



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

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MINUTES – CONSERVATION COMMISSION HEARING

DATE: August 18, 2026 @ 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: <https://barnstable.cablecast.tv/internetchannel/watch-now>
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/87822715154>

Meeting ID: 878 2271 5154

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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@barnstable.gov, so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing Edwin.Hoopes@barnstable.gov. Comments should be submitted at least 8hrs prior to the hearing.

REMINDER TO APPLICANTS:

FEES FOR LEGAL ADS ARE LISTED BELOW. PLEASE MAIL CHECKS TO CONSERVATION, 230 SOUTH STREET, HYANNIS, 02601

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/Co-Clerk Angela Tangney, Co-Clerk William Hearn, Commissioners, DeMelo, and Kaschuluk. Commissioners Abodeely and Sampou were absent.

Conservation Administrator Ed Hoopes, and Staff member Kim Cavanaugh were also present.

I. OLD & NEW BUSINESS

- A. Commission discussion and public comment on Town of Barnstable Regulation Chapter 704-5(D) Request to Pay Fees In Lieu of Mitigation.

Issues discussed:

- The current rate is \$3.50 per sq ft. The rate has not been changed since 2006.
- The cost of mitigation plantings is quite high.
- This is only for constrained sites where there is no room for mitigation plantings.
- A suggestion was made for \$25.00 per sq. ft.

- Other Commissions are around \$25 to \$30.

Public Comment:

Arlene Wilson – Many of the sites that are mitigation constrained are not owned by wealthy people. They are small lots. Consideration should be given for them and maybe be written in the regulation. A waiver could be granted and it could be used in only certain circumstances.

Issues discussed: (Continued)

- There should be one more meeting to allow for public comment.
- A final vote will be on September 8th.
- The base rate would be \$25 per sq. ft.
- Commissioners would rather see plantings than money.
- There have been four cases in the last five years on very small lots.
- If they can afford to add the hardscape they could afford the in lieu fee.
- There is an astronomical jump from \$3.50 to \$25.
- Consideration could be given for offsite mitigation instead of the in-lieu fee.
- If they own that much property \$25 is reasonable.

Public comment:

Arlene Wilson advised some landscapers were asked what the average cost of mitigation would be.

- The money goes to the Hamblin Fund for maintenance of a conservation site and land management. An alternative could be they plant the mitigation on a conservation property.
- It would be more than \$25 per sq. ft. for mitigation plantings.
- The matter will be put on the September 8th agenda for additional public comment and vote.

II. NOTICES OF INTENT

- A. Matthew J. & Paula Dacey.** Proposed renovations to include 60 SF second floor addition, modifications to existing dormers, proposed cantilevered gas fireplace at dwelling and proposed dormers on existing garage at 439 Sea View Avenue, Osterville as shown on Assessor's Map 138 Parcel 025. **SE3-6404**

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

Issues discussed:

- None

Public comment: None

A motion was made to approve the project as submitted.

Seconded.

Aye – DeMelo, Hearn, Kaschuluk, Lee, Tangney

Nay –

- B. Danny Capasso – CRC Realty Investment, LLC.** Proposed landscaping improvements including new patios, walkway and fencing as well as plantings, garden beds, and tree removal and replacement at 7 George Street, Barnstable as shown on Assessor's Map 319 Parcel 066. **SE3-6407**

The applicant was represented by Chuck Rowland, P.E. of Cape & Islands Engineering.

Issues discussed:

- This is not an undisturbed buffer.

- There is another 800 sq. ft. of mitigation that should be provided.
- The mitigation is currently just inside the 0-50' ft.
- They have added mitigation to what is now lawn.
- The Consultant feels they have provided the required amount of mitigation.
- There is no other place to put mitigation in the 50' buffer. There is no requirement to put it in the 50-100' buffer. They are giving what they can in the 0-50'.
- There was discussion on the interpretation of the Chapter 704 Regulation.
- Some additional mitigation has been given in prior projects at the request of the Commission.
- The Commission would like to see the mitigation closer to what should be required.
- Per Chapter 704-3c there is no more land in the 0-50' buffer to plant mitigation than what they have already given so no additional mitigation is required but they could be asked to provide it. The phrase "in so far as" is the key.
- Commissioners feel some mitigation should be added to the 50-100' buffer.
- The Consultant advised they are willing to add some mitigation to the 50-100.
- The raised bed planter straight across could be the compromise.
- A suggestion was made to add mitigation to the 60' buffer.
- The consultant agreed to the 60' buffer.
- A continuance was requested to September 8th.

Public comment: None

A motion was made to approve the continuance of the project to September 8th for receipt of a revised plan showing the mitigation area to fill the 0-60' buffer instead of the 0-50' buffer and annual reports for 3 years. Seconded.

Aye – DeMelo, Hearn, Kaschuluk, Lee, Tangney

Nay –

C. Town of Barnstable – Department of Public Works. To repair and rehabilitate the Craigville Beach Road bridge to include repairs to the bridge, associated embankments, and roadway at Craigville Beach Road Right-of-Way. **SE3-6406**

The applicant was represented by Amanda Houle with Tighe & Bond, Sebastian Sak of Tighe & Bond and Paul Graves of DPW.

Issues discussed:

- The DMF letter dated August 17th was read into record.
- The Shellfish Committee, Harbor Master and Waterways Committee have not submitted comments yet.
- There is concern about what the Waterways Committee comments may be.
- Sebastian advised the Harbor Master was contacted regarding the closing of the channel for recreational boat traffic and the turbidity curtain.
- The turbidity curtain could be blocking fish passage.
- The Shellfish Committee approved it.
- Adult herring will be migrating beginning the last week of March through April.
- The turbidity curtain will not be up for the entire time of the project, only for specific work.
- This is a normal NOI but the narrative refers to a Limited Project. The packet does not include the Appendix A checklist for that.
- No part of this project is an Ecological Restoration project.
- An appendix A may still need to be included.
- No salt marsh should be destroyed during the project. Restoration and mitigation should be required if there is damage to the salt marsh.
- The silt curtain could be set up differently so it is not anchored across the bottom of the channel.
- The project would start this fall and last approximately 3-4 months.

- A net was proposed in an earlier bridge repair project to catch anything that might fall into the water during work. This project does not have that included.
- A containment system will be in place when they are stripping paint from the railings.
- There should be a condition for the contractor to provide a construction protocol and have a pre-construction meeting with Conservation, Natural Resources and Harbor Master to review the coffer dams and rip rap repair.
- Any revised plan on the turbidity curtain should be provided if there is any change.
- The DMF comments will be included in the Special Conditions for time of year restrictions.
- There are items that need to be addressed on the DMF letter.
- A continuance is needed to September 8th for Shellfish Committee, Harbor Master and Waterways comments.

Public comment: None

A motion was made to continue the project to September 8, 2026.

Seconded.

Aye – DeMelo, Hearn, Kaschuluk, Lee, Tangney

Nay –

A motion was made to adjourn the meeting.

Seconded.

Aye – DeMelo, Hearn, Kaschuluk, Lee, Tangney

Nay –

The time was 8:00 p.m.