



Town of Barnstable Conservation Commission

230 South Street
Hyannis Massachusetts 02601

Office: 508-862-4093

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

MINUTES – CONSERVATION COMMISSION HEARING

DATE: December 3, 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.

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.

Remote Participation Instructions

<https://townofbarnstable-us.zoom.us/j/81918821646>

Meeting ID: 819 1882 1646

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

The meeting was called to order at 3:00 p.m. by Chair F. P. (Tom) Lee. Also in attendance were: Vice-Chair Louise Foster, Clerk Angela Tangney, and Commissioners Abodeely and Hearn. Commissioner Sampou was absent.

Administrator Darcy Karle was present along with Administrative Assistant, Kim Cavanaugh.

I. OLD & NEW BUSINESS

A. Annual Sandy Neck Report – Nina Coleman, Director of Natural Resources presented the report to the Commissioners.

Noted.

B. Conservation Restriction – signing ESTOPPEL CERTIFICATE- Conservation Restriction and Limited Public Access Grant by GS Barnstable Land Owner, LLC, c/o Greystar (“Grantor”) to the Town of Barnstable, a Massachusetts municipal corporation, acting by and through the Barnstable Conservation Commission (“Grantee”), accepted as of November 5, 2019, commonly known, inter alia, as 200 Communication Way, Barnstable, MA.

Ryan Souls from Greystar addressed the Commission.

There were no questions from Commissioners.

A motion was made to approve the Estoppel Certificate as written and authorize Darcy Karle to sign for the Commission.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

II. EXTENSION REQUESTS

Project Type

Time Requested

- | | | |
|---|---|-----------------------------------|
| A. Leonard I. Zon & Lynda C. Schneider 360 North Bay Rd., Osterville SE3-5942 | Remove & reconstruct SFD and site improvements | 3 years (1 st request) |
|---|---|-----------------------------------|

The applicant was represented by Sean Riley, P.E. of Tighe & Bond.

There were no questions from Commissioners.

A motion was made to approve the extension request.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

- | | | |
|--|---|-----------------------------------|
| B. Cape Cod Property Trust SE3-5931 1025 Old Post Road, Barnstable | Rebuild gazebo, walls, steps terrace, spa, fence | 3 years (1 st request) |
|--|---|-----------------------------------|

The applicant was represented by Mathew Lautenberger of Wilkison Ecological Design.

There were no questions from Commissioners.

A motion was made to approve the extension request.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

- | | | |
|--|--|-----------------------------------|
| C. Mass. DOT SE3-5068 Route 6, 6A, 28, 132, Phinney’s Lane | Routine Maint/Repairs to drainage systems | 3 years (2 nd request) |
|--|--|-----------------------------------|

There was no representative present.

A motion was made to approve the extension request.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

- | | | |
|--|----------------------|-----------------------------------|
| D. 265 Seapuit River LLC SE3-5939 265 Seapuit River Road, Osterville | Maintenance dredging | 3 years (1 st request) |
|--|----------------------|-----------------------------------|

No representative was present.

A motion was made to approve the extension request.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

III. REVISED PLANS

Project Type

Revisions

A. Whileaway Realty Trust SE3-6126
175 Seapuit Road, Osterville

Raze and replace SFD

Additions to plan

The applicant was represented by Sean Riley, P.E. of Tighe & Bond.

Issues discussed:

- A colored copy of the plan with the changes was presented.
- The beehive boxes should be shown on the plan.
- There is a chicken coop very close to the 50' buffer. It is a great source of nitrogen. A request was made to move the chicken coop further away.
- A request was made to table this until January 14th.
- The dimensions of the chicken coop should be put on the plan.

B. Dockside Realty Trust SE3-5742
0 School Street, Hyannis

Reface bulkhead,
improvement, repairs

Substitute steel sheeting
rather than vinyl sheeting

Wayne Kurker of Hyannis Marina addressed the Commissioners.

There were no questions from Commissioners.

A motion was made to approve the revised plan as submitted.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney
Nay – none

IV. ENFORCEMENT ORDERS

A. Sunset Lane Irrev Trust - 111 Sunset Lane, Barnstable – Map 301 Parcel 030. Failure to request a Certificate of Compliance for SE3-5625

Darcy Karle presented the enforcement order to the Commissioners on behalf of Agent Ed Hoopes.

Issues discussed:

- The order expired in March of 2023.
- A certified letter was sent to the owner.
- The letter was returned as non-deliverable, unable to forward.
- A public comment letter received from Anthonly Diseneski was acknowledged.

A motion was made to approve the enforcement order as written.

Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney
Nay – none

V. REQUESTS FOR DETERMINATION

A. Poly Behrens. Proposed vista pruning at 1730 Main Street, Cotuit as shown on Assessor's Map 016 Parcel 004.
DA-24057

The applicant was represented by Steve LaBranche of Wilkinson Ecological Design.

Issues discussed:

- This is a standard vista pruning request.

Public comment: None

A motion was made to approve the project as a negative determination.
Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

A motion was made to adjourn the meeting.
Seconded.

Aye –Abodeely, Foster, Hearn, Lee, Tangney

Nay – none

The time was 3:47 p.m.

Upcoming Meetings:

| Month | 6:30 P. M. | 3:00 PM |
|--------------|-------------------|----------------|
| December | 10, 17 | |
| January | 7, 21 | 14 |
| February | 4, 18 | 11 |