



Town of Barnstable Conservation Commission

230 South Street
Hyannis Massachusetts 02601

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MINUTES – CONSERVATION COMMISSION HEARING

DATE: January 21, 2025 @ 6:30 PM

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Remote Participation Instructions

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.

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<https://townofbarnstable-us.zoom.us/j/89190903853>

Meeting ID: 891 9090 3853

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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 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.

NEW* 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, and Kaschuluk., Commissioner Sampou was absent.

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

I. REQUESTS FOR DETERMINATION

- A. Shawn MacInnes.** Removal of three (3) approximate 8" diameter trees within the 50' wetland buffer area due to rotting at 461 South Main Street, Centerville as shown on Assessor's Map 207 Parcel 067-001. **DA-25003**

The applicant represented himself.

Issues discussed:

- The trees will be cut to the ground and the root systems will be left.
- The vegetation near the trees will stay.
- There is a steep long slope.
- The trees are within 5' of the wetland.
- The trees are dying, and they could post a safety concern if they were to fall down.

- Even if the trees were to die they will provide habitat.
- In the past trees this close to the wetland are left alone.
- This does not appear to be a safety issue.
- The area appears to be heavily vegetated and is away from the house.
- They are willing to add some new trees.
- Generally, the Commission would not favor cutting these trees.
- They are in the 50' buffer and should be left alone.

Public comment: None

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

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

Applicant asked if this prohibits pruning of the trees.
Staff will assist him in what he can do as far as limited pruning of the trees.

II. NOTICES OF INTENT

- A. Town of Barnstable DPW.** Improvements to the Hyannis Water System's existing water infrastructure at 228 Straightway, Map 268 Parcel 099, 132 Smith Street, Map 267 Parcel 099 and 0 Old School House Road, Map 267 Parcel 190, Hyannis. **SE3-6238**

The applicant was represented by Matt Wrobel of Barnstable DPW Engineering and Kirsten Ryan Senior Project Engineer, Tyler Bernier, and Matt Stevens of Kleinfelder.

Issues discussed:

- The mitigation calculations were reviewed.
- The total mitigation required is more than what is proposed.
- There is not enough area to provide the required mitigation.
- This is an existing facility that was previously developed.
- They are trying minimize any impacts wherever possible. The proposed driveway is further away from the resource area. They are also proposing storm water mitigation and replant areas that were previously impervious surfaces.
- They are trying to improve a previously permitted site that would not have been approved these days.
- There will be monitoring reports for the mitigation area for three years.
- This may be a constrained site.
- The mitigation areas were reviewed.
- The project is an improvement to what is there now.
- They have maximized the amount of mitigation they can do considering it is a constrained site.
- There should be a finding that it is a constrained site.
- The in-lieu fee should be waived because this is a Town project with the benefits going to the citizens.
- The consultant believes it qualifies for the waiver because it is a Town project and demonstrates an overriding public benefit.
- Proposed construction timeline is to begin by fall of 2025 wrapping up by April 2027.
- The pumping capacity is dealt with at DEP.

Public comment: None

A motion was made for a finding the Hyannis Port site is constrained for the mitigation requirements. Because of the benefit to the public the mitigation fee is waived.
Seconded.

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

A motion was made to approve the project subject to receipt of revised plans on C1-112 and C2-112 to reflect the correct calculation on the mitigation area and end of the year mitigation reports for three years.

Seconded.

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

B. Maximiliano DePaula. Proposed construction of a home addition with adjacent pool and deck at 64 Greenwood Avenue, Hyannis as shown on Assessor’s Map 289, Parcel 114

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

Issues discussed:

- A question was raised if they are using the sports court.
- It is being used occasionally.

Public comment: None

A motion was made to approve the project as submitted.

Seconded.

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

III. CERTIFICATES OF COMPLIANCE

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

A. SE3-5807	Brian C. Koelbel & Tracy A. Ryan (COC, ez*) 220 Bay Street, Osterville	Raise dwelling. Three additions. Garage. Boardwalk. Landscaping.
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A motion was made to approve A.

Seconded.

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

IV. MINUTES

A. January 7, 2025

A motion was made to approve the minutes as submitted.

Seconded.

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

Abstain – Hearn and Kaschuluk were not present.

A motion was made to adjourn the meeting.

Seconded.

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

The time was 7:37 p.m.

