



**Town of Barnstable
Conservation Commission**
230 South Street
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MINUTES – CONSERVATION COMMISSION HEARING

DATE: September 9, 2025 @ 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/89936548615>

Meeting ID: 899 3654 8615

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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 3:00 p.m. by Clerk Angela Tangney. Also, in attendance were Commissioner Hearn acting as Clerk, and Commissioners Abodeely, Kaschuluk and Sampou.

Conservation Administrator Ed Hoopes was present, along with Conservation Agent Brady Hill, and Administrative Assistant Kim Cavanaugh.

I. OLD AND NEW BUSINESS

- A. Vote to accept the proposed 2026 hearing schedule.

Issues discussed: None

A motion was made to approve the 2026 hearing schedule.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney, Sampou

Nay –

II. REVISED PLANS

Project Type

Revisions

- A. Maximiliano DePaula SE3-6239

Addition to SFD, Pool

To add some deck area

The applicant was represented by Ed Pesce, P.E. of Pesce Engineering.

Issues discussed:

- The expansion is in the 50 to 100' buffer.

A motion was made to approve revised plan as submitted.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney, Sampou

Nay –

III. ENFORCEMENT ORDERS

- A. Lynn Candella - 11 Harbor Bluffs Rd, Hyannis – Map 325 Parcel 132. Failure to comply with plan of record (revised site plan dated 10/30/2019 by Stephen W. Rumba, PLS) for SE3-5728 by adding excess hardscape - including a patio expansion, two triangular patios, firepit, three landing platforms, and fence along the backyard.

Exhibits

A - ARC Reader and Aerial Images of 11 Harbor Bluffs Rd, Hyannis

B - COC Denial for SE3-5728

C – Site Photos from COC Visit (5/14/2025, Katie Pawlak)

- Consultant nor homeowner were in attendance.
- Consultant had previously noted they were amenable to filing an amended order.

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

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Sampou, Tangney

Nay –

- B. Zennon L Mierzwa & Susan L Holt, Trs. and La-La Land Revocable Trust – 251 Green Dunes Dr, Centerville – Map 245 Parcel 033. Failure to comply with plan of record (revised site plan dated 3/26/2025 by Stuart D. Clark, P.E.) for SE3-6255 by adding two additional pieces of hardscape - cactus statue and canine statue.

Exhibits

A - ARC Reader and Aerial Image of 251 Green Dunes Dr, Centerville

B - Site Photos and Clip from Approved Plan

- Homeowner says they display the statues as art.
- Commissioners discuss what magnitude of effect the statues may have on the wetland resource.

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

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Sampou, Tangney

Nay –

- C. Cape Cod Hotel LLC – 1470 Iyannough Rd/Route 132, Hyannis – Map 274 Par 001. Alteration of a 50' buffer to a wetland resource area - unnamed pond - by clearing dead vegetation and removing two trees.

Exhibits

A - ARC Reader of 1470 Iyannough Rd/Route 132, Hyannis

B - Aerial Photo and Accompanying Site Photos

- Commissioners discuss whether 4 trees replanted is sufficient for restoration or if more is needed.
- Owner says area is revegetating naturally and trees were already dead when removed.
- Conservation Agent to continue investigation.

Tabled to October 14, 2025.

- D.** Barnstable Properties LLC – 407 North St, Hyannis – Map 308 Par 282. Alteration of a wetland resource area - stream - by removing soil and changing grade AND failure to request a Certificate of Compliance for SE3-1234.

Exhibits

A - ARC Reader and Aerial Image of 407 North St, Hyannis

B - Site Photos (August 13, 2025 and September 5, 2025)

C – Expired OOC

- Owner informed that this kind of project would require permitting before the Commission on-site.
- Owner did not appear at the meeting.

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

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Sampou, Tangney

Nay –

- E.** Bernard Lebow and Barbara J Guilfoile – 1199 Craigville Beach Rd, Centerville – Map 206 Par 053. Failure to comply with an enforcement order (VIO-2024009) AND failure to comply with Order of Conditions and Plan of Record for SE3-5734 (revised site plan dated 12/03/2019 by John O'Dea, P.E.)

Exhibits

A - ARC Reader and Aerial Images of 1199 Craigville Beach Rd, Centerville

B - Notes from Previous Enforcement Order and SE3-5734

- John O'Dea, P.E. of Sullivan Engineering, appeared with the homeowners to represent them.
- Owners intend to seek a revised plan.
- Boardwalk was initially built out of compliance due to confusion with the carpenter.

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

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Sampou, Tangney

Nay –

Items taken out of order. Continuances taken next starting with D. Dilmar Ribeiro

IV. NOTICES OF INTENT

- A. Barnstable Clean Water Coalition.** Proposed Ecological Restoration Project to restore a 57-acre cranberry bog site to a more naturally functioning wetland complex at 505 Whistleberry Drive, Marstons Mills Map 061 Parcel 059, 710 River Road, Marstons Mills, Map 044 Parcel 027, 946 River Road, Marstons Mills, Map 045 Parcel 026, 948 River Road, Marstons Mills, Map 045 Parcel 011, 0 River Road, Marstons Mills, Map 045 Parcel 016 Lot 004, 110 Bog Road, Marstons Mills, Map 045 Parcel 017 Lot 001.

Commissioner Hearn recused himself from the hearing. Commissioner Abodeely will act as Clerk for this hearing.

The applicant was represented by Neal Price of Horsley Witten Group.

Zenas Crocker addressed the Commissioners.

Nick Nelson of Inter-Fluve addressed the Commissioners with details of the design.

Issues discussed:

- Within 5-10 years there could be some significant positive impact from this project.
- Sewer is not scheduled for several decades to this area and once it has been done it could take several more decades to see an improvement.
- Monitoring should be done for the project.
- The cost of the project is a concern. A question was asked if they could run out of money before it is complete.
- They have many pledges, grants etc. for the project.
- They are working closely with the Town for additional grants.
- The project may need to be done in phases if money runs out.
- The State has recently shown a lot of support for these projects, and more funds are becoming available .
- Federal funding could become a problem but as of now there have not been any issues.
- They are not expecting any additional Federal funding.
- The project is shovel ready.
- Commissioners feel this is a great project and thanked the team for submitting a great project.
- A copy of the presentation was requested to be submitted to staff.
- The monitoring plan should be submitted to staff for review and should include 5-10 years of annual reports.
- There will be a lot of monitoring required for other agencies as well.
- The Marstons Mills River is monitored in over 10 locations currently.
- Monitoring data will be collected by many agencies for the project. Cape Cod Mosquito Control may be included in the project.
- They are hoping to get younger people involved and interested in these types of projects.

Public comment: None

- A continuance is needed for issuance of the DEP number.
- A continuance was requested to September 23rd.

A motion was made to approve the project as submitted subject to receipt of annual monitoring reports for ten years and continued to September 23, 2025, for issuance of the DEP number only.

Seconded.

Aye – Abodeely, Kaschuluk, Tangney, Sampou

Nay –

V. CONTINUANCES

- A. Tobias Welo.** To repair/reconstruct sandbag array originally authorized and constructed under SE3-2677 & SE3-2678, provide beach nourishment and on bank planting as needed at 25 & 35 Cove Lane, Osterville as shown on Assessor's Maps 052 and 053 Parcel's 009 and 012-002. **Continued from 8/5 WC Form received.**

A continuance was requested to 9/23/2025.

A motion was made to approve the continuance request to 9/23/2025.

Seconded.

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

- B. **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 Continued from 7/8 WC. Form received. Continued from 8/5 WC Form Received.**

A continuance without testimony was requested to November 4, 2025 for Waterways comments.

Commissioner Sampou may not have been part of the quorum.

A motion was made to approve the continuance to November 4, 2025.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney

Nay –

Abstain - Sampou

- C. **Town of Barnstable Department of Public Works.** Proposed maintenance dredging of Mid-Entrance Channel and Blish Point Boat Ramp Access Channel to the previously authorized depths at 307 Millway Road, Barnstable as shown on Assessor’s Map 301 Parcel 064. **SE3-6296 Continued from 8/5 for NHESP. Continued from 8/12. WC Form received.**

A continuance was requested to 9/23/25.

A motion was made to approve the continuance request to September 23, 2025.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney, Sampou

Nay –

- D. **Dilmar Ribeiro.** To remove two trees in the back yard along the edge of the fence at 120 Cobblestone Road, Barnstable as shown on Assessor’s Map 316 Parcel 063-001. **DA-25030 Continued from 9/2.**

The applicant Maragareth Ribeiro represented herself.

Issues discussed:

- This is an “after the fact” RDA filing resulting from an enforcement order.
- The project was for solar panels. The solar panel company did not get a permit.
- The building permit was signed off by staff with the comment that any tree cutting would have to be approved by staff.
- The solar company stated no trees were going to be cut.
- It was discovered that trees had been cut down.
- Both trees cut were in the 50-100’ buffer.
- The cutting of the trees most likely would have been approved if an RDA had been filed.

Public comment: None

A motion was made to issue a negative determination.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney, Sampou

Nay –

Continuance A. Tobias Welo was taken next.

- E. **Town of Barnstable – Department of Public Works.** Construction of a new sewer pump station with precast concrete structures, control panel, standby generator, and approximately 580 feet of 4-inch force main. Site work includes utility connections, sidewalk and paving improvements, and temporary dewatering during below-grade construction with treated groundwater discharged to Aunt Betty's Pond at 45 Mitchells Way Map 308 Parcel 273-002 and 268 Stevens Street, Hyannis Map 308 Parcel 017. **SE3-6308. Continued from 9/2.**

A continuance was requested to 9/23/25.

A motion was made to approve the continuance request to 9/23/2025.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney, Sampou

Nay –

Notice of Intent A. was taken next.

VII. MINUTES

A. August 5, 2025

A motion was made to accept the minutes as submitted.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney

Nay –

Commissioner Sampou was not at the 8/5 meeting.

A motion was made to adjourn the meeting.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Tangney, Sampou

Nay –

The time was 4:55 p.m.