



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

DATE: November 25, 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/83868284997>

Meeting ID: 838 6828 4997

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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 6:30 p.m. by Chair F. P. (Tom) Lee. Also, in attendance were Vice-Chair/Clerk Angela Tangney, Commissioners Abodeely, DeMelo, Kaschuluk and Sampou. Commissioner Hearn was absent.

Conservation Agent Brady Hill and Administrative Assistant Kim Cavanaugh were present.

I. REQUESTS FOR DETERMINATION

- A. Sally Burke, West Barnstable Equestrian Trust.** Meadow path maintenance and confirmation of Bordering Vegetated Wetland delineation at 2320 Meetinghouse Way, West Barnstable as shown on Assessor's Map 155 Parcel 032-001. **DA-25041**

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

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, DeMelo, Kaschuluk, Lee, Tangney

II. NOTICES OF INTENT

- A. 207 Crystal Lake Road, LLC.** To demolish existing dwelling and construct a new dwelling with all associated appurtenances, and proposed pool at 207 Crystal Lake Road, Osterville as shown on Assessor's Map 139 Parcel 054. **SE3-6329**

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

Issues discussed:

- A revised plan is needed to show the dimensions of the building.
- No trees will be removed from the 50' buffer. There are a couple that are going to be removed in the 50-100' buffer. A suggestion was made to pull the building back a little which would save a couple of trees from being removed.
- The patio is touching the 50' buffer.
- It appears construction work will be inside the 50' buffer. The limit of work will be pulled back a little.
- A note will be added to the plan that there will be no intrusion beyond the 50' buffer line and haybales will be used as demarcation of the work limit line.
- There should be a dimension put on the plan to show the patio is more than 50' from the resource.
- A question was asked if the entire house and pool could be moved closer to the road. The house is being re-built in the exact location of the existing house.
- There is a 50' undisturbed buffer so no mitigation is required.
- Heavy equipment will not be used close to the 50' buffer it will be used near the house and the pool.
- There should not be any root damage of the trees near the 50' buffer.

Public comment: None

A motion was made to approve the project subject to receipt of a revised plan showing relocation of the haybales on the east side and the distance labeled from the resource to the top of the proposed patio area.

Seconded.

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

Nay –

- B. John M. Jr. and Kimberly A. Toomey.** Proposed landscape retaining walls to level existing lawn area at 255 Eel River Road, Osterville as shown on Assessor's Map 115 Parcel 005. **SE3-6331**

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

Issues discussed:

- The heights of the walls are approximately 2 feet.
- The lower wall is touching vegetation. There will be approximately 20 yards of fill brought in for the project.
- There will be mitigation between the first and second wall.
- The project was poorly staked for the site visit.
- A question was asked what the need of the lower wall.
- Having the lower 2 foot wall seemed less impactful to the view from the water than having one large wall.
- The space between the walls is only about 4 feet and will be planted.
- The project is very close to the resource area. Part of the retaining wall is within the 50' buffer.
- The flattening of the lawn will lessen any runoff going toward the resource. The lawn area is being reduced and mitigation is being put in.
- The project will be beneficial (an improvement) to what is there now.

- There looks like a lot of sand was brought in to enhance the beach.
- There was an arial photo shown of the site in 2014 where the beach exists.
- A condition could be added for staff to review the area before an order of conditions is issued.
- If not permitted the beach would be a separate enforcement issue.
- A wall over 30" requires fencing. The two 2' walls would not require fencing.
- The distance from the existing grass area to the edge of the lower wall is 16 to 18".
- The limit of work is set on the edge of the grass.
- The area in front of the proposed wall is heavily vegetated.
- Vegetation will be restored after the haybales are removed.

Public comment:

Mike Champa – Abutter at 239 Eel River Road. He is concerned about the potential impact of drainage when raising the grade. The grade is only changing in the center of the property. Any water will be directed towards the walls. The abutter has no objections to the project.

A motion was made to approve the project subject to receipt of a revised plan showing distance between RA3 to the backside of lower retaining wall at RA4, any damage on the backside of the lower retaining wall need to be replanted, and submission of annual reports for three years. The staff will check to see if the beach area was previously permitted.

Seconded.

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

Nay –

C. Patricia & Thomas Butler. Raze and replace an existing single family home. Add pool and pool house. Invasive species removal and mitigation plantings replacing lawn are proposed at 105 Scudder's Lane, Barnstable as shown on Assessor's Map 258 Parcel 014. **SE3-6332**

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

Issues discussed:

- The BVW was flagged by Paul Shea.
- The line around the pool is gravel edging to infiltrate some water. It is part of the landscape design.
- A suggestion was made to install a drainage pipe under the gravel to capture the water and put it into the drywell.
- There is a beautiful magnolia tree on the property that will remain.
- Ornamental plantings have not yet been defined.
- Additional plantings will be done in addition to the mitigation.
- The area around the pool will be grass.
- The 163 sq ft in the 0-50' buffer is gravel drainage and a small piece of the retaining wall.
- Ongoing invasive management is not needed.

Public comment: None

A motion was made to approve the project with annual reports submitted for three years.

Seconded.

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

Nay -

III. CONTINUANCES

A. 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 11/04/2025.**

A continuance was requested to January 6, 2026.
This application has been around for a long time.
There is an issue with the Waterways Committee. The project is being reduced.
This will be the last continuance allowed as it is the fourth.

A motion was made to approve the continuance request.
Seconded.
Aye – Abodeely, DeMelo, Kaschuluk, Lee, Tangney, Sampou
Nay –

A motion was made to adjourn the meeting.
Seconded.
Aye – Abodeely, DeMelo, Kaschuluk, Lee, Tangney, Sampou
Nay –
The time was 7:43 p.m.