



**Town of Barnstable  
Conservation Commission**  
230 South Street  
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: [conservation@town.barnstable.ma.us](mailto:conservation@town.barnstable.ma.us)

**MINUTES – CONSERVATION COMMISSION HEARING**

**DATE: August 5, 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/87007106268>

**Meeting ID: 870 0710 6268**

**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](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 Abodeely, Hearn, and Kaschuluk. Commissioner Sampou was absent.

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

**I. NOTICES OF INTENT**

- A. Patrick J. Melampy, Trustee – Ships Eagle Lane Nominee Trust.** To construct a set of stairs for additional shorefront access at 52 Ships Eagle Lane, Osterville as shown on Assessor's Map 164 Parcel 022. **SE3-6298**

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

Issues discussed:

- Revised plan date is July 31, 2025.
- Standard construction will be used.
- There is a long path running along the top of the bank. Over time it might not be good for the bank. A question was asked if there could be an alternative access route to the stairs.
- The applicants have done a lot to maintain the bank. The bank looks great.
- It was suggested they put a break in the wall for access instead of having the path.

- A question was asked about putting the stairs straight down.
- It is the access to the stairs that is a concern, not the stairs themselves.
- The consultant will work with the applicant to find a closer access point.
- The project could be approved subject to staff approval for the location of the opening of the access to the stairs.

Public comment: None

A motion was made to approve the project with revised plan dated July 31, 2025 and a future revised plan addressing the access point to the stairs with staff review and approval.

Seconded.

Aye – Abodeely, Lee, Kaschuluk, Tangney

Nay – Hearn

**B. Hugh S. and Katherine B. Ferguson, Trustees – Ferguson Family Trust.** To demolish and rebuild dwelling and deck in the existing footprint with a proposed porch at 214 Annable Point Road, Centerville as shown on Assessor's Map 211 Parcel 009. **SE3-6300**

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

Issues discussed:

- There should be monitoring of the mitigation for three years.
- Demarcation for the mitigation should be added to the plan.
- The mitigation is nicely spread out.
- The raised deck will be approximately five feet off the ground.
- There is sewer nearby which will be available for hook up in the near future. They do not intend to do any work to the septic with this project.

Public comment: None

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

Seconded.

Aye – Abodeely, Lee, Hearn, Kaschuluk, Tangney

Nay –

**C. Tobias Welo.** To demolish garage wing of existing house and reconstruct in more accessible position; modify landscape amenities including driveway, patios, rinse station, and landscaping at 25 Cove Lane, Osterville as shown on Assessor's Map 052 Parcel 009. **SE3-6301**

The applicant was represented by Arlene Wilson of A.M. Wilson Associates.

Issues discussed:

- A question was asked if the mitigation area could be spread out a little instead of in a block in the corner.
- The consultant advised they would prefer not to but will if it is required.
- The bank looks great. It is well vegetated.
- Getting rid of the bocce court is a very good improvement.
- The lawn is right up to the very steep bank. Some mitigation would be helpful along the top of the bank.
- A suggestion was made to run the mitigation along the entire length of the top of bank.
- That much mitigation is not required for this project.
- It would be esthetically more pleasing.

- They can spread it to approximately half way across.
- Staff is in approval of the project.
- Dimensions of the building are needed on the site plan.

Public comment: None

A motion was made to approve the project subject to receipt of a revised plan showing additional dimensions of the building and the spread of the mitigation plantings half way across the top of bank. Seconded.

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

- D. 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. **A continuance has been requested to 9/9. WC Form received.**

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

A continuance was requested by the consultant.

A motion was made to approve the continuance without testimony to a date to be scheduled within 21 days of the submission of the requested supplemental documents pursuant to 310 CMR 10.05(5)(b)(3).

- A question was asked if the continuance could be granted without a date specific.
- The language came from Town Counsel.
- The consultant stated they would prefer a date certain, preferably September 9, 2025.
- There should be a specific date so the public will be aware of the next hearing date for the project.
- The applicant could always request another continuance if more time is needed.
- Staff was specifically told by the legal department to word it this way.
- Continuances have always been done with a specific date.

The previous motion was not seconded and a new motion was made to continue the project without testimony to September 9, 2025.

Seconded.

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

- E. Nicholas S. Theoharidis.** Clearing of vacant property up to the 50' buffer and construction of a single family home at 0 Maple Street, West Barnstable as shown on Assessor's Map 108 Parcel 008-001. **SE3-6299**

The applicant was represented by Craig Ferrari, P.E. of Down Cape Engineering.

Issues discussed:

- Vernal pool habitat is referenced in the wetland report. A question was asked where the vernal pools are located.
- If they are clearing to the 50' buffer they should know where the vernal pools are.
- A suggestion was made to clear up to the 60' buffer instead of the 50' buffer.
- It was pulled back where possible.
- It will not be clear cutting all the way to the 50' buffer.
- Some of the trees will remain.

- The plan is dated July 31, 2025.
- There are no certified vernal pools on the parcel according to Mass Mapper.

Public comment:

Amy Britton – Abutter to the west. The vernal pool is approx. 300' away to the west.

A motion was made to approve the project with the revised plan dated July 31<sup>st</sup>, 2025.

Seconded.

Aye – Abodeely, Lee, Hearn, Kaschuluk, Tangney

Nay

## **II. CONTINUANCES**

- A. 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 and 7/08.**

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

Issues discussed:

- The spa has been moved out of the 50' buffer.
- Some hardscape has been trimmed out north of the pool.
- The width of the buffer enhancement area has been doubled.
- The consultant was thanked for addressing the concerns.
- The mitigation planting area should have demarcation and be noted on the plan.

Public comment: None

A motion was made to approve the project subject to receipt of a revised plan showing the demarcation line and annual reports for three years.

Seconded.

Aye – Abodeely, Lee, Hearn, Kaschuluk, Tangney

Nay

Scrivner's note: The buffer enhancement area was incorrectly identified in the discussion as a mitigation area in referring to demarcation . There is no mitigation or annual reports required for this project.

- 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. A continuance has been requested to 9/9. WC Form Received.**

A motion was made to approve the continuance request without testimony to September 9<sup>th</sup>.

Seconded.

Aye – Abodeely, Lee, Hearn, Kaschuluk, Tangney

Nay

- C. 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 Continued from 7/15 WC Form Received.**

Commissioner Kaschuluk has recused himself from this project.

The applicant was represented by John O'Dea, P.E. of Sullivan Engineering and Consulting and Drew Bitsko from Wilkinson Ecological Design.

Issues discussed:

- The presentation from Wilkinson was requested for the file.
- There is a box in the ground with water in it on site. The consultant does not know what it is.
- The environmental benefits of the project are great.
- The ground water level is at approximately elevation 1. The proposed drywell is a shallower chamber.
- The location of the driveway was discussed.
- There is a significant reduction in hardscape with the new driveway.
- The red outline of the existing conditions on the plan is very helpful.

Public comment: None

A motion was made to approve the project subject to receipt of annual reports for three years.

Seconded.

Aye – Abodeely, Lee, Hearn, Tangney

Nay

- D. 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 7/22 for NHESP. WC Form Received.**

The applicant was represented by Jimmy Hill of Foth Engineering.

Issues discussed:

- The NHESP has not been received.
- A continuance was requested to August 12, 2025.

A motion was made to approve the continuance request to August 12, 2025, for receipt of the NHESP letter.

Seconded.

Aye – Abodeely, Lee, Hearn, Tangney

Nay

Kaschuluk not eligible to vote.

- E. One Hundred Three Long Beach Road, LLC c/o Steven D'Angelo.** To raze an existing detached garage and rebuild a detached garage with Accessory Dwelling Unit, construct a screened porch, implement mitigation plantings, and all associated landscaping, grading and appurtenances at 103 Long Beach Road, Centerville as shown on Assessor's Map 205 Parcel 017. **SE3-6295 Continued from 7/22 for NHESP. WC Form received. NHESP letter received.**

The applicant was represented by Jason Heyer of Bracken Engineering.

Issues discussed:

- The NHESP letter dated August 1, 2025, was read into record.

A motion was made to close the hearing and authorize staff to issue the Order of Conditions.

The consultant was thanked for providing the requested changes to the plan.

The type and number of plantings for mitigation were not included on the plan.

They will submit to staff for approval.

Seconded.

Aye – Abodeely, Lee, Hearn, Tangney  
Nay  
Kashchuluk not eligible to vote.

### **III. CERTIFICATES OF COMPLIANCE**

**A. SE3-5888**                      **Christopher Bushing**                      **(COC, ez\*)**                      Raze and replace  
   **39 Hilliard's Hayway, West Barnstable**                      existing garage.

A motion was made to approve A.  
Seconded.  
Aye – Abodeely, Lee, Hearn, Kaschuluk, Tangney  
Nay

### **IV. MINUTES**

- A. July 15, 2025**
- B. July 22, 2025**

A motion was made to approve the minutes of July 15<sup>th</sup>. as submitted.  
Seconded.  
Aye – Abodeely, Lee, Kaschuluk,  
Nay  
Hearn and Tangney are not eligible to vote.

A motion was made to approve the minutes of July 22<sup>nd</sup>. as submitted.  
Seconded.  
Aye – Abodeely, Lee, Hearn, Tangney  
Nay  
Kaschuluk is not eligible to vote.

A motion was made to adjourn the meeting.  
Seconded.  
Aye – Abodeely, Lee, Hearn, Kaschuluk, Tangney  
Nay  
The time was 7:53 p.m.

**Upcoming Meetings:**

<b>Month</b>	<b>6:30 P. M.</b>	<b>3:00 PM</b>
August	19	12
September	2, 23	9
October	7, 28	14