



**Town of Barnstable  
Conservation Commission**  
200 Main Street  
Hyannis Massachusetts 02601

Office: 508-862-4093

E-mail: conservation @ town.barnstable.ma.us

**MINUTES – CONSERVATION COMMISSION HEARING**

**DATE: NOVEMBER 22, 2022 @ 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.

**Remote Participation Instructions**

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 via Channel 18 and may be accessed the Channel 18 website at <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.

**Join Zoom Meeting**

<https://townofbarnstable-us.zoom.us/j/87173772960>

**Meeting ID: 871 7377 2960**

**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 [Darcy.Karle@town.barnstable.ma.us](mailto:Darcy.Karle@town.barnstable.ma.us), so that they may be displayed for remote public access viewing.

Public comment is also welcome by emailing [Darcy.Karle@town.barnstable.ma.us](mailto:Darcy.Karle@town.barnstable.ma.us). Comments should be submitted at least 8hrs prior to the hearing.

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.

**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 Louise R. Foster, Clerk George Gillmore, Commissioners Hearn, and Sampou. Commissioners Abodeely and Morin were absent.

Conservation Administrator, Darcy Karle was present along with Administrative Assistant, Kim Cavanaugh.

**I. EXECUTIVE SESSION**

- A.** Executive Session for the purpose of discussing litigation strategy with respect to the pending appeal to the Department of Environmental Protection by Tobias Welo. Construction of wave break and planting at 25 and 35 Cove Lane, Osterville as shown on Assessor's Map 052 Parcel 009 and Map 053 Parcel 012 002. SE3-5976.

The Executive Session was tabled to a later date. Possibly December 6, 2022.

## **II. REQUESTS FOR DETERMINATION**

- A. Harborview Hotel Investors, LLC.** Removal of existing outside stairs and installation of 382 sf building addition with elevator and egress stairs at 213 Ocean Street, Hyannis as shown on Assessor's Map 326 Parcel 035CND. **DA-22040**

The applicant was represented by Matthew Eddy, P.E. of Baxter Nye Engineering.

There were no questions from Commissioners.

There was no public comment.

A motion was made to approve the project as a negative determination.  
Seconded and voted unanimously by roll call.  
Aye – Foster, Gillmore, Hearn, Lee, Sampou  
Nay -

- B. Steven Clement.** Proposed septic design and site improvements including removal and replacement of existing walkways and patio, and removal of an existing greenhouse at 131 Country Club Drive, Barnstable as shown on Assessor's Map 350 Parcel 038. **DA-22041**

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

There were no questions from Commissioners.

There was no public comment.

A motion was made to approve the project as a negative determination.  
Seconded and voted unanimously by roll call.  
Aye – Foster, Gillmore, Hearn, Lee, Sampou  
Nay -

## **III. NOTICES OF INTENT**

- A. Edward Crosby & 190 Bridge Street, LLC.** Proposed pool, sheds, driveway and 3-season room at 214 Bridge Street and 4 Windrush Lane as shown on Assessor's Map 093 Parcels 024 & 072. **SE3-6047**

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

There were no questions from Commissioners.

There was no public comment.

A motion was made to approve the project as submitted.  
Seconded and voted unanimously by roll call.  
Aye – Foster, Gillmore, Hearn, Lee, Sampou  
Nay -

- B. John T. & Elizabeth M. Ganey.** To replace the fixed pier T with a ramp and float at 251 Bay Lane, Centerville as shown on Assessor's Map 166 Parcel 057. **SE3-6046**

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

Natural Resource letter dated 11/18/2022 was read into record.  
 Division of Marine Fisheries letter with recommendations dated 11/21/2022 was read into record.

Issues discussed:

- The existing pier is supported on 4x4 posts and will remain.
- The area with the float will also be 4x4.
- Float stops will provide 12” of clearance.
- The pier will stay in all year. The ramp and the float will be removed for the winter.
- A revised plan noting the size of the posts will be submitted.
- A question was raised about DMF recommending 2 ½ feet under the float. This is a low shellfish rating area so 12” under the float should be fine.
- A question was asked how the float and ramp will be removed. They will be towed away with a boat at high tide.

There was no public comment.

A motion was made to approve the project subject to receipt of a revised plan showing the dimensions of the piles and their locations.

Seconded and voted unanimously by roll call.

Aye – Foster, Gillmore, Hearn, Lee, Sampou

Nay -

**IV. CONTINUANCES**

- A. Washington SGG Nominee Trust.** Proposed improvements to include a pool, pool house, tennis court and driveway at 242 Washington Avenue, Map 138 Parcel 030, 25 East Avenue, Map 139 Parcel 080, and 45 East Avenue, Osterville Map 139 Parcel 079. **Continued from 11/01/22 for issuance of DEP number and comment only. SE3-6045**

The DEP number has been issued with no comments

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

Seconded and voted unanimously by roll call.

Aye – Foster, Gillmore, Hearn, Lee, Sampou

Nay -

**V. CERTIFICATES OF COMPLIANCE** (ez = no deviations, staff recommends approval)  
 (\* = **on-going conditions**)

<b>A.</b>	<b>Peter Reichold</b>	<b>SE3-1887</b>	(COC, ez)	SFD & Septic System
	109 Carlson Lane, West Barnstable		Shrub Swamp / Old Cranberry Bog	
<b>B.</b>	<b>William E. Cole</b>	<b>SE3-5999</b>	(COC, ez)	Pave Existing Drive &
	Drainage Improvements 439 Elliot Road, Centerville		BVW / Shrub Swamp	
<b>C.</b>	<b>John Kilroy</b>	<b>SE3-5826</b>	(COC, ez)	Master Bedroom
	Addition & Relocate Bulkhead 39 Bayberry Lane, Cummaquid		BVW	
<b>D.</b>	<b>Corey Graziosi</b>	<b>SE3-5614</b>	(COC, ez)	Vegetated
	Berm			
	1085 Craigville Beach Road, Centerville		Salt Marsh, Coastal Bank	
<b>E.</b>	<b>Staci Evers</b>	<b>SE3-5537</b>	(COC, ez)	Raise House to Meet
	Flood Code / 2 <sup>nd</sup> Floor Addition 191 Fifth Ave, Hyannisport		Flood Zone AE	

A motion was made to approve A. – E.

Seconded and voted unanimously by roll call.

Aye – Foster, Gillmore, Hearn, Lee, Sampou

Nay -

**VI. MINUTES**

- A. October 25, 2022
- B. November 8, 2022

A motion was made to accept the minutes as submitted.  
Seconded and voted unanimously by roll call.  
Aye – Foster, Gillmore, Hearn, Lee, Sampou  
Nay –

A motion was made to adjourn.  
Seconded and voted unanimously by roll call.  
Aye – Foster, Gillmore, Hearn, Lee, Sampou  
Nay –  
The time was 6:56 p.m.