



**Town of Barnstable
Conservation Commission**
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MINUTES – CONSERVATION COMMISSION HEARING

DATE: May 6, 2025 @ 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.

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/81622151023>

Meeting ID: 816 2215 1023

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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 Edwin.Hoopes@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing Edwin.Hoopes@town.barnstable.ma.us. Comments should be submitted at least 8hrs prior to the hearing.

Conservation Commission meeting materials are available through Laserfiche. Links to application materials can be accessed [HERE](#).

The meeting was called to order at 6:30 p.m. by Chair F. P. (Tom) Lee. Also, in attendance were: Vice-Chair Louise Foster, Clerk Angela Tangney, Commissioners Abodeely, Hearn, Kaschuluk, and Sampou.

Conservation Administrator Ed Hoopes was present, along with Administrative Assistant Kim Cavanaugh.

I. REQUESTS FOR DETERMINATION

- A. Sea Wolf Holding, LLC.** To demolish existing dwelling and to rebuild existing deck. The new dwelling is beyond Conservation jurisdiction at 807 Sea View Avenue, Osterville as shown on Assessor's Map 113 Parcel 004. **DA-25020**

The applicant was represented by John O'Dea, P.E. of Sullivan Engineering and Consulting.

Issues discussed:

- The 50' buffer is undisturbed.

Public comment: None

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

Aye – Abodeely, Foster, Lee, Hearn, Kaschuluk, Sampou, Tangney
Nay –

II. NOTICES OF INTENT

- A. Town of Barnstable Department of Public Works.** To improve stormwater treatment by retrofitting the existing drainage system with underground infiltration chambers and a leaching basin; armoring an existing gravel parking area on the roadway shoulder with structured pervious gravel paving; and planting native bushes to establish a section of the roadway shoulder as a no parking area on Old Shore Road, Cotuit. **SE3-6271**

The applicant was represented by Gregory Avenia of Kleinfelder.

Issues discussed:

- Cars are parking in the grassy area along the shoulder.
- A question was asked if they could put up a fence or guard rail instead of plantings as people will most likely run over just plantings.
- A temporary fence is planned, but they could put up a permanent fence.
- Large rocks are sometimes used instead of a fence.
- Rocks would be a good idea.
- If large rocks are going to be used, the temporary fence will not be needed.
- The drainage report looks good.
- The goal is for construction in the fall.
- The Town will follow the proposed stormwater operation and maintenance plan.

Public comment:

Phil Odens 15 Old Shore Road – He does not see parking where vehicles are left there for hours. Most of the parking is people loading and unloading boats. He is concerned that people will start parking further up the hill than at the current location. He was advised he could ask DPW to revise the plan.

Leo Schmit 31 Old Shore Road – The entrance to his driveway has cobblestone. He asked if they would be replaced if damaged during the project. The representative advised they would. He also advised the duration of the project will only take approximately one week. Mr. Schmit feels boulders are a good idea.

A motion was made to approve the project with the condition that the Town should follow the proposed stormwater operation and maintenance plan, they can submit a revised plan if the area of boulders is changed. Seconded.

Aye – Abodeely, Foster, Lee, Hearn, Kaschuluk, Sampou, Tangney
Nay –

III. CONTINUANCES

- A. Jamie N. Cody, Trustee – Centerville Qualified Personal Residence Trust.** To replace existing timber bulkhead and stone revetment with new vinyl bulkhead at 90 Short Beach Road, Centerville as shown on Assessor's Map 206 Parcel 123. **SE3-6272 Continued from 4/29/25. Form WC received.**

The applicant was represented by John O'Dea, P.E. of Sullivan Engineering and Consulting.

The DMF comment letter dated 5/6/2025 was read into record.

Issues discussed:

- The DMF letter asked for the stone to remain in place.
- The consultant does not believe there are any shellfish in the area of the existing stone wall.

- In this instance the less impact of doing it as a bulkhead out weighed the possible loss of habitat if doing a revetment.
- There may be a cumulative effect if all stone revetments being re-done are replaced with bulkheads.
- A stone revetment provides more habitat for fish than a bulkhead.
- A question was raised if vinyl sheeting could be driven landward side of the existing rock.
- It is unknown.
- The plan is to not put the bulkhead out as seaward as the existing stone.
- The rock in the region is providing habitat. A question was asked if the rock could be put back after the project is completed.
- The consultant advised that some of the stone could be replaced after the project is completed.
- The vinyl bulkhead could be moved back one foot.
- The time of year restriction is only for work in the water that causes siltation.
- There was discussion on the use of silt curtains.
- There is no mention of silt curtains in the letter.
- A silt fence could replace the time of year restriction.
- The DMF letter states no work from 1/15 to 5/31.
- The motion could include a construction period .
- The work just can't be in the spring with the winter flounder.

Public comment: None

A motion was made to approve the project, close the hearing, and authorize staff to issue the order of conditions with the following conditions; receipt of a revised plan showing the vinyl bulkhead to move landward by 1 ft. and add stone in front of the bulkhead, a silt curtain could be used to minimize any silt producing activity.

Seconded.

Aye – Foster, Lee, Hearn, Kaschuluk, Sampou, Tangney

Nay –

Commissioner Abodeely was ineligible to vote.

IV. CERTIFICATES OF COMPLIANCE

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

A. SE3-5784	John & Judy Clancy 191 Stoney Point Road, Barnstable	(COC, ez*)	Remodel dwelling, add 2 nd floor porch, rebuild existing retaining wall.
B. SE3-5990	Peri S. Wentworth 16 Walley Court, Hyannis	(COC, ez*)	Additions, deck, pool, poolhouse, driveway, landscaping, vista pruning.

A motion was made to approve A-C.

Seconded.

Aye – Abodeely, Foster, Lee, Hearn, Kaschuluk, Sampou, Tangney

Nay

V. MINUTES

- A.** April 1, 2025, tabled from 4/29/25.

A motion was made to accept the minutes.

Seconded.

Aye – Abodeely, Foster, Lee, Hearn, Kaschuluk, Sampou, Tangney

Nay

VI. OLD/NEW BUSINESS

A. Discussion pertaining to permitting guidelines (Commission discussion only).

Issues discussed:

- The commissioners should ask staff if there are questions on any projects before the hearing to let consultant know and get some answers for the hearing.
- An RDA application requires issuance of a determination within 21 days. No conditions can be put on an RDA because there is no enforcement.
- If a project is not going to be approved as an RDA the Commissioners do not need to discuss what would be included in the NOI.
- If changes are needed to the guidelines they should be submitted to staff.
- The RDA from last week. The project was a positive determination. The guidelines currently had it filed as an RDA.
- Lawn went all the way to the edge of the water. Plantings should be put in.
- There is a lot of opportunity for plantings in the 50' buffer being missed with filing an RDA.
- A question of how the 400 sq. ft. was determined in the guidelines at the time they were put in place.
- A question was raised if the RDA last week offered mitigation would it have been approvable.
- It can be accepted if a letter is written as a voluntary commitment but it cannot be enforced.
- The RDA filing would not show the mitigation area.
- If the land is sold the mitigation area would show on the file in an OOC but not an RDA.
- Staff recommendations should be considered.
- The Commission has the final say.
- The guideline was to make an RDA an easier application if it is a simple approval.
- Guideline changes should be submitted to staff to be brought up at the next meeting.

A motion was made to adjourn the meeting.

Seconded.

Aye – Abodeely, Foster, Lee, Hearn, Kaschuluk, Sampou, Tangney

Nay

The time was 7:33 p.m.