Town of Barnstable
Conservation Commission

230 South Street
Hyannis Massachusetts 02601

Office: 508-862-4093 E-mail: conservation@barnstable.gov

MINUTES – CONSERVATION COMMISSION HEARING

DATE: September 29, 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/87013908754
Meeting ID: 870 1390 8754
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@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

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, Abodeely, DeMelo, and Kaschuluk. Commissioner Sampou arrived at 6:34 p.m.

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

Conservation Commission meeting materials are available through Laserfiche. Links to application materials can be accessed HERE.

I. REQUESTS FOR DETERMINATION

A. Lake House Capital, LLC. To permit a proposed path at 75 Bayberry Way, Osterville as shown on Assessors Map 091 Parcel 007. **DA-26048**

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

Issues discussed:

- The area was staked well for the site visit and the plan was clear.

Public comment: None

A motion was made to approve the project as a negative determination.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

B. William & Lauren Spielvogel. To re-permit vista pruning at 476 Baxters Neck Road, Marstons Mills as shown on Assessor's Map 075 Parcel 037. **DA-26049**

Commissioner Abodeely recused himself from the project as he is a co-applicant.

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

Issues discussed:

- The property is for sale and under agreement.
- This vista pruning has been previously approved. This application is to continue the vista pruning under the new owner.
- It will be a standard vista pruning.
- The contractor should consult with staff before doing any work.

Public comment: None

A motion was made to approve the project as a negative determination.
Seconded.
Aye – DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

C. WS Landing at Hyannis, LLC. – Renovations to the existing restaurant building and site improvements including parking, grading, landscaping and drainage improvements at 790 Iyannough Road, Hyannis as shown on Assessor's Map 311 Parcel 092. **DA-26050**

The applicant was represented by Katie Camion and Eric Doremus of WS Development.

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, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

D. Pavlin Peshev – PAV Construction. To confirm wetland delineation at 63 Farm Valley Road, Osterville as shown on Assessor's Map 097 Parcel 029. **DA-26051**

The applicant was represented by Kieran Healy P.E. of BSC Group.

Issues discussed:

- Administrator Hoopes went to the site and there is no wetland vegetation in the area and it does not appear the soils or hydrology match wetland hydrology.

Public comment: None

A motion was made to approve the project as a positive determination.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

II. NOTICES OF INTENT

A. **JMS Holdings LLC.** Replacement of in-ground pool, patio & planting areas with new pool, patio & planting areas in same general area as existing at 134 South Bay Road, Osterville as shown on Assessor's Map 093 Parcel 064. **SE3-6415**

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

Issues discussed:

- Additional mitigation is not needed as there is no additional hardscape.
- There is very little vegetation along the top of the bank.
- While not required for this project a question was asked if the new owners would be willing to add some vegetation along the top of the wall.
- The vegetation that is along the lower bulkhead is from the first project where some beach cleanup and the change to the beach access stairs.
- There are no plantings along the upper bulkhead now. The owner intends to put in approximately 600 sq. ft. of woody native plants.
- The construction equipment will access from the upper lawn.
- Silt socks could be put along the work limit line but the retaining wall should be sufficient.
- No equipment will be below the wall.
- The lawn is well manicured.
- Some additional vegetation is requested but not required.
- The retaining wall will act as the work limit line.
- Some haybales should be used for the stairway work.
- The value of a buffer strip in protecting the environment should be explained to the owner.
- The value of the property is because of the value of the bay. The bay should be protected.
- If the owner is willing to do some additional plantings it could be added to this in a revised plan.
- A revised plan is needed to show the haybale line along the proposed stairway and any vegetation they would like to add.
- A continuance was requested to October 13th for submission of a revised plan.

Public comment: None

A motion was made to approve the continuance request to October 13th.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

B. **Connor O'Reilly & Raja Sinjab.** Proposed addition and gravel driveway expansion at 1309 Race Lane, Marstons Mills as shown on Assessor's Map 064 Parcel 012-001 **SE3-6414**.

A continuance without testimony was requested to 10/13/2026.

A motion was made to approve the continuance request to 10/13/2026.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

C. **James Fitzpatrick.** Proposed pool with patio and landscape improvements at 67 Fire Station Road, Osterville as shown on Assessor's Map 117 Parcel 007. **SE3-6417**

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

Issues discussed:

- Jurisdiction is only under the State, not under the Town Ordinance.
- There is a proposed fence on the plan which will be approved under an Administrative Review process.
- There were no questions from Commissioners.

Public comment: None

A motion was made to approve the project as submitted.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

III. CONTINUANCES

A. Mark R. & Kathryn Gingerich Byrnes. To demolish the existing dwelling, remove cottage, and construct a dwelling and all associated appurtenances at 361 Huckins Neck Road, Centerville as shown on Assessor's Map 233 Parcel 043. **SE3-6404 Continued from 8/11/26 and 9/8.**

A continuance without testimony was requested to 10/20/2026.

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

B. Ellen Valentgas, Trustee – Ellen Valentgas Revocable Trust. To Permit an as-built deck and to remove three damaged trees at 154 Eel River Road, Osterville as shown on Assessor's Map 115 Parcel 010-001. **SE3-6409 WC Form received.**

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

Issues discussed:

- The filing is the result of an Enforcement Order.
- The date of the plan is August 6, 2026.
- A question was asked if the owner is taking credit for previously added plantings that were not part of a project that required them.
- She is.
- They are beyond what is required for mitigation.
- The mitigation and calculations were reviewed.
- The pine trees, if allowed to fall into the lake, would add habitat.
- Replacement of the trees was requested.
- The owner will replace them.
- The upper right corner plantings should be relocated to down along the pond.
- The black fence is staying and is on the plan.
- A label of the fence should be added to the plan.
- The area along the driveway had the lowest density of vegetation.
- The owner stated she is willing to put more vegetation there.

- The leaning tree should definitely be taken down. The two pines could be cut to 3 or 4 feet to stabilize the bank and add 1 or 2 replacement trees.
- The trees cut and left for habitat is a great idea.
- The label on the plan that states "previously added mitigation" should be removed. It should be labeled existing native plantings and the new plantings should be labeled proposed mitigation plantings.
- The wetland delineation was done by ECR.
- Demarcation should be added around the new mitigation plantings.
- A continuance is needed for a revised plan showing the mitigation, and what is going to be done with the trees, the fence label.
- A continuance was requested to October 20, 2026.

Public comment: None

A motion was made to approve the continuance to October 20, 2026.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, 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 Continued from 9/15.**

There was no consultant available for the hearing.

There was discussion on whether to table or continue the project.
There is not enough information to approve the project at this time.
Town of Barnstable Engineer Griffin Beaudoin requested a continuance in the matter to 10/13/26.

A motion was made to continue the project to 10/13/26.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

D. Town of Barnstable – Department of Public Works. Installation of public sewer infrastructure including two pumping stations to transition properties from private septic systems to municipal sewer service for multiple Town Right of Ways in the Long Pond area including 272 South Main Street, Barnstable as shown on Assessor's Map 207 Parcel 109. **SE3-6416 Continued from 9/15/26 for DEP# only.**

The DEP number has been received.
Commissioner Kaschuluk is not eligible to vote.

Public comment: None

A motion was made to close the hearing and authorize staff to issue the order of conditions.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Lee, Sampou, Tangney
Nay –

E. Todd Haag. Partial removal of existing driveway and patio with mitigation plantings at 33 Island View Road, Hyannis as shown on Assessor's Map 325 Parcel 179. **SE3-6400 Continued from 9/15.**

A continuance was requested to October 13th without testimony.

Public comment: None

A motion was made to approve the continuance request to 10/13/2026.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

IV. CERTIFICATES OF COMPLIANCE

(**ez** = staff recommends approval) (**D** = staff does not recommend approval) (***** = on-going conditions)

A.	**SE3-4014**	**TOWN OF BARNSTABLE/CONS** **Off 313 South Flintrock Rd., Hyannis**	**(COC, ez)**	Removal of phragmites within Hyannis pond complex.
B.	**SE3-4666**	**TOWN OF BARNSTABLE/CONS** Ocean Ave., Hyannis / Stewart's Creek	**(COC, ez)**	Restore estuary, dredging, salt marsh construction.
C.	**SE3-4754**	**TOWN OF BARNSTABLE/CONS** Estey Ave. way-to-water, Hyannis Harbor	**(COC, ez*)**	Change dune pathway, add sand, plant beachgrass, fence.
D.	**SE3-4859**	**TOWN OF BARNSTABLE/CONS** Long Pond, Centerville	**(COC, ez)**	Hydrilla control.
E.	**SE3-4984**	**TOWN OF BARNSTABLE/CONS** 0 Long Beach Rd., Centerville Harbor	**(COC, ez)**	Boardwalk – reconstruct and maintain.
F.	**SE3-5043**	**TOWN OF BARNSTABLE/CONS** 0 Flume Ave., Marstons Mills	**(COC, ez)**	Replace existing fishway (herring run).
G.	**SE3-5096**	**TOWN OF BARNSTABLE/CONS** Gooseberry Cove / Wequaquet Lake	**(COC, ez)**	Herbicidal use for management of invasive vegetation - fanwort.
H.	**SE3-5126**	**TOWN OF BARNSTABLE/CONS** Santuit Rd. / Crawford Rd. / Pinquickset Cove, Cotuit	**(COC, ez)**	Controlled burn, remove 4.5 acre stand of phragmites on coastal bank.
I.	**SE3-5604**	**TOWN OF BARNSTABLE/CONS** Bearse Pond, Centerville	**(COC, ez)**	Aquatic management program – fanwort eradication and management.

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

V. MINUTES

A. September 8, 2026

A motion was made to accept the minutes as submitted.
Seconded.
Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –

A motion was made to adjourn the meeting.
Seconded.

Aye – Abodeely, DeMelo, Hearn, Kaschuluk, Lee, Sampou, Tangney
Nay –
The time was 7:48 p.m.