Legal Notices

Legal Notices

YARMOUTH/ ITB
LEGAL NOTICE
TOWN OF YARMOUTH
DEPARTMENT OF PUBLIC WORKS

INVITATION TO BID

Sealed written bids will be received at the Yarmouth Department of Public Works, 99 Buck Island Road, West Yarmouth, MA, 02673, until **2:00 P.M.** on Tuesday, **March 9th, 2021**, at which time and place, the bids will be publicly opened and read for the following:

Contract # 649 Sandy Pond Tank Rehabilitation

Specifications may be obtained at the Office of Department of Public Works, 99 Buck Island Road, West Yarmouth, MA, 02673, after February 17, 2021 from **8:30 A.M. to 4:30 P.M.**, Monday through Friday. Any questions regarding this bid, may be directed to the address above or via-email to ihayden@yarmouth.ma.us. This bid will be awarded by the Town Administrator. Please mark the envelope clearly **"Sandy Pond Tank Rehabilitation"** The Town of Yarmouth reserves the right to reject any and all bids, to waive any informality in bidding; and to make the award as may be determined in the best interest of the Town.

AD# 13942481
Register 2/25/21

CAPE COD GATEWAY AIRPORT (HYA)

LEGAL NOTICE

Cape Cod Gateway Airport (HYA), formerly Barnstable Municipal Airport, has embarked on the development of a 20-year master plan to ensure that the facility can continue to safely and efficiently meet both aviation needs and the transportation needs of the Cape Cod Community. The preparation of an airport master plan is also required by the Federal Aviation Administration (FAA) for airport projects, including rehabilitation of existing infrastructure. The master plan will consider the needs of the airfield; general, corporate and commercial aviation; as well as local business and residential community needs over the next 20-years. The plan will also make recommendations for promoting compatible land use around the airport and maximize opportunities for non-aeronautical revenues to help support the airport's financial future.

With the ongoing Covid-19 precautions and because the airport and project team anticipate a high degree of interest from the surrounding community and in the interest of public safety, the content for the first public workshop has been placed online. The airport's YouTube channel (http://bit.ly/HYAmasterplan) features presentations from previous project stakeholder meetings, divided by topic area into short, narrated videos for the public to watch and share. In addition, a dedicated e-mail address HYAMasterPlan@mjinc.com has been set up to receive any questions or comments that the public may have regarding the master plan for the airport. The second public workshop will be held live via Zoom.

Public Meeting: March 22, 2021 | 6:00pm | ZOOM meeting information: www.town.barnstable.ma.us/airport

If you cannot make this meeting or have any comments or feedback, please send them to HYAMasterPlan@mjinc.com. Anyone requesting special accommodations to watch, listen or learn from the YouTube video content can contact the airport at 508-775-2020.

AD#13943495
The Register 2/25, 3/11/21

RFP
LEGAL NOTICE
PUBLIC NOTICE
TOWN OF YARMOUTH
REQUEST FOR PROPOSALS
COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG)
PROGRAM YEAR 2020
AFFORDABLE HOUSING
ACQUISITION
DATE of POSTING WITH TOWN
CLERK: February 11, 2021
DATE of NEWSPAPER
PUBLICATION: February 18, 2021

The Town of Yarmouth is seeking proposals from experienced, qualified businesses, organizations and agencies, public or private, to create new affordable housing by acquisition through the Town of Yarmouth CDBG Program Year. Up to $90,000 of CDBG Funds is available for this activity. The target date for completion of this activity is April 15, 2021 in order to meet program timeliness goals.

The Town is a Community Development Block Grant (CDBG) entitlement community, funded by US HUD and has been allocated CDBG Funds for Program Year 2020, which runs from July 1, 2020 to June 30, 2021. The purpose of the CDBG Program is to create a suitable living environment, provide decent affordable housing, and to create economic opportunities in the Town of Yarmouth. CDBG funds can only be awarded to projects and activities which meet at least one of the CDBG National Objectives, which are 1. benefit low / moderate income persons within the community, 2. prevent or eliminate the occurrence of slums & blight, and 3. address an urgent need or condition which poses a serious and immediate threat to the health or welfare of the community.
CDBG activities must also meet at least one of the local objectives identified in the Town of Yarmouth CDBG Action Plan, which are 1. to create a suitable living environment, 2. provide decent affordable housing, and 3. create economic opportunities.

RFP documents containing definitions of required services, submission requirements, evaluation criteria, and other pertinent information may be obtained by contacting the Department of Community Development, 1146 Route 28, South Yarmouth, MA 02664 508-398-2231 x1275 mwaygan@yarmouth.ma.us beginning on February 17, 2021 at 8:30 AM.

Proposals are due March 19, 2021 at 4:30 PM.

The Town of Yarmouth reserves the right to reject any or all proposals, to waive any informalities in the proposals received, and to accept the proposals most advantageous to the Town. The Town of Yarmouth further reserves the right to reject any or all proposals which are not responsive, in whole or in part, as deemed in the best interest of the Town, in accordance with Massachusetts General Laws. All awards contingent upon the approval of the Town of Yarmouth Action Plans and Amendments by US HUD.

Robert C. Lawton, Jr. Town Administrator

AD#13941547
The Register 2/18, 2/25/21

CC 3/4/21 HEARING
LEGAL NOTICE
TOWN OF DENNIS
CONSERVATION COMMISSION
NOTICE OF PUBLIC HEARINGS

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, the public meeting of the **Dennis Conservation Commission on March 4, 2021 at 6:00 pm**, normally scheduled to be held at the Dennis Town Office 685 Route 134 South Dennis, under the Dennis Wetlands Bylaw and Massachusetts General Laws Chapter 131, Section 40 for the below agenda items, will be physically closed to the public and conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at www.town.dennis.ma.us.

New Hearings
A. Cameron – Request for Determination of Applicability – Proposed swimming pool with patio for the property located at 37 Schooner Road in Dennis.
B. Hennessey – Request for Determination of Applicability – Proposed enclosed swimming pool and patio with septic and addition (both outside Conservation jurisdiction) for the property located at 9 Webfoot Path in Dennis.
C. Morena – Notice of Intent – Proposed construction of an addition and deck with upgraded septic system for the property located at 86 Seaside Avenue in Dennis.
D. Patti – Notice of Intent – Proposed septic upgrade for the property located at 72 Upper County Road in Dennisport.
E. Dirico – Amended Order of Conditions Request – Proposed reconstruction of previously removed driveway entrance for the property located at 13 Dunes Road in Dennis.
F. Brodrick – Notice of Intent – Proposed second story addition over existing garage and new septic system for the property located at 9 Aunt Julia Anns Road in West Dennis.
G. McCarthy – Notice of Intent – Proposed construction of a new single-family dwelling with appurtenant site work for the property located at 26 Sesuit Neck Road in Dennis.

Continued (11) –
Foley – 119 Cove Road, SD
F.M. Haynes Family Cape Cod, LLC – 81 Uncle Barneys Road, WD
Marzulli – 18 Harbor Way, WD
Silverleaf Homes (McDonough) – 16 Bowsprit Lane, DP
Paine – 31 & 35 Alfred Metcalf Drive, SD
Town of Dennis – 500 South Street, D
Kantor – 568E Main Street, WD
Dagon – 10A Union Wharf Road, DP
Rossi – 1 Canning Terrace, DP
Thompson – 65 Surfside Road, WD
Fish/Gelsthrope Family Trust – 13 Girard Lane, ED

AD#113942984
The Register 2/25/21

OKHRHD 3/10/21 HEARING
LEGAL NOTICE
TOWN OF DENNIS
OLD KING'S HIGHWAY REGIONAL HISTORIC DISTRICT

A public hearing will be held in accordance with Chapter 470 of the Acts of 1973, as Amended, at the Town Hall, 685 Route 134, South Dennis on March 10, 2021 at 6:00 P.M., Stone Hearing Room, Lower Level, on the following applications for a Certificate of Appropriateness:

"As required by the Open Law and Mass General Law, we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone intends to either video or audio tape this meeting, they are required to inform the chair."

Minutes:

● 2.24.2021

Agenda:

1. David DeSimone – Porch at 23 Lindsey Lane D (M333-74) OKH-003269-2021
2. Scott Hutchinson – Deck at 34 Bleak House Cir D (M388-54) OKH-003271-2021
3. Gary Walsh – Dormer at 76 Pilgrim Rd D (367-30) OKH-003278-2021
4. Paul Cronin – Windows/siding at 5 Patriots Way D (M367-93) OKH-003299-2021
5. Anthony Benvenuti – Pool fence at 37 Horsefoot Path D (M345-45) OKH-003364-2021
6. Vivint Solar – Solar at 52 Pilot Dr ED (M268-37) OKH-003374-2021
7. Vivint Solar – Solar At 5 Southport Ln D (M334-72) OKH-003371-2021
8. Lisa Chapnick – Dormer at 118 Robbins Cr D (M326-29) OKH-003438
9. Christine Horan – Fence at 44 Forest Pines ED)M360-4) OKH-003494-2021
10. James Wilson – NSF at 50 Hippogriffe Rd D (M347-46) OKH-003499-2021
11. Richard Gaeta – Deck at 47 Capt. Walsh ED (M286-4) OKH-003496-2021
12. ALDM Prop. Mgmt. – NSF at 703 Airline Rd ED (M363-12) OKH-003505-2021
13. Brian Landrum – Lift foundation with additions at 66 Sea St ED (M413-39) OKH-003515-2021
14. Charles Epstein – Demo garage at 71 Crockers Path ED (M406-2) OKH-003524-2021
15. Charles Epstein – New garage at 71 Crockers Path ED (M406-2) (look up application under the address
16. Charles Epstein – Cedar gate with granite posts at 65 Crockers Path ED (M406-3) OKH-003527-3021

Plans for the above applications are available for viewing via the town website, www.town.dennis.ma.us.
The owner, agent, or contractor must attend the hearing. Failure to do so may result in denial of application. If you cannot attend, please notify this office at (508) 760-6290. William Bohlin, Chairman, Dennis OKHRHD

The items listed are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

AD#13942776
The Register 2/25/21

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368 Forest Rd, South Yarmouth, Ma
LEGAL NOTICE
NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

Premises: 368 Forest Road, South Yarmouth (Yarmouth), Massachusetts

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Phyllis J. Brown to MetLife Home Loans, a division of MetLife Bank, N.A., said mortgage dated August 12, 2009, and recorded in the Barnstable County Registry of Deeds, in Book 23972 at Page 87 and now held by U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT, by virtue of an assignment from Secretary of Housing and Urban Development to U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT, dated November 28, 2017 and recorded in Barnstable County Registry of Deeds in Book 30933, Page 91, previously assigned by MetLife Home Loans, a division of MetLife Bank, NA, to the Secretary of Housing and Urban Development by virtue of an assignment dated July 10, 2012 and recorded in Barnstable County Registry of Deeds in Book 26665, Page 338, for breach of the conditions in said mortgage and for the purpose of foreclosing the same, will be sold at Public Auction on **March 5, 2021 at 12:00 PM Local Time** upon the premises, all and singular the premises described in said mortgage, to wit:

Property Address: 368 Forest Road South Yarmouth, MA 02664

A certain parcel of land with the buildings thereon, situated in Yarmouth (South), Barnstable County, Massachusetts, and bounded and described as follows:
Said Parcel is bounded and described as follows:

Northerly: by Lot 474 as shown on a plan hereinafter mentioned, One Hundred Twenty Six and 16/100 (126.16) feet

Easterly: by Lot 470, as shown on said plan, One Hundred and 03/100 (100.03) feet

Southerly: by Lot 476, as shown on said plan, One Hundred Twenty Three and 88/100 (123.88) feet

Westerly: by Forest Road as shown on said plan One Hundred and 11/100 (100.11) feet

Being Lot 475 containing 12,502 square feet more or less as shown on a plan entitle "Subdivision Plan of a portion of 'Captains Village' South Yarmouth, Mass., May 25, 1971, Scale 1" = 100', Thomas E. Kelley Surveyor, South Yarmouth, Mass.", which said plan is duly filed in the Barnstable County Registry of Deeds in Plan Book 249 Page 113.

Parcel ID: 067-113
Alt. Parcel 058-J47-5

Title Reference Barnstable County Registry of Deeds Book 3815 Page 253

The description of the property that appears in the mortgage to be foreclosed shall control in the event of a typographical error in this publication.

For Mortgagor's Title, see deed dated July 29, 1983, and recorded in Book 3815 at Page 253 with the Barnstable County Registry of Deeds.

TERMS OF SALE: Said premises will be sold and conveyed subject to all liens, encumbrances, unpaid taxes, tax titles, municipal liens and assessments, if any, which take precedence over the said mortgage above described.

FIVE THOUSAND ($5,000.00) Dollars of the purchase price must be paid by a certified check, bank treasurer's or cashier's check at the time and place of the sale by the purchaser. The balance of the purchase price shall be paid in cash, certified check, bank treasurer's or cashier's check within sixty (60) days after the date of sale.

Other terms to be announced at the sale.

BENDETT & MCHUGH, PC
270 Farmington Avenue
Farmington, CT 06032
Attorney for U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT
Present Holder of the Mortgage
(860) 677-2868

AD#13938584
Register 2/11, 2/18, 2/25,21

BOA 3/11/21 HEARING
LEGAL NOTICE
TOWN OF YARMOUTH
BOARD OF APPEALS

You are hereby notified that the Yarmouth Board of Appeals will hold a public hearing on the following petitions/appeals on **Thursday, March 11, 2021 at 6:00 p.m.**

Please note that the Yarmouth Board of Appeals meeting will be held by remote participation pursuant to Massachusetts Governor Charles D. Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law. No in-person attendance of members of the public will be permitted, but the public can listen to and/or view this meeting while in progress by attending the online virtual meeting or watching the live stream on the Town of Yarmouth YouTube channel. For public hearings, members of the public attending the online virtual meeting will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment. Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Specific information for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting shall be provided on the Notice of Meeting to be published at least 48 hours before the meeting. The Notice of Meeting and meeting materials will be posted on the town's website at http://www.yarmouth.ma.us/AgendaCenter. It is recommended that all participants access materials in advance of the meeting.

PETITION #4887: Jeffrey and Karin Tyndall, 12 Tupelo Road, South Yarmouth. Map & lot#:0101.182.3; Zoning District: R-40. The applicant seeks Variances from Zoning By-law §202.5; §203.5; and §500 to construct a detached single family dwelling on an existing lot.

PETITION #4888: Paula A. Quigley, 48 Eileen Street, YarmouthPort. Map & lot#: 0135.115; Zoning District: R-40. The applicant seeks a Special Permit under Zoning By-law §407 for a Family Related Apartment.

PETITION #4889: Hugh Kilmartin, 24 Little Dipper Lane Realty Trust, 4 Kents Lane, Hingham, MA Property location: 24 Little Dipper Lane, South Yarmouth. Map & lot#: 0025.367; Zoning District: R-25. The applicant seeks a Special Permit under Zoning By-law §104.3.2 and/or a Variance from By-law §203.5 to construct an addition on a pre-existing non-conforming dwelling on a pre-existing non-conforming lot encroaching into the setback.

PETITION #4884: Derek J. and Jillian M. Fowler, 51 Abell's Road, West Yarmouth. Map & lot#:0039.2; Zoning District: R-25. The applicant seeks a Special Permit under Zoning By-law §407 for a Family Related Apartment.

Any additional materials, which have been filed with the Board, may be viewed during regular business hours at the Board of Appeals Office in the Town Office Building.

This legal notice may be viewed online at the Massachusetts Newspaper Publishers Association (MNPA) website at http://masspublicnotices.org/.

AD#13942778
The Register 2/25, 3/4/21

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21 VINEBROOK ROAD
LEGAL NOTICE
NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Marilyn B. Rouette to Mortgage Electronic Registration Systems, Inc. as nominee for American Brokers Conduit, dated June 6, 2006 and recorded in the Barnstable County Registry of Deeds in Book 21083, Page 227, as modified by a certain modification agreement dated October 6, 2017, and recorded with said Barnstable County Registry of Deeds in Book 30884, Page 31 of which mortgage the undersigned is the present holder, by assignment from:

Mortgage Electronic Registration Systems, Inc., as nominee for American Brokers Conduit to Wells Fargo Bank, NA, recorded on August 8, 2014, in Book No. 28312, at Page 235

Wells Fargo Bank, N.A. to Specialized Loan Servicing LLC, recorded on June 5, 2017, in Book No. 30534, at Page 257

Specialized Loan Servicing, LLC to US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST, recorded on June 26, 2020, in Book No. 33023, at Page 201

for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 1:00 PM on March 23, 2021, on the mortgaged premises located at 21 Vinebrook Road, South Yarmouth (Yarmouth), Barnstable County, Massachusetts, all and singular the premises described in said mortgage,

TO WIT:
The land with the buildings thereon, situated in Yarmouth (South), Barnstable County, Massachusetts with all improvements thereon, located at 21 Vinebrook Road, more fully bounded and described as follows:
Beginning at the Southwest corner of the granted premises and running thence,
NORTHEASTERLY N. 42° 31'50" E., a distance of one hundred twenty and no/100 (120.00) feet to Vinebrook Road; thence,
NORTHWESTERLY N. 47° 28'10"W., a distance of one hundred five and no/100 (105.00) feet along Vinebrook Road; thence
SOUTHWESTERLY S. 42° 31'50"W., a distance of one hundred twenty and no/100 (120.00) feet; thence,
SOUTHEASTERLY S. 47° 28'10"E., a distance of one hundred five and no/100 (105.00) feet to the point of beginning.
Being Lot #21 on Plan of Land entitled "Hazelmoor, Section Two, Plan of Subdivision of Land Eldredge F. and Elva Shaw in Yarmouth (South), scale 1" = 80', August 20, 1954", Novell B. Snow, Registered Land Surveyor, Commonwealth of Massachusetts, recorded in Barnstable County Registry of Deeds in Plan Book 117, Page 17.
Title 9909-114
Property Address:
21 Vinebrook Road
South Yarmouth MA

For mortgagor's(s') title see deed recorded with Barnstable County Registry of Deeds in Book 9909, Page 114.

These premises will be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, liens or claims in the nature of liens, improvements, public assessments, any and all unpaid taxes, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens or existing encumbrances of record which are in force and are applicable, having priority over said mortgage, whether or not reference to such restrictions, easements, improvements, liens or encumbrances is made in the deed.

TERMS OF SALE:

A deposit of Five Thousand ($5,000.00) Dollars by certified or bank check will be required to be paid by the purchaser at the time and place of sale. The balance is to be paid by certified or bank check at Harmon Law Offices, P.C., 150 California St., Newton, Massachusetts 02458, or by mail to P.O. Box 610389, Newton Highlands, Massachusetts 02461-0389, within thirty (30) days from the date of sale. Deed will be provided to purchaser for recording upon receipt in full of the purchase price. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Other terms, if any, to be announced at the sale.

US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST
Present holder of said mortgage

By its Attorneys,
HARMON LAW OFFICES, P.C.
150 California St.
Newton, MA 02458
(617)558-0500
15127

AD#13942850
The Register 2/25, 3/4, 3/11/21

YARMOUTH/ OKHHDC
LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TOWN OF YARMOUTH
OLD KING'S HIGHWAY HISTORIC DISTRICT COMMITTEE

Notice is hereby given that on **Monday, March 8, 2021** the following applications for Certificate of Appropriateness pursuant to Section 9 of Chapter 470 of the Acts of 1973, as amended, will be heard in the order listed below beginning at **7:15pm.**

Please note that the Yarmouth Old King's Highway Historic District Committee meeting will be held by remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020. No in-person attendance of members of the public will be permitted, but the public can listen to and/or view this meeting while in progress by attending the online virtual meeting. For public hearings, members of the public attending the online virtual meeting will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment. Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Specific information for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting shall be provided on the Notice of Meeting to be published on the town's website at least 48 hours before the meeting. Application materials are currently available through the Online Services/Town Record Search service on the town's website at: https://ff.yarmouth.ma.us/WebLink/Browse.aspx?id=90479&repo=LASERFICHE .

It is recommended that all participants access and review application materials in advance of the meeting.

New Items:
1. 21-A031: Paul Jonathan Ungerland II (Owner), Marc-Adam Boegel of Boegel Home Improvement (Agent); remove and place siding and trim at 26 Aunt Dorah's Lane.
2. 21-A032: Vincent Guardia (Owner), Sunrun Installation Services (Agent); Installation of an interconnected rooftop system of solar panels at **35 Avon Road.**
3. 21-A033: Al & Becky Maitino (Owners), Bill Daniels (Agent); new front porch, dormers, changes to windows and door, and installation of roof shingles **at 84 Homers Dock Road.**
4. 21-A034: William Flaherty & Lisa Sooy (Owners), Sand Dollar Customs (Agent); remove partial roof and addition of dormer on the right side of the garage **at 21 Acorn Hill Drive.**
5. 21-A035: PC Solutions Cape Cod & Philip Morrison (Owners), Jean Bowden & Philip Morrison (Agent); Installation of a new sign **at 923 Route 6A, Unit D.**
6. 21-A036: Judith Wilchynski (Owner), Dan O'Neill Carpentry (Agent); deck rebuild at **23 Windswept Path.**
7. 21-A037: Saposnik (Owner), Ben Dziczek (Agent); Build a porch at **10 Campion Road.**
8. 21-A038: Dan & Sidnie Crawford (Owners), MJ Nardone (Agent); Addition of a front porch, rear screened in porch and deck, new windows, roofing, and siding at **97 Mayflower Terrace.**

Questions regarding the above applications should be directed to grogers@yarmouth.ma.us no later than March 5, 2021.

Richard Gegenwarth, Chairman
Yarmouth OKH Historic District Committee

This legal notice may be viewed online at the Massachusetts Newspaper Publishers Association (MNPA) website: www.masspublicnotices.org

AD# 13942918
Register 2/25/21

CC 3/4/21 HEARING
LEGAL NOTICE
TOWN OF YARMOUTH
CONSERVATION COMMISSION

The Yarmouth Conservation Commission will conduct public hearings pursuant to the Massachusetts Wetland Act, M.G.L. Chapter 131, Section 40, the Town of Yarmouth Wetland By-law, Chapter 143 on March 4, 2021, beginning at 5 p.m. for the following matters:

Please note that the Yarmouth Conservation Commission meeting will be held by remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law dated March 12, 2020. No in-person attendance of members of the public will be permitted, but the public can listen to and/or view this meeting while in progress by attending the online virtual meeting or watching the live stream on the Town of Yarmouth YouTube channel. For public hearings, members of the public attending the online virtual meeting will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment. Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Specific information for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting shall be provided on the Notice of Meeting to be published at least 48 hours before the meeting. The Notice of Meeting and meeting materials will be posted together on the town's website at http://www.yarmouth.ma.us/AgendaCenter. It is recommended that phone participants access materials in advance of the meeting.

Request for Determination of Applicability

Lauren Trefry, Seaside Cottages, **135 South Shore Drive**, Yarmouth, MA, proposed installation of two split rail fences on a coastal beach.

Notice of Intent

Timothy P. Bradley, **100 White Cedar Road**, Yarmouth, MA, proposed construction of deck and addition within existing patio footprint, within the buffer zone to a coastal bank and salt marsh and within land subject to coastal storm flowage.

Nancy Johnson, **9 Pump House Lane**, Yarmouth, MA, proposed construction of a single family dwelling within the buffer zone to a bordering vegetated wetland.

Town of Yarmouth, **Higgins Crowell Road**, Yarmouth, MA, proposed construction of a new shared-use pathway along the east side of Higgins Crowell Road, within the buffer zone to bordering vegetated wetlands.

Historical Society of Old Yarmouth, **229 and 231 Route 6A**, Yarmouth, MA, proposed replacement of a failing culvert within an intermittent stream and bordering vegetated wetland.

Michael and Adriana Parianos, **82 and 86 Harbor Road**, Yarmouth, MA, proposed site improvements including new deck, replacement patio, landscape wall, fences, shed and plantings; and restoration of disturbed area on abutting property, within buffer zone to coastal bank, and salt marsh, and within land subject to coastal storm flowage.

The above applications are available for review by address at http://www.yarmouth.ma.us/1501/Online-Services or by contacting the Kelly Grant at kgrant@yarmouth.ma.us, between 8:30 a.m. and 4:30p.m., Monday through Friday.

This legal notice may be viewed on-line at the Massachusetts Newspaper Publishers Association (MNPA) website at http://masspublicnotices.org/.

Ed Hoopes, Chairman
Yarmouth Conservation Commission

AD#13943139
The Register 2/25/21

REQUEST TO RELEASE FUNDS
LEGAL NOTICE
TOWN OF YARMOUTH
LEGAL ADVERTISEMENT
COMMUNITY DEVELOPMENT
BLOCK GRANT
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date Posted with Town Clerk:
February 22, 2021
Date Published in Newspaper:
February 25, 2021

On or after March 15, 2021 the Town of Yarmouth will submit a request to the U. S. Department of Housing and Urban Development (HUD) for the release of funds under Title I of the Housing and Community Development Act of 1974 (PL-93-383), to undertake the following activity:

Project: Affordable Housing
Activity: Affordable housing acquisition and rehabilitation
Activity Site: 25/27 Wampanoag Road, South Yarmouth, MA
Activity Allocation: $90,000

The activity proposed here are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. The Environmental Review Record (ERR) that documents the environmental determinations for these projects are on file at the Town of Yarmouth, Department of Community Development, 1146 Route 28, South Yarmouth, MA 02664 and is available for public review upon request to mwaygan@yarmouth.ma.us or 508-398-2231 x1275.

PUBLIC COMMENTS
Any individual, group, or agency may submit written comments on the ERR to the Town of Yarmouth, Department of Community Development, 1146 Route 28, South Yarmouth, MA 02664. All comments received by March 12, 2021 will be considered by the Town of Yarmouth prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS
The Town of Yarmouth certifies to HUD that Robert C. Lawton, Jr. in his capacity as Interim Town Administrator consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities under NEPA have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Town of Yarmouth to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS
HUD will accept objections to its release of funds and the Town of Yarmouth's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of Town of Yarmouth; (b) The Town of Yarmouth has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the project have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the U. S. Department of Housing and Urban Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Boston, MA 02222-1092. Potential objectors should contact HUD to verify the actual last date of the objection period.

Robert C. Lawton, Jr.
Interim Town Administrator
Town of Yarmouth
1146 Route 28
South Yarmouth, MA 02664
508-398-2231 ext. 1275

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