANS

- A. 132 South Bay Road, LLC SE3-5647  
132 South Bay Road, Osterville

### Project type:

Demolish portion of existing  
SFD, outdoor pool, deck, patio,  
pier lighting

### Revisions:

Add path to flagpole, stairs to beach  
add mitigation, update buffer zone with  
existing wall to remain

## III. ENFORCEMENT ORDERS

A. Shakeab Alshabkhoun, Tr. & Estate Nominee Trust of 2003 – 408 Wianno Rd., Osterville – Map 140 Parcel 154.002. Alteration of the buffer to a wetland resource area - Bordering Vegetated Wetland - by cutting vegetation, placing wood chips and installing an unpermitted patio.

B. Mr. Raymond Brooks & Ms Catherine McAuliffe – 82 Tern Ln., Centerville – Map 212 Parcel 009. Alteration of the 50' buffer to a wetland resource area - Lake Weququet and Bordering Vegetated Wetland - by cutting vegetation and installing an unpermitted shuffle board court.

C. Alex P. McKee & Olivia T. Snyder – 59 Seventh Ave., Hyannis – Map 246 Parcel 153. Alteration of a wetland resource area - Coastal Bank (Town) - by installing unpermitted retaining walls and shell driveway and alteration of the 50' buffer to a wetland resource area - Bordering Vegetated Wetland - by installing an unpermitted retaining wall. **Tabled from 10/05/21.**

## 4:30 PM AGENDA

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## IV. REQUESTS FOR DETERMINATION

- A. **Gerardo and Stephanie DiIorio.** Removal and replacement of five trees within the 100' buffer to a bordering vegetated wetland at 19 Cranberry Lane, Centerville as shown on Assessor's Map 226 Parcel 195. **\$28.96**
- B. **Spanky's Clam Shack, LLC.** Removal and replacement of exterior HVAC and refrigeration equipment, shed removal, subsurface drainage improvements, regrading and site improvements within existing fenced area at 134 and 138 Ocean Street, Hyannis as shown on Assessor's Map 326 Parcels 066 and 067. **\$36.20**

## V. NOTICES OF INTENT

- A. **Margaret and Michael Kerr.** To demolish and reconstruct a single family dwelling and all associated appurtenances and restoration/mitigation at 25 Maywood Avenue, Hyannis Port as shown on Assessor's Map 287 Parcel 156. **\$28.96**
- B. **Cape Cod Property Trust.** Rebuild gazebo, retaining walls, steps, terrace; install spa and fence; install pergola; install shed; remove invasive plant material; install mitigation plantings at 1025 Old Post Road, Cotuit as shown on Assessor's Map 074 Parcel 003-003. **\$28.96**

## VI. CONTINUANCES

- A. **James and Deborah Fowler.** Free standing hot tub placed on hardscape with existing drainage pit (for existing rinse station) to be used for periodic drainage of hot tub at 346 Holly Point Road, Centerville as shown on Assessor’s Map 232 Parcel 024. **DA-21055 \$28.36 Continued from 10/26**
  
- B. **Marc Landry and Nancy Allen.** Landscape modification including removal of dangerous and diseased/damaged trees, replacement of foundation plantings, reconstruction of masonry walls, modification of deck, installation of firepit, construction of boardwalk with kayak racks, brush access path, replace pool fencing and re-establish view corridors at 494 Elliott Road, Centerville as shown on Assessor’s Map 226 Parcel 192. **SE3-5927 \$49.63 Continued from 10/26**
  
- C. **Michael E. Olson.** Proposed pool and patio at 11 Maywood Avenue, Hyannis as shown on Assessor’s Map 287 Parcel 130. **SE3-5928 \$14.18 Continued from 10/26**
  
- D. **Amended Order - Michael J. Gill, Trustee – 72 & 52 North Bay Road Realty Trust.** To amend the Order of Conditions to increase the footprint of the pool cabana and to modify the approved driveway and driveway wall at 72 North Bay Road, Osterville as shown on Assessor’s Map 072 Parcel 029 **SE3-5864. \$35.45 Continued from 10/26**
  
- D. **Eduardo Franco.** To construct a pool, patio, and retaining wall at 46 Captain Lumbert Lane, Centerville as shown on Assessor’s Map 147 Parcel 011 007. **SE3-5916 Continued from 10/26/21.**

**VII. CERTIFICATES OF COMPLIANCE**

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

- A. C-O-MM Water SE3-5009 (coc, ez) Construct pump station (not done)  
 0 Old Post Road, Marstons Mills - Patty’s Pond
  
- B. Simon Property Group SE3-5721 (coc, ez) vegetative management of detention pond \*  
 793 Route 132, Hyannis - unnamed pond
  
- C. Callahan/North Bay RT SE3-5340 (coc, ez) construct addition & patio \*  
 138 Bridge Street, Osterville - North Bay

**VIII. MINUTES**

- A. July 6, 2021
- B. August 3, 2021
- C. September 28, 2021
- D. October 5, 2021
- E. October 12, 2021

Upcoming Meetings:

Month	6:30 P. M.	3:00 PM
November	9, 23	2
December	7, 21	14
January	14, 18	11