



Town of Barnstable Conservation Commission

230 South Street
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation@town.barnstable.ma.us

MINUTES – CONSERVATION COMMISSION HEARING

DATE: July 15, 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/82321024084>

Meeting ID: 823 2102 4084

US Toll-free • 888 475 4499

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.

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

The meeting was called to order at 3:05 p.m. by Chair F. P. (Tom) Lee. Also, in attendance were:, Commissioners Kaschuluk, Abodeely, and Sampou. Commissioners Tangney and Hearn were absent.

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

I. REVISED PLANS

Project Type

Revisions

A. Marc Landry and Nancy Allen
494 Elliott Road, Centerville SE3-5927

Landscape improvements
tree removal, walkways, deck
firepit, boardwalk

Change support system for
boardwalk and pier from helical
piles to 6" posts

The applicant was represented by Arlene Wilson of AM Wilson & Associates.

Issues discussed:

- The 6" posts will be driven in starting at the landward side using a small vibratory hammer.
- There should be no additional damage using the posts instead of helical piles.

A motion was made to approve the revised plan.

Seconded.

II. WARNING LETTERS

- A. Stacey Greaves – 60 Powers Drive, Centerville - Alteration of a buffer to a wetland resource area – Bumps River – by utilizing goats for invasive control without prior permitting.
- Utilizing goats is the least problematic in long term harm to the environment.
 - A question was raised if the Commission would accept the utilization of goats as an RDA instead of an NOI.
 - These projects have been used and approved in the past.
 - The location of the goats would need to be controlled.
 - Goats are a great tool for managing invasives. There is concern that goats will eat just about anything. They don't know what not to eat. Around priority habitats they could be a problem.
 - The impacts of the hooves could cause damage to a wetland area.
 - More detailed information is needed for approval than an RDA requires but a stamped engineering plan is not required.
- B. Ellen Glazerman & Harvey Kaufman, Trs. - 60 Powers Drive, Centerville - Alteration of a buffer to a wetland resource area – Bumps River – by utilizing goats for invasive control without prior permitting.
- Presented concurrently with previous warning letter

III. ENFORCEMENT ORDERS

- A. Diego L Ghia Ayala - 67 Huckleberry Lane, Marstons Mills – Map 102 Parcel 188. Alteration of the buffer to a wetland resource area - vegetated wetland - by cutting vegetation, removing soil, changing grade, and placing fill (poured concrete) in preparation for proposed retaining wall

Exhibits

A –ARC Reader and Aerial photo of 67 Huckleberry Ln, Marstons Mills

B – Roadside photos from Google Maps and first visit (June 5, 2025)

C – Site Photos – June 9, 2025

D – Site Photos – June 10, 2025 – from Homeowner

- The resource is an isolated vegetated wetland.
- Diego addressed the Commissioners. He did not know he had to get a permit. He has stopped the project and hired another landscaper. He is planning to hire a consultant and file an NOI for the project.
- He is not being asked to remove the poured concrete at this time.

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

Seconded.

Aye – Abodeely, Kaschuluk, Lee, Sampou

Nay –

- B. Frederick B Jones - 4312 Main St, Yarmouth Port – Map 351 Parcel 031. Alteration of the 50' buffer to a wetland resource area - vegetated wetland - cutting vegetation, removing soil, and changing grade after unpermitted removal of a pool

Exhibits

A – Aerial photos of 4312 Main St, Yarmouth Port

B –ARC Reader and pool photo
C – Oblique aerial photos of 4312 Main St, Yarmouth Port

- Craig Ferrari with Down Cape Engineering addressed the Commissioners and presented a draft plan.
- The owner is trying to sell the property.

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

Aye – Abodeely, Kaschuluk, Lee, Sampou
Nay –

- C. Olga Shemanyuk, Tr. & Trout Hill Realty Trust - 30 Lauren Drive, Marstons Mills – Map 101 Parcel 062. Failure to comply with the ongoing conditions of a Certificate of Compliance (SE3-5814)

Exhibits

A – ARC Reader and Aerial photo of 30 Lauren Dr, Marstons Mills
B – As-Built Plan (July 12, 2023, Dan Ojala, P.E.) with Annotations

- There is another project that was recently approved.
- The new project was approved subject to this mitigation area being replanted and the new mitigation areas being planted prior to the start of the project.

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

Aye – Abodeely, Kaschuluk, Lee, Sampou
Nay –

Items were taken out of order. COC's were taken next

IV. REQUESTS FOR DETERMINATION

- A. **Cheryl Gardner.** To remove beech tree that has beech leaf disease at 175 Holly Point Road, Centerville as shown on Assessor's Map 232 Parcel 017. **DA-25026**

The applicant represented herself.

Issues discussed:

- The tree is within the 50' buffer.
- A replacement tree should be planted.
- Cheryl asked what disease is on the trees on Route 28. The damage was probably caused by the cicadas.
- This is a beautiful tree. It is a shame to lose it.

Public comment: None

A motion was made to approve the project as a negative determination and add a replacement tree within the 50' buffer.

Seconded.

Aye – Abodeely, Kaschuluk, Lee, Sampou
Nay –

- B. Stephen F. Madden.** Removal of three dead, diseased and/or dangerous oak trees; significantly prune two other oak trees; plant five new apple and/or stone fruit trees further west of the house located at 95 Eel River Road, Osterville as shown on Assessor's Map 116 Parcel 121. **DA-25027**

The applicant was represented by Arlene Wilson of AM Wilson & Associates.

Issues discussed:

- It is good that the owner wants to take care of the problem before it gets worse.
- Arlene asked if they could request staff approval going forward if there were similar problems in the area.
- A blanket approval cannot be given.
- It could be presented to staff but staff would decide if it needs to be brought to the Commission.
- It will be handled one case at a time.

Public comment – None

A motion was made to approve the project as a negative determination. Any future tree removal will need to consult with staff for decision on further permitting or staff approval.

Seconded.

Aye – Abodeely, Hearn, Kaschuluk, Lee, Sampou

Nay –

V. NOTICES OF INTENT

- A. Constance Corcoran Miller, Trustee.** To remove a portion of existing driveway and to construct a pool and patio at 507 Sea View Avenue, Osterville as shown on Assessor's Map 138 Parcel 029-002. **SE3-6294**

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

Issues discussed:

- There is work being done inside the house.

Public comment – None

A motion was made to approve the project as submitted.

Seconded.

Aye – Abodeely, Kaschuluk, Lee, Sampou

Nay –

- B. Robert and Pamela Gremley.** To demolish existing single family dwelling and construct new single family dwelling with patio and spa, and all associated appurtenances and vegetated bank restoration at 64 Bayview Road, Osterville as shown on Assessor's Map 093 Parcel 054. **SE3-6293**

A continuance without testimony was requested to August 5, 2025.

A motion was made to approve the continuance without testimony to August 5, 2025.

Seconded.

Aye – Abodeely, Kaschuluk, Lee, Sampou

Nay –

VI. CERTIFICATES OF COMPLIANCE

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

A. SE3-5728

Lynn Candella

(COC, denial)

Raise existing dwelling

- There is significant addition of hard-scape including patio expansion and platforms without receiving prior approval from Conservation Commission to do so.
- Limited potential mitigation area to account for added hard-scape.
- Some hard-scape may have to be removed. Potentially could be an amended order, however concerns were expressed that this would result in less mitigation than what is owed.
- Concerns expressed over potential expansion of footprint.
- Concerns were expressed that changes were done without seeking forgiveness.
- Matter is being moved to enforcement to bring the project into compliance.

A motion was made to deny the COC request.

Seconded.

Aye – Abodeely, Kaschuluk, Lee, Sampou

Nay –

A motion was made to adjourn the meeting.

Seconded.

Aye – Abodeely, Kaschuluk, Lee, Sampou

Nay –

The time was 3:59 p.m.