



# Town of Barnstable Conservation Commission

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## MINUTES – CONSERVATION COMMISSION HEARING

**DATE: January 13, 2026 @ 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/81753283642>

Meeting ID: 817 5328 3642

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.

The meeting was called to order at 3:00 p.m. by Chair F. P. (Tom) Lee. Also, in attendance were Vice-Chair/Clerk Angela Tangney, Commissioners Abodeely, DeMelo, Hearn, Kaschuluk and Sampou.

Conservation Administrator Ed Hoopes, Conservation Agent Brady Hill, and Administrative Assistant Kim Cavanaugh were also present.

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

## **I ENFORCEMENT ORDERS**

A. Leslie Todd Haag & Carolyn Heath Haag, Trs and Haag 2025 Management Trust - 33 Island View Road, Hyannis – Map 325 Par 179. Alteration of a wetland resource area – flood zone – and alteration of the buffer to two wetland resource areas – vegetated wetlands – by adding unpermitted hardscape including a patio and driveway expansion.

### Exhibits

A – ARC Reader of 33 Island View Rd, Hyannis

B – Aerial Photos of 33 Island View Rd, Hyannis

C – Site Photos from December 2, 2025

- Violation was committed by previous homeowner.
- Clarification made that there was some vegetation in the buffer to the wetland to the north, but still limited.

- Additional vegetation in the current lawn area could benefit the resource areas.
- Homeowner asked the Commission to consider a non-vegetative solution to help resolve the issue while the Commission reaffirmed the efficacy of plantings.

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

Seconded.

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

Nay –

B. Sidney K Horton - 417 Scudder Ave, Hyannis – Map 288 Par 222. Failure to comply with the plan of record (site plan dated 4/24/2023 by James A. Pavlik, P.E.) for SE3-6057 by extending the existing boardwalk.

Exhibits

A – ARC Reader and Aerial Photo of 417 Scudder Ave, Hyannis

B – Clips of Approved Plan and As-Built for SE3-6057

C – Site Photos from December 5, 2025

- The homeowner and their representatives were already prepared with an amended order to comply with the enforcement order.

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

Seconded.

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

Nay –

C. AAR Legacy LLC - 671 Old Post Rd, Cotuit – Map 054 Par 013-001. Failure to comply with the plan of record (revised site plan dated 10/12/2022 by John O’Dea, P.E.) for SE3-5905 by expanding the deck and rinse station.

Exhibits

A – ARC Reader and Aerial Photo of 671 Old Post Rd, Cotuit

B – Clip of Approved Plan and Denied Revised Plan for SE3-5905

C – Photos from Denied Revised Plan Hearing (November 18, 2025)

- John O’Dea, P.E., appeared on behalf of the owners and affirmed their commitment to complying with the Commission’s demands.

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

Seconded.

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

Nay –

D. Amie A Dunning - 4005 Main St/Route 6A, Barnstable – Map 335 Par 032. Alteration of a wetland resource area and a buffer to a wetland resource area – vegetated wetland – by cutting or pruning more than twenty trees.

Exhibits

A – ARC Reader and Aerial Photo of 4005 Main St/Route 6A, Barnstable

B – Wetland Delineations from DA-01038 and DA-07080

C – Site Photos from December 5, 2025

- Location, origin, and categorization of the wetland were clarified.
- Commission encouraged supplementing some restoration tree plantings with shrub plantings to improve vegetative diversity.

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

Seconded.

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

Nay –

## **II. ENFORCEMENT ORDER RESPONSE PLANS**

- A. Michael A & Mary Catherine Kariotis, Trs. and Kariotis Family Trust - 65 Pirates Cove, Osterville - Map 051 Parcel 007-001. Alteration of a wetland resource area - vegetated wetland and flood zone - by cutting vegetation and adding fill AND alteration of a buffer to a wetland resource area – vegetated wetland - by adding unpermitted hardscape – driveway, adding lawn, and cutting vegetation AND failure to comply with the ongoing conditions of a Certificate of Compliance (SE3-4365).
  - Tabled to February 10 meeting per applicant's representatives' request.
  
- B. Michael A & Mary Catherine Kariotis, Trs. and Kariotis Family Trust - 67 Pirates Cove, Osterville - Map 051 Parcel 007-002. Alteration of a wetland resource area - vegetated wetland and flood zone - by cutting vegetation, adding fill, and adding an unpermitted garden AND alteration of a buffer to a wetland resource area – vegetated wetland - by adding unpermitted hardscape – driveway, adding lawn, and cutting vegetation AND failure to comply with the ongoing conditions of a Certificate of Compliance (SE3-4366).
  - Tabled to February 10 meeting per applicant's representatives' request.

## **III. NOTICES OF INTENT**

- A. **Michael Ryan.** Proposed addition to a single family dwelling at 120 Rushy Marsh Road, Cotuit as shown on Assessor's Map 019 Parcel 132. **SE3-6348**

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 submitted.

Seconded.

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

Nay –

## **IV. CONTINUANCES**

- A. **Julie Wolf.** Site improvements to include construction of a front porch, walkway and steps, expand garage, reconfigure deck, replace retaining wall and driveway, mitigation plantings, restoration work, and vegetation management at 268 Indian Trail, Barnstable as shown on Assessor's Map 337 Parcel 024. **SE3-6351 Continued from 1/6/26 for DEP# only.**

The applicant was represented by Lauren Taylor of Crawford Land Management.

Issues discussed:

- The DEP# has been issued.

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, Kaschuluk, Lee, Sampou, Tangney  
Nay –

**B. Kevin J Haspel Flaherty.** Alteration of an existing building as an accessory dwelling unit at 739 Route 149, Marstons Mills as shown on Assessor's Map 101 Parcel 004. **Continued from 1/6/26 for DEP# only. SE3-6349**

The applicant was represented by Robert Perry, P.E. of Cape Cod Engineering.

Issues discussed:

- The DEP # has been issued.

Public comment: None

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

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

## **V. CERTIFICATES OF COMPLIANCE**

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

<b>A. SE3-6065</b>	<b>Home Port Investments, LLC.</b> <b>9 Indian Trail, Osterville</b>	(COC, <b>partial*</b> )	Replacement of existing timber bulkhead with a vinyl bulkhead.
<b>B. SE3-6029</b>	<b>Home Port Investments, LLC.</b> <b>17 Indian Trail, Osterville</b>	(COC, <b>partial*</b> )	Replacement of existing timber bulkhead with a vinyl bulkhead.
<b>C. SE3-5681</b>	<b>Erich Stephens</b> <b>Vineyard Wind LLC.</b> <b>857 Craigville Beach Road, Centerville</b>	(COC, <b>ez</b> )	Installation of submarine Electric Transmission cables within Nantucket Sound to Covell's Beach & onshore duct Bank system.
<b>D. SE3-5960</b>	<b>Harry L. Jr., Carr, Trustee</b> <b>Elizabeth A. Carr Personal Residence Trust</b> <b>405 Bridge Street, Osterville</b>	(COC, <b>ez*</b> )	Pool & patio.

A motion was made to approve A. – D.

- A question was asked on the partial issuance of the COC's.
- The properties are being sold and the new owner is requesting this before the closing.

Seconded.

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

## **VI. MINUTES**

- A. December 9, 2025**
- B. December 16, 2025**

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 3:40 p.m.