



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: November 28, 2023 @ 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 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/88949010887>

Meeting ID: 889 4901 0887

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. EXECUTIVE SESSION

- A. Executive Session for the purpose of discussing litigation strategy with respect to the following pending appeals if the Chair determines that an open session could be detrimental to the Commission's litigation position: 1. Department of Environmental Protection DEP SE3-6084 request for superseding order of conditions and 2. Barnstable Superior Court 2372CV00245 by JMS Holdings LLC at 134 South Bay Road, Osterville.

II. REQUESTS FOR DETERMINATION

- A. **Town of Barnstable – Sandy Neck Beach Park.** To place two 8-foot X 8-foot seasonal sheds at the mouth of the off-road vehicle access trail at 425 Sandy Neck Road, West Barnstable as shown on Assessor's Map 263 Parcel 001. DA-23056 **\$23.13**

- B. **Dimitry S. Herman.** Proposed deck addition at 10 Nyes Neck Road, East, Centerville as shown on Assessor’s Map 233 Parcel 023. DA-23057 **\$15.42**
- C. **Mystic Lake Hills Civic Association.** Repairs to wooden retaining wall and access stairways, landscaping, and beach nourishment at 30 Sawmill Road, Marstons Mills as shown on Assessor’s Map 063 Parcel 062. DA-23058 **\$23.13**

III. NOTICES OF INTENT

- A. **Alicia Fix, Trustee – 333 Seapuit Road Realty Trust** – to demolish an existing guest house, and construct a new guest house, pool, patio, and cabana at 333 and 359 Seapuit Road, Osterville as shown on Assessor’s Map 095 Parcel 008 and 009. **\$23.13**
- B. **Robert Fitzpatrick.** To construct a pool, patio, and cabana at 38 Ocean Avenue, Hyannis as shown on Assessor’s Map 288 Parcel 182-002. **\$12.85**
- C. **Darryl Sullivan and Aisling Hassell.** To demolish existing garage and construct a pool, patio and cabana at 48 Ocean Avenue, Hyannis as shown on Assessor’s Map 288 Parcel 182-003 **\$17.99**
- D. **Donald Beaulieu.** Reconstruction of a single-family residence at 350 Sandy Neck Road, West Barnstable as shown on Assessor’s Map 136 Parcel 014-002. **\$15.42**
- E. **Tomasz & Ann Telma.** Proposed porch, deck, and relocation of a section of stairs and walkway at 115 Keveney Lane, Cummaquid as shown on Assessor’s Map 351 Parcel 059. BCC-0204 **\$17.99**

IV. AMENDED ORDER OF CONDITIONS

- A. **Barry Morse.** To authorize as-built retaining walls and raised garden plots at 585 Santuit Road, Cotuit as shown on Assessor’s Map 007 Parcel 006. SE3-5827 **\$15.42**

V. CONTINUANCES

- A. **Stephen and Christine Fournier.** To remove invasive plant species, construct sand path and firepit at 0 Bridge Street, Osterville as shown on Assessor’s Map 093 Parcel 036-005. **Continued from 11/14 for DEP # only. SE3-6142**

VI. CERTIFICATES OF COMPLIANCE

- A. **SE3-5292** **Patrick J. Melampy, Tr. - 41 Ship’s Eagle Lane Nominee Trust** (COC, ez*)
Demolish Structures & Rebuild SFD 41 Ship’s Eagle Lane BVW / Wooded Swamp
- B. **SE3-5611** **John B. & Marissa A. Lazor** (COC, ez*) Bulkhead Construction
60 Great Bay Road, Osterville Coastal Bank / Coastal Beach / Salt Marsh
- C. **SE3-6006** **John B. & Marissa A. Lazor** (COC, ez*) Patio / Spa / Walkways
60 Great Bay Road, Osterville Coastal Bank / Coastal Beach / Salt Marsh
- D. **SE3-5154** **William Walsler, Tr. – Wingaway Trust** (COC, ez*) Demolish / Rebuild SFD /
Ecological Restoration / Mitigation 305 Baxters Neck Road, Marstons Mills Coastal Bank / Beach

VI. MINUTES

- A. October 17, 2023
- B. November 7, 2023
- C. November 14, 2023

Upcoming Meetings:

Month	6:30 P. M.	3:00 PM
December	12, 19	5
January	16, 23, 30	9
February	6, 20, 27	13