



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

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MINUTES – CONSERVATION COMMISSION HEARING

DATE: April 14, 2026 @ 6:30 PM

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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/82884841632>

Meeting ID: 828 8484 1632

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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.

The meeting was called to order at 6:30 p.m. by Chair F. P. (Tom) Lee. Also, in attendance were Commissioners Abodeely, DeMelo, Hearn, Kaschuluk and Sampou. Vice-Chair/Clerk Tangney arrived at 6:46 p.m.

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

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

I. REQUESTS FOR DETERMINATION

- A. Robert Willett.** To replace an existing shed with a larger shed in the same location at 31 Paine Avenue, Hyannis as shown on Assessor's Map 289 Parcel 119-001. **DA-26021**

The applicant represented himself.

Issues discussed:

- There is a bank to Joshua's Pond.
- The edge of the lawn had a mitigation area that was consumed by Japanese Knotweed.
- The bank is starting to erode.
- There should be a replanting of the mitigation to stabilize the bank.
- The mitigation/bank issue is related to the deck approval, not this application.
- There was a prior violation at this property.
- Ed will check the Order of Conditions for the deck to address the replanting of the mitigation.

- This application is only for the existing shed.
- There may be additional mitigation required.
- Generally, an RDA does not require mitigation.
- The mitigation could be handled with a violation.
- The new shed with a bigger footprint is a little closer to the top of the bank.
- This project filed as an RDA, with a violation on the property, and the shed closer to the top of bank is a problem.
- The owner spent \$5,000 on mitigation for the deck. It was wiped out by the knotweed.
- A fence could be erected 3 feet from the edge of the top of bank to hold the knotweed back.
- This should be addressed through the current open Order of Conditions.
- The fence would prevent it from being mowed. It is expensive to get rid of knotweed.
- The knotweed will stabilize the bank, but native plantings would be better.
- The owner advised the knotweed is so bad that it took over the fire hydrant and the road collapsed at the end.
- The owner does not feel the bank has eroded.

Public comment: None

A motion was made to approve the project as a negative determination.
Seconded.

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

Nay –

Commissioner Tangney arrived at 6:46 pm

II. NOTICES OF INTENT

- A. 107 Channel Point Road, LLC.** Proposed replacement of existing concrete seawall with vinyl bulkhead sheeting and extend 20' at 107 Channel Point Road, Hyannis as shown on Assessor's Map 326 Parcels 078. **SE3-6373**

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

Issues discussed:

- The work limit line was discussed. The mean high water line is within the limit of work area.
- A question was raised if they are planning to work within the mean high and mean low water line.
- Once they get below mean high water DMF comments are needed.
- The DMF comments have not been received.
- There will not be enough room for machinery coming out on to the beach to stay inside the mean high water line.
- The rocks that are there were put there many years ago to protect the lighthouse. A question was asked if they could rebuild that stone revetment instead of building a bulkhead.
- The beach has eroded too much to just rebuild the revetment. They would not want to dig that close to the lighthouse.
- It would not be feasible to rebuild the revetment and it would be a much bigger footprint than the bulkhead.
- The DMF recommendations need to be received before approval.
- The shellfish committee met and thought the project was all upland work so they did not add any comments. If work is below mean high water they may want to get involved.
- The project should be continued until the DMF comments are received.
- The machine on the beach is a concern.
- The consultant will contact DMF for comments.
- A continuance was requested to May 12, 2026.

Public comment: None

A motion was made to approve the continuance request to May 12, 2026.

Seconded.

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

Nay –

B. Beulah I Investment Family, LP. Proposed construction of a boardwalk at 405 Sea View Avenue, Osterville as shown on Assessor's Map 138 Parcel 024. **SE3-6374**

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

Two public comment letters from Kathy Cochran and Kathy Wheeler were received and acknowledged

Issues discussed:

- There have been abutter comments stating the boardwalk could be avoided if they fixed the pipe.
- One of the issues is that the pipe goes across to another property. The owner of that property did not want to do the repair to the pipe.
- This may be a good opportunity to re-address the issue for a long-term solution.
- If the problem is caused by a broken pipe should the Commission approve a boardwalk.
- The current path is through the wetland area.
- The issue of the pipe has been a long-standing issue.
- The pipe is completely covered by sand.
- Adjacent properties have flooding issues and have received permission to use pumps.
- The pipe could be re-done and possibly re-positioned.
- The path has existed for a very long time.
- The neighbors are frustrated because of the flooding issue.
- The problem has existed for a number of years.
- The path goes through a field of phragmites.
- The pipe is not a natural situation.

Public comment:

Kathy Cochran - 380 Sea View Avenue. Ms. Cochran's property is next to a cedar swamp. They had no problems until six years ago. Each year it got a little worse. She spoke with neighbors on both sides of 405 Sea View. The new owners have not lived on the property yet. The owner of 405 Sea View spoke to the neighbor to the west, they had no interest in fixing the pipe. Ms. Cochran feels it is unfair that 405 Sea View is allowed to build a boardwalk instead of fixing the pipe. The property is rented out, and the owner does not live there. Ms. Cochran stated she is losing trees and everything is dying on her property because of the broken pipe. She would like the Commission to not approve the project.

Commissioner discussion continued:

- There is a question if the Commission can deny the application so the owner will be forced to fix the pipe.
- The question that should be considered is if putting a boardwalk in would have a more negative environmental impact than fixing the pipe. It does not appear that it will.
- Standing water is good for some species but having it lower is better for other species.
- A boardwalk to allow access to the beach has been approved before.
- There are a lot of phragmites growing in the swamp.

Public comment continued:

The mosquitoes are terrible because of the water. Kathy feels allowing them to build the boardwalk over it is a detriment to the environment.

Commission discussion continued:

- The boardwalk is not a net benefit to the environment but it is not a significant negative impact.
- The Commission does not have jurisdiction to make them fix the pipe.
- The end of the pipe is not on this property.
- The pipe was put in more than 70 years ago for irrigation control for the cranberry bogs that are nearby.
- The pipe was replaced once in the 1980's
- This was not done by the Town.
- A question was raised if fixing the pipe would solve the problem.
- Only the proposal for the boardwalk can be considered at this meeting. The fixing of the pipe cannot be addressed by the Commission for this project.
- Fixing the pipe would have to be a separate filing in the future.

Public comment continued:

Kathy is disappointed that the Commission cannot address the environmental issue of fixing the pipe. The two new homeowners to the east and west do not know they have a problem there yet. She requested the consultant go back to the owner and advise of the damage the water is causing the neighbors.

A motion was made to approve the project as submitted but is requesting the homeowner work with the neighbors to address the issue of the water.

Seconded.

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

Nay –

Sampou unavailable to vote.

Commissioner Kaschuluk left the meeting at 7:57 p.m.

- C. Ronald Welch, Trustee.** To construct a single-family dwelling with all associated appurtenances and a pool at 94 Circuit Avenue and 49 Gosnold Street, Hyannis as shown on Assessor's Map 324 Parcels 115 and 093. **SE3-6275**

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

Issues discussed:

- There were no questions from Commissioners.
- There is Town sewer planned for the property.
- If available a revised plan was requested showing the water coming in and going out for the water and sewer service.

Public comment: None

A motion was made to approve the project.

Seconded.

Aye – Abodeely, DeMelo, Hearn, Lee, Tangney

Nay –

- D. CBA Summer Cottage, LLC.** Vegetation management of approximately 5,475 sf of phragmites and invasive plant species within bordering vegetated wetland, salt marsh, LSCSF, and riverfront at 1220 Craigville Beach Road, Centerville as shown on Assessor's Map 206 Parcel 085-003. **SE3-6377**

The applicant was represented by Andrew Davidsohn of Wilkinson Ecological Design.
Commissioner Sampou re-joined the meeting at 8:03 p.m.

Issues discussed: None

Public comment: None

A motion was made to approve the project subject to Wilkinson will be the CERP professional if a change written notification will be submitted to staff for review and approval, annual reports to be submitted for three years, and an ongoing condition for invasive management.

Seconded.

Aye – Abodeely, DeMelo, Hearn, Lee, Tangney

Nay – Sampou

III. CONTINUANCES

- A. Henry Blair, Trustee – Henry E Blair & Raymond M Murphy Trust.** Maintenance dredging of Millway Marina at 275, 277, and 295 Millway Road, Barnstable as shown on Assessor’s Map 301 Parcels 063-001, 063-002, and 065-001. **Continued from 3/31/26. WC Form received.**

The applicant was represented by Charlie Agro, P.E. from BSC Group.

Issues discussed:

- No DEP number has been received
- No Shellfish Committee comments have been received.
- The DEP number has not been issued because the check has not been received by DEP.
- The consultant advised the shellfish committee met last week and had no concerns about the project.
- A continuance was requested to April 28, 2026.

Public comment: None

A motion was made to approve the continuance request to April 28, 2026.

Seconded.

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

Nay –

- B. Bayside Property Holdings, LLC and Osterville Property Holdings – One LLC.** Replacement of 550 feet of stone wall with a timber bulkhead, shoreline stabilization and vegetation management at 148 and 186 Windswept Way, Osterville as shown on Assessor’s Map 052 Parcel’s 002 and 003. **SE3-6370 Continued from 3/31/26. WC Form received.**

The applicant was represented by Rebecca Cherry, of Tighe & Bond and Ian Peach of Wilkinson Ecological Design.

Issues discussed:

- Natural Resources would like to be included in the pre-construction meeting.

Public comment: None

Steve LaBranch requested the wall construction be at a separate preconstruction meeting.

A motion was made to approve the project subject to receipt of a construction protocol submitted at least four weeks before the preconstruction meeting, a preconstruction meeting with Natural Resources included, Tighe and Bond will be the consultant, if change of consultant written notification will be submitted to staff for review and approval, and the time of year restrictions as agreed to in the file.

Seconded.

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

Nay –

C. Robert J. IV & Thomas P. Remmes. Removal of brick paver patio, installation of permeable paver patio and fire pit within 50’ buffer at 536 Shootflying Hill Road, Centerville as shown on Assessor’s Map 193 Parcel 029. **SE3-6342 Continued from 3/31/26. WC Form received.**

The applicant was represented by Michael Malynowski of Allen & Major Associates.

Issues discussed:

- The revised plan dated April 7, 2026, was received
- Angela Tangney is eligible to vote.
- There is a note on the plan near the remaining paver pathway “existing permeable paver patio” which is a carryover from existing conditions. It is now grass and is included as previously disturbed area for mitigation calculations.
- The abutter letters received were regarding their view. The Commission cannot address view issues.
- The fence along the right of way was installed by the Town, not the owner of the property.
- They have done nothing to impede the neighbors right of way.
- The consultant advised the existing arborvitaes will not grow to 60’ tall.
- The stepping stone pathway is approximately 3’ wide. It will be grass between the stepping stones.
- The label showing 7’ wide path should be removed from the plan and a note saying 3’ wide path should be added.

Public comment: None

Guy Tlapa – abutter – the planting areas north of the patio the growth heights are 10-12’ tall. Is there an opportunity for them to be relocated to the east. That side of the property is shaded. The arborvitaes are planted at a lower elevation than the street. This issue should be addressed between them. Relocating some of those plants could be reviewed administratively.

A motion was made to approve the project with the revised plan dated April 7, 2026, subject to receipt of a revised plan showing the removal of the 7’ label and adding a label with the 3’ width of the stepping stone area, annual reports for three years, the mitigation area for the previous Order of Conditions should be included as part of the annual reports.

Seconded.

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

Nay –

IV. CERTIFICATES OF COMPLIANCE

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

A. SE3-6296	Griffin Beaudoin Town of Barnstable 307 Millway, Barnstable	(COC, ez)	Maintenance dredging of Barnstable Harbor Mid-Entrance Channel & Blish Point Boat Ramp Access Channel.
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A motion was made to approve A.

Seconded.

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

Nay –

V. MINUTES

A. March 17, 2026

B. March 31, 2026

A motion was made to accept the minutes as submitted.

Seconded.

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

A motion was made to adjourn the meeting.

Seconded.

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

Nay –

The time was 8:28 p.m.