



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

**DATE: July 8, 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/84965606324>

**Meeting ID: 849 6560 6324**

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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](mailto: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](mailto: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: Clerk Angela Tangney, Commissioners Hearn, Kaschuluk, and Abodeely. Commissioner Sampou arrived at 7:05 p.m.

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

Items taken out of order – Started with II. RDA applications.

**I. OLD AND NEW BUSINESS**

**A. Annual Election of Officers.**

Issues discussed:

- The Vice Chair position needs to be filled.
- There are only six Commissioners currently.
- The Appointments Committee has not made any re-appointments.
- It was suggested to continue with the current officers until the Commission body get settled.
- Angela would be willing to serve as Vice Chair if needed when the Chair is unable to attend.
- Bill is willing to serve as Clerk until all re-appointments have been made.

A motion was made to continue with the current officers with Angela playing a duel roll until there is a full Commission.

Seconded.

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

Nay –

## **I. REQUESTS FOR DETERMINATION**

- A. Barnstable Recreation Department.** To install Mobi-Mats at Kalmus Beach to increase accessibility at 670 Ocean Street, Hyannis as shown on Assessor's Map 324 Parcel 041. **DA-25024**

The applicant was represented by John Gleason, Town of Barnstable Recreation Director.

Issues discussed:

- The Mobi Mats will be removed in October and put back in the spring.
- There is no vegetation that will be impacted.
- The new boardwalk is shorter so this will help extend the new boardwalk for accessibility.
- There are no birds currently nesting in the area.
- The Mobi-Mat will extend 100' from the existing boardwalk.

Public comment: None

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

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Lee, Tangney

Nay –

- B. Ralph Crossen.** Remove the rear deck on grade and expand the basement to the same location and size at 162 Main Street, Osterville as shown on Assessor's Map 165 Parcel 073. **DA-25025**

The applicant was not available at the time the project was called. Items taken out of order. Notices of Intent were taken next.

The applicant Ralph Crossen phoned into the meeting at 6:58 p.m.

Issues discussed:

- There were no questions from Commissioners.

Public comment: None

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

Seconded.

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

Nay –

## **II. NOTICES OF INTENT**

- A. 56 Sand Point LLC.** To construct an addition to the existing dwelling at 56 Sand Point, Osterville as shown on Assessor's Map 073 Parcel 017. **SE3-6287**

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

Issues discussed:

- A revised plan needs to be submitted showing the dimensions of the addition.

- A question was asked when the parking lot was put in and when they reduce it are they going to try to restore the wetland area.
- The area was a grass parking area in the late 1950's. The house was rebuilt in 2014 and the gravel was put in then. They have received the COC for the project #SE3-5208.
- The gravel will be scraped off and the area will be planted with a fence around it.
- The addition is going to be part of the master bedroom.
- The addition will have a crawl space, not a full foundation.
- There is concern whether this is a good trade off by removing the driveway to go further into the 50' buffer.
- There is a small section in the 0-50' buffer which is only approximately 3' x 8'.
- The 50' buffer is to the Town Bank and is a very vegetated hillside.
- It is a very modest encroachment. The bank is very stable.
- The project seems to be a reasonable trade off.
- They are getting a lot out of the salt marsh area and adding mitigation.
- Annual reports will not be needed as it is such a small area.

Public comment: None

A motion was made to approve the project subject to receipt of a revised plan showing the dimensions for the proposed addition.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Lee, Tangney

Nay –

**B. Thomas Schneider.** To construct a patio area in the rear of an existing single family home at 191 Stoney Point Road, Barnstable as shown on Assessor's Map 336 Parcel 028. **SE3-6288**

The applicant was represented by Daniel Ojala, P.E. of Down Cape Engineering.

Issues discussed:

- The 0-50' buffer is fully vegetated.
- The north side of the proposed patio area has a lot of invasive species which the owner may want to address.

Public comment: None

A motion was made to approve the project subject to receipt of a revised plan showing the dimensions of the patio and the top of wall elevations.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Lee, Tangney

Nay –

Ralph Crossen RDA taken next.

**C. Steven and Wendy D'Angelo.** To remove an existing ramp and float system and permit a new pier, ramp, and float at 108 Long Beach Road, Centerville as shown on Assessor's Map 206 Parcel 005. **SE3-6289**

Commissioner Sampou arrived at 7:05 p.m.

The applicant was represented by Daniel Ojala, P.E. of Down Cape Engineering.

Issues discussed:

- The email received from Liz Lewis, Town Shellfish Biologist dated July 8, 2025, was read into record.

- Abutter comment letter via email dated July 7, 2025, from David Wallace, 112 Long Beach Road was read into record.
- The size of the new dock and float is doubling what is existing.
- The consultant was not sure what kind of boat is currently on the dock.
- The proposed boat is 36' and 11 ½' wide.
- The length of the pier will be longer than the piers to the left and to the right.
- The distance to the float to the west is only 18.7 feet.
- Navigation will be a problem.
- There are eight boats that must go in and out of the area.
- If the length were equal to the neighbors to the left and the right, it may be more approvable.
- The consultant asked if dredging would be permitted to get the depth with a shorter pier.
- A dredging project has not been included with this application and cannot be considered at this time.
- This could be precedent setting. If this is allowed others will want longer piers.
- Harbor Master and Waterways Committee comments have not been received.

Public comment:

Attorney Sarah Alger – on behalf of David Wallace at 112 Long Beach Road. She agrees that navigation will be an issue and the comments from the Division of Marine Fisheries regarding long term impact to shellfish and fish even though there aren't shellfish there currently. The Dock extension is significant and is putting the boat into the dredged area that everyone uses to go in and out. The current dock has been used for kayaks. It will have an impact on the use of the Wallace's pier. He will have a hard time in windy conditions and may not be able to use his currently licensed pier. A similar project in the area was previously denied.

Sarah was asked which dock is Mr. Wallace's. It is to the immediate west. It appears it will be much more difficult to navigate.

Paul Cushing - 98 Long Beach Road. He is in support of the project. He would be willing to help them in getting it approved. He asked what the process is going forward. His dock is to the immediate right. The boat currently on the dock is approximately 22'. The Chair advised him about the process going forward.

Commission discussion continued:

- A continuance was requested to August 5<sup>th</sup> for receipt of Waterways Committee comments and to revise the plan to a shorter pier.
- It is not shellfish habitat so Shellfish Committee comments will not be needed.

A motion was made to approve the continuance request to August 5<sup>th</sup>, 2025.

Seconded.

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

Nay –

**D. Mark and Barbara Klamann.** Demolition of existing 3-bedroom dwelling and reconstruct new 3-bedroom dwelling with relocated septic system at 231 Fifth Avenue, West Hyannisport as shown on Assessor's Map 245 Parcel 040. **SE3-6291**

The applicant was represented by Matthew Eddy, P.E. of Baxter Nye Engineering.

Issues discussed:

- The revised plan is dated July 3, 2025. The revision is to add demarcation along the limit of work line.
- It appears to be a good plan.
- The office will be notified if any mitigation plantings are changed.
- Staff is in support of the project.

Public comment: None

A motion was made to approve the project with the revised plan dated July 3<sup>rd</sup> and annual reports for three years for the mitigation plantings.

Seconded.

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

Nay –

**E. Matthew and Danielle Scioletti.** Proposed pool, patio and retaining walls at 429 Elliott Road, Centerville as shown on Assessor's Map 227 Parcel 109. **SE3-6290**

The applicant was represented by Daniel Ojala, P.E. of Down Cape Engineering.

Issues discussed:

- The consultant would like to move the pool equipment into the 50-100' buffer and offered 60 additional feet of mitigation.
- A revised plan needs to have a label on the plan for the demarcation area.
- On the southwest side of the property there is previous mitigation but it is not a well vegetated mitigation area. The grass looked like it may have been mowed.
- A fence was recommended for the area.
- The new mitigation area should be demarcated.
- The additional hard scape for the pool equipment will be outside the 50' buffer near the proposed retaining wall.
- There should be no mowing allowed in the mitigation area.

Public comment: None

A motion was made to approve the project subject receipt of a revised plan showing a demarcation label and the additional mitigation area for the pool equipment with demarcation and annual reports for three years.

Seconded.

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

Nay –

The Commission took a 5-minute break.

### **III. CONTINUANCES**

**A. Zennon L. Mierzwa.** To construct a dock including boardwalk, pier, ramp and float at 251 Green Dunes Drive, Centerville as shown on Assessor's Map 245 Parcel 033. **SE3-6261 Continued from 4/29/25. Continued from 5/27/25. WC form received.**

The applicant was represented by Jose Pichardo, P.E. of Green Seal Environmental.

Issues discussed:

- The Shellfish and Waterways committees have approved the project.
- Attorney Lawlor advised the Waterways Committee unanimously approved the project.
- The letter dated June 25, 2025, from the Waterways Committee was read into record.
- The Natural Resources letter dated April 14, 2025, was read into record.
- DMF letter dated April 29, 2025, was read into record.
- Float stops will be included.
- The minimum depth to the prop will be one foot. The boat is a flat bottom boat designed for very shallow water.

- There will be no fueling on site.
- The date of the revised plan is April 29, 2025.
- Two paper copies of the plan were requested to be submitted to the office.
- A question was raised if there is enough depth for a full 12" all the way out to Nantucket Sound.
- The data shows there will be at least two feet of water before it gets to a channel at mean low water.

Public comment: None

A motion was made to approve the project with a minimum water depth of 12" below the prop and the revised plan dated April 29, 2025, with float stops at 18 inches.

Seconded.

Aye – Hearn, Kaschuluk, Lee, Sampou, Tangney

Nay –

Abodeely not eligible to vote.

**B. Sheryll J. Harkins.** To demolish the existing single family dwelling and construct a new single family dwelling, a pool, patios, and all associated appurtenances at 38 Sand Point Road, Osterville as shown on Assessor's Map 073 Parcel 018. **SE3-6285 Continued from 6/24/2025. WC Form received.**

The applicant was represented by John O'Dea, P.E. of Sullivan Engineering, Kerri Byrne of Catalano Architects, and Peter Stephens of Dan Gordon Design Landscapes.

Issues discussed:

- There is no new disturbance with the addition of the pool.
- The house is being shifted further away from the bank.
- There is a reduction in hardscape.
- A revised plan dated July 8, 2025, adding an additional 57 plants will be submitted.
- They are moving the house back to add the pool.
- A complete raze and replace historically has had everything moved out of the 50' buffer.
- A question was asked if there is a way to get the pool completely out of the 50' buffer.
- It is the owner's strong desire for the pool to be in the proposed location.
- There is a benefit to making the house smaller and moving it.
- A question was asked if the proposed patio could be taken out of the 50' buffer.
- Kerri Byrne advised they explored several options. They are trying to prioritize family space in an outdoor area.
- This plan felt like the best balance.
- This will be a significant improvement to the current conditions.
- They are taking the pool from outside the 100' buffer and putting it in the 50' buffer.
- This is better than what is there currently but the presence of the pool is the driving factor.
- A question was asked if the patios in the 50' buffer could be reduced in size.
- A question was asked if the spa could be pulled outside the 50' buffer.
- The mitigation is going at the top of the bank.
- A continuance was requested to revise the plan to add more mitigation or reduce hard scape.

Public comment: None

A motion was made to approve the continuance request to August 5, 2025.

Seconded.

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

Nay –

#### **IV. CERTIFICATES OF COMPLIANCE**

<b>A. SE3-6042</b>	<b>Cape Beach House, LLC.</b> <b>27 Marchant Avenue, Hyannis</b>	<b>(COC, ez*)</b>	Construction of pool, patio and front porch.
<b>B. SE3-5983</b>	<b>Gail A. Canzano</b> <b>483 Eel River Road, Osterville</b>	<b>(COC, ez*)</b>	Addition, relocate walkway, new septic system.

A motion was made to approve A. and B.

Seconded.

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

Nay –

#### **IV. MINUTES**

##### **A. June 24, 2025**

A motion was made to accept the minutes as submitted.

Seconded.

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

Nay –

##### **Old and New Business was taken next.**

A motion was made to adjourn the meeting.

Seconded.

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

Nay –

The time was 8:40 p.m.