



Town Council Meeting
November 15, 2018



A quorum being duly present, Council President Eric Steinhilber called the November 15, 2018, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Steinhilber regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

PRESENT: Britt Beedenbender, James Crocker, Jr., Jennifer Cullum, Debra Dagwan, John Flores, Jessica Rapp Grasseti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, Eric Steinhilber, James Tinsley, Jr., Philip Wallace

The Pledge of Allegiance was led by President Steinhilber followed by a moment of silence.

PUBLIC COMMENT:

Zenas Crocker, Executive Director of the Barnstable Clean Water Coalition, questioned the Town's waste water regulations. He felt this issue was not being properly resolved. He wanted the Town to complete a comprehensive zoning plan to solve the development issues, a comprehensive waste water plan to solve those issues and an comprehensive economic plan.

TOWN MANAGER COMMUNICATIONS:

Update for period November 2 through November 15, 2018:

- Budget Fiscal Year 2020
- New source existing and future water alternatives evaluation report
- Dog Park
- Protection of Saltwater Estuaries Interim Regulations
- Route 28 corridor at the Barnstable Intermediate School and the Barnstable Senior Center
- Flu clinic
- Federal Communication Commission franchise fee
- Town Website
 - Lynne Poyant, Director of Community Services, gave an overview of the PowerPoint presentation. She discussed the new look and function of the website. She explained her team would be working one-on-one with all the departments to ensure the important information was upfront and available. She added the live date for the new look would be January 2019.

Councilor questions and comments:

Hopefully the new look would be more user friendly [Yes] The traffic near the Senior Center is difficult who will follow up on this project? [We will follow up and get closure on what can be done to address concerns for safety issues]

What is happening with the Request for Proposal for the Kmart Plaza?

- Andy Clyburn, Assistant Town Manager, explained the Town had received two proposals, and the selection committee had its first meeting last week. The two proposals will be giving their presentations next week to the selection committee. The seven members of the selection committee were comprised from members of the Airport Commission and Town Staff. He said by the end of the calendar year we will have a recommendation with final approval to go before Council]

What is the Town doing about the continued use of the fire academy contaminated training area? [We will continue to discuss and work with the County regarding the usage, relocate the non-classroom functions, and cleaning up the area]

Point of Information - Would like the Town Council to meet after the New Year in a workshop to discuss and educate us regarding sewer pollution and rates studies of our largest users.

ACT ON MINUTES: Upon a motion duly made and seconded it was voted to approve the minutes of the November 15, 2018. .

VOTE: PASSES 12 YES 1 ABSTAIN (DAGWAN)

COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements:

President Steinhilber mentioned creation of an Economic Development Ad Hoc Committee Presidential Task Force. He explained the first meeting would take place after the Thanksgiving Holiday. He said the committee would review the advantages and challenges of doing business in Barnstable. He added the committee would give recommendation to improve the businesses climate, promote job growth, and new investment.

November 27th: Board of Health meeting;

November 23rd Pie in the Sky at the Meetinghouse Farm; Centerville Funny for Funds,

December 2nd Barnstable historic antique house stroll; Centerville Stroll

December 5th Barnstable Village Christmas Stroll,

- Kristi Senatori, Cape Cod Commission - Update on the Cape Cod Regional Policy

Kristi Senatori discussed the regional policy and its mission to protect and preserve our regional environment resources. She mentioned the Cape Cod Regional Policy was started in 1990. She explained the growth policy, and the regional policy plan.

Councilor questions and comments:

How do we reduce traffic as we develop [coordinate local planning through dialog and meetings]. Who is responsible for administering the policy plan [Cape Cod Commission]

What about the 208 Regional Policy? [Need right type of development for that area vision needs to be with Town and Commission]

Jump to 2019-050

2019-050 RESOLVE TO SUBMIT A “CHAPTER H” APPLICATION TO THE CAPE COD COMMISSION REVISING DEVELOPMENT OF REGIONAL IMPACT THRESHOLDS IN ECONOMIC CENTERS AND THE INDUSTRIAL SERVICE AND TRADE AREA (JOINT PUBLIC HEARING WITH PLANNING BOARD) INTRO: 11/15/18

Open Public Hearing for the Planning Board and Town Council

President Steinhilber thanked the Zoning and Regulatory committee along with Planning Board, Town and members of the public for their hard work regarding these agenda items.

Elizabeth Jenkins, Director of Planning and Development gave the rationale. She explained the suite of Cape Cod Commission regulations as they exist today. She added they give municipalities’ options to look at the applicability of the regional thresholds to our local conditions. She added there were three reasons for this revision: commitment to our business community to add flexibility under the existing standards; Town’s commitment to economic development working with full suite of tools that the Cape Cod Commission provides to the Town, and identifying this area as the Cape’s Regional Commercial Center. She reiterated the process tonight was to submit the application to the Cape Cod Commission, which first needs an affirmative vote by the Planning Board and the Town Council.

PUBLIC COMMENT:

Felicia Penn questioned the boundary as it appeared to not be in the correct area. She explained the airport rotary; the section where it was undeveloped, and where Red Coach Grill once resided. She felt that property was now in the Chapter H designation. She urged Council not to include those aforementioned parcels in the Chapter H area.

Close public hearing for the Planning Board and Town Council

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council, pursuant to Barnstable County Ordinance 2009-13, as amended by Barnstable County Ordinance 13-06, Chapter H, Municipal Application for Revisions of Developments of Regional Impact Thresholds of the Cape Cod Commission Regulations of General Application, hereby proposes revisions to Development of Regional Impact thresholds in Economic Centers and the Industrial Service and Trade Areas shown on the maps entitled “Chapter H Subject Area Map One” and “Chapter H Subject Area Map Two” and detailed in the Town of Barnstable Application for Revised DRI Thresholds in Economic Centers and the Industrial Service and Trade Area, and further move that the Chapter H application, dated November 9, 2018, as it may be supplemented from time to time, be submitted to the Cape Cod Commission.

VOTE: PLANNING BOARD – PASSES UNANIMOUS AND RECOMMENDED TO MOVE THE MOTION (AGENDA ITEM # 2019-050) TO THE TOWN COUNCIL WHICH WILL BE THEN SENT FOR APPROVAL TO THE CAPE COD COMMISSION

What is a clean industry? [Uses that are not hazardous waste] What about mitigation for projects? [No local policy but Cape Cod Commission does have a policy along with local review process which usually happens] What is a large scale development project? [Route 132 gateway into Cape Cod structures the largescale like the new regional headquarters for the Cape Cod Five Bank]

VOTE: TOWN COUNCIL – PASSES UNANIMOUS

Council Crocker left the dais at approximately 8:36 pm.

Jump to 2019-032

<p>2019-032 AMENDING ARTICLE V, CHAPTER 240, SECTION 25 OF THE ZONING ORDINANCE TO REVISE REGULATIONS FOR THE HIGHWAY BUSINESS DISTRICT INTRO: 10/04/18, 11/01/18, 11/15/18</p>

Open Public Hearing – agenda item #2019-032 for the Planning Board and Town Council

President Steinhilber explained both Items – agenda item #2019-032 and agenda item #2019-042 will be taken together.

Upon a motion duly made and seconded it was
ORDERED:

Section 1.

That Chapter 240, Article III, Section 240-25 of the Zoning Ordinance, is hereby amended by striking the existing Section 240-25 HB Business District in its entirety and substituting in its place the following:

“§ 240-25. HB Business District

A. Purpose. The proposed amendments to the Highway Business District strive to encourage investment in Barnstable’s aging commercial corridors and respond to current market demands, while promoting an increase in property values, appropriate protection for adjacent residential land uses, and Barnstable’s unique character and exceptional quality of life.

B. Principal Permitted Uses. The following uses are permitted in the HB Business District:

- (1) Art Galleries
- (2) Artisan, Craftspersons, and Makers
- (3) Artists’ Lofts
- (4) Bank ¹
- (5) Bed & Breakfasts, subject to the provisions of § 240-11C(6)
- (6) Business Support Services
- (7) Contractor Service Establishments ^{2,3}
- (8) Dwelling, single-family
- (9) Dwelling, two-family
- (10) Dwelling, multi-family
- (11) Educational institutions
- (12) Fraternal or Social Organizations

- (13) Health Club
- (14) Mixed Use Development
- (15) Movie Theatre
- (16) Museums
- (17) Office, Business and Professional
- (18) Office, Dental or Medical
- (19) Performing Arts Facilities
- (20) Personal Service Establishments
- (21) Recreational Establishment
- (22) Research and development, technological and computer research, software development and data processing including computer operations services
- (23) Restaurant and other food establishment ¹
- (24) Retail and wholesale ¹
- (25) Self-storage Facility ²
- (26) Senior Living, Assisted Living
- (27) Senior Living, Nursing Homes
- (28) Veterinary Hospital/Clinic ²

¹ Drive-throughs shall be permitted accessory to such use, subject to the issuance of a Special Permit pursuant to subsection 240-25 (C) herein.

² The landscape setback from all residential property lines shall be 10 feet. Within the landscape buffer, existing mature trees shall be retained and shall be supplemented with plantings that will provide dense year-round screening, or a solid fence with landscape plantings on the residential side

³ Parking areas for commercial vehicles and any exterior areas used for loading or storage shall be screened from view from the public way

C. **Conditional Uses.** The following uses are permitted as conditional uses in the HB District, provided that a special permit is first obtained from the Zoning Board of Appeals subject to the provisions of §240-125C herein and subject to the specific standards for such conditional uses as required in this section, and to a finding that such uses do not substantially adversely affect the public health, safety, welfare, comfort or convenience of the community:

- (1) Auto service and repair shops ¹
- (2) Building, sale, rental, storage and repair of boats ¹
- (3) Car rental services ¹
- (4) Contractors' yards ^{1,2}
- (5) Funeral Home or Mortuary ¹
- (6) Hotel & Motel, subject to the provisions in 240-22(F) ¹
- (7) Manufacturing, light and industrial uses ^{1,2}
- (8) Retail, gasoline or diesel ¹
- (9) Warehouse or distribution ^{1,2}
- (10) Drive-throughs for banks, retail uses, and restaurants and other food service establishments

¹ The landscape setback from all residential property lines shall be 10 feet. Within the landscape buffer, existing mature trees shall be retained and shall be supplemented with plantings that will provide dense year-round screening, or a solid fence with landscape plantings on the residential side

² Parking areas for commercial vehicles and any exterior areas used for loading or storage shall be screened from view from the public way

D. Bulk Regulations

Zoning District	Minimum Lot Area (square feet)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Yard Setbacks (Feet)			Maximum Building Height (feet)	Maximum Lot Coverage as % of Lot Area
				Front	Rear	Side		
HB	15,000	20	100	20 ^{1,2}	20	10	38 ³	30

¹ Forty feet along Route 28 and Route 132

² The front yard setback shall be a landscape setback in which existing trees and shrubs shall be retained within and supplemented with other landscape materials in accordance with accepted landscape practices. Where natural vegetation cannot be retained, the front yard landscape setback shall be landscaped with a combination of grasses, trees and shrubs commonly found on Cape Cod. A minimum of one street tree with a minimum caliper of three inches shall be provided per 30 feet of road frontage and distributed throughout the front yard landscape setback area. No plantings shall obscure site entrance and exit drives and/or road intersections. All landscape areas shall be continuously maintained substantially in accordance with Article IX herein.

³ Or three stories, whichever is lesser.

E. District-Wide Design & Performance Standards

1. Applicability

Design and performance standards for the Highway Business District are provided in this subsection. The design and performance standards herein shall only apply to new development. New development is new construction on a vacant lot; or demolition and re-construction on a lot with existing structure(s). These standards shall not apply to the construction of new principal structures on lots already improved with a principal structure.

2. Building Design Standards.

- a. In addition to the Site Plan Review submittal requirements of Section 240-102, architectural elevations shall be submitted.
- b. Building façades.
 - i. Building facades shall not contain blank wall areas that exceed 25 linear feet, measured parallel to the street.
 - ii. New development shall vary the building footprint so that there are pronounced changes in the wall planes and building mass as defined herein. For every 50 linear feet of facade, at least 10 feet projection or setback in the facade should be accommodated. The recess or projection can be split into several components, but changes in the facade line of 10 feet or greater are most likely to reduce the visual impact of the building mass.
- c. Building Entries.
 - i. All buildings shall have an orientation to and entrance from the sidewalk along the primary building frontage. Entrances shall be visually distinctive from the remaining portions of the façade along which they are located.
- d. Roof.
 - i. Parapet walls along the roof shall feature three-dimensional cornice treatments or other shadow-creating details.
- e. Building materials.
 - i. The following building materials are prohibited on any façade:
 - a) Plain concrete block
 - b) Glass block
 - c) Exposed aggregate (rough finish) concrete wall panels
 - d) Plastic
 - ii. The following building materials are prohibited on any façade; however, such materials may be used as decorative or detail elements for up to 25% of the façade.
 - a) Corrugated metal
- f. Multi-Tenant Centers. Multi-tenant retail centers shall comply with the following additional design standards.
 - i. A cohesive character is required through the use of coordinated building design, hardscape treatment (special paving materials, lighting, etc.) and landscaping.

3. Parking Lot Design Standards.

- a. All new development shall comply with Section 240-54 - Location of parking lot in relation to buildings, which states: "Parking lots shall be located to the rear or side of a building unless such location would have an adverse environmental impact or is infeasible due to configuration of the site."

4. Site Design Standards.

- a. Sites shall incorporate safe pedestrian access to the building(s) from the public right-of-way and safe pedestrian circulation within the development. Where pedestrian connections cross primary vehicular driveways or aisles, the walkways shall be designed to clearly show the space is dedicated to pedestrian traffic through the use of raised or alternative surfaces.
- b. Parking areas shall include provisions for the "parking" of bicycles in bicycle racks in locations that are safely segregated from automobile traffic and parking. For parking areas of 10 or more spaces, bicycle racks facilitating locking shall be provided to accommodate one bicycle per 20 parking spaces or fraction thereof.

5. Screening.

- a. Storage areas, loading docks, rooftop equipment, utility buildings and similar features shall be screened so as not to be visible to a pedestrian from within the right-of-way of a street abutting the property containing the building. The screening shall complement the design of the building through the use of similar materials, colors, finishes and architectural details. Plant materials may be used for ground level screening.
- b. Access.
Driveways on Route 28, Route 132 and West Main Street shall be minimized. All driveways and changes to driveways shall:
 - a. Provide the minimum number of driveways necessary to provide safe and convenient vehicular and emergency vehicle access.
 - b. Provide shared access with adjacent development where feasible.
 - c. Provide a driveway interconnection between adjacent parcels to avoid short trips and conflicts on the main road.

- F. **Definitions.** The following terms are defined for the purpose of the HB and shall not be construed to apply to other regulations:

ARTISAN, CRAFTSPERSONS AND MAKERS – A small-scale use employing people who practice manual skills to produce ornamental or functional works in limited quantities. A key feature of works produced by artisans, craftspeople or makers is the high degree of manual or specialized technical expertise involved. Examples include artists or makers in a variety of mediums, designers, and art conservation.

ARTIST'S LOFT – A place designed to be used as both a dwelling and a place of work by an artist, artisan, or craftsperson, including persons engaged in the application, teaching, or performance of fine arts, such as drawing, vocal or instrumental music, painting, sculpture, photography, graphics, media arts, and writing. The work activities shall not adversely impact the public health, safety, and welfare, or the livability, functioning, and appearance of adjacent property.

AUTO SERVICE AND REPAIR SHOPS – A facility for the general repair and maintenance of motor vehicles, including motor vehicle inspections and car washes. This definition shall exclude vehicle dismantling or salvage.

CONTRACTOR SERVICE ESTABLISHMENTS – Wholesale sales and distribution of building materials including plumbing, carpentry, lumber, electrical, heating and air conditioning, and other similar service or repair businesses; associated showrooms and sales/display space customarily accessory to such uses.

CONTRACTORS' YARDS – Landscaping, construction and site preparation, and other similar service businesses, provided that all outdoor storage of building materials, trucks and landscaping equipment and materials, are screened from view from public ways.

EDUCATIONAL INSTITUTIONS – A public or private facility that offers in-classroom instruction at the K-12 or post-secondary levels. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational Institutions also include facilities that offer in-classroom vocational instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school.

FRATERNAL OR SOCIAL ORGANIZATIONS – A building or land used for the activities of an association of persons for the promotion of some nonprofit common objective, such as literature, science, politics, and good fellowship (not accessory to, or operated as, or in connection with a tavern, eating place, or other place open to the public), which meets periodically and may be limited to members.

FUNERAL HOME OR MORTUARY – An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbarium's

HEALTH CLUB – A facility for the purpose of physical exercise or wellness open only to members and guests or open to the public for a fee. It shall include health and fitness clubs, and specialty fitness uses, such as yoga studios or cross-fit facilities and may include customary accessory uses

MIXED USE DEVELOPMENT – Development including at least one residential unit and at least one nonresidential use on a single lot; or development including several nonresidential uses on a single lot

MUSEUMS – A public or private facility, including an aquarium, established for preserving and exhibiting artistic, historical, scientific, natural or man-made objects of interest, designed to be used by members of the public for viewing, with or without an admission charge. Such activity may include, as an accessory use, the sale of memorabilia, crafts work and artwork, and the holding of meetings and social events

OFFICE, DENTAL OR MEDICAL – A building or portion of a building in which the primary use is the provision of health-care services to patients or clients by an appointment only. Such services may include the following: medical, dental, psychiatric, psychological, chiropractic, dialysis, acupuncture, reflexology, mental

health professional, physical and/or occupational therapy, related medical services, or a laboratory which provides bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists

PERFORMING ARTS FACILITY – An enclosed space suitable for a variety of cultural arts performances, permanently available for the primary principal use of public performing arts presentations, such as plays, dances, and concerts, although incidental use for private meetings, exhibits and presentations shall be permitted. Such space may also include studios, classrooms, and galleries

PERSONAL SERVICE ESTABLISHMENT – An establishment engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, barbershop, beauty shop, dry cleaner, tailor, or other similar services

RECREATIONAL ESTABLISHMENT – An establishment engaged in the provision of public recreational services, including bowling and billiards

RETAIL, GASOLINE AND/OR DIESEL – A facility where gasoline, diesel or any other automotive engine fuel is stored only in underground tanks and offered for sale directly to the public on the premises. Retail, gasoline and/or diesel shall be subject to the requirements of Section 240-35 Groundwater Protection Overlay Districts

SELF-STORAGE FACILITY – A facility for the storage of personal property where individual renters control and access individual storage spaces. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included.

SENIOR LIVING, ASSISTED LIVING – A combination of housing, ancillary support services and personalized care that is designed to respond in a homelike setting to the individual needs of adults requiring help with activities of daily living, but who do not require the skilled medical care provided in a nursing home.

SENIOR LIVING, NURSING HOMES – A facility, including for the aged or chronically ill, providing bed-care and in-patient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services and including Skilled Nursing Care Facilities

VETERINARY HOSPITAL/CLINIC – A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases and injuries. Use as a kennel shall be limited to short-term boarding and shall be only incidental to such hospital use.

VOTE: SEE 2019-042

2019-042 AMENDING CHAPTER 240, ARTICLE III, OF THE ZONING ORDINANCES TO EXPAND THE HIGHWAY BUSINESS DISTRICT INTRO: 11/01/2018, 11/15/18

Open Public Hearing – agenda item #2019-042 for the Planning Board and Town Council

Elizabeth Jenkins, Director of Planning and Development gave the rationale discussed the change to our current Highway Business Zoning District. She explained agenda item #

2019-032 is a change to the text of the zoning district and agenda item # 2019-042 is changes to the applicability of the zoning district through a map amendment. She noted the current Highway Business Zoning District does not adequately support the properties in these corridors. She added that Zoning and Regulatory Committee identified issues and looked at all zoning which was compared with the Highway Business corridor.

PUBLIC COMMENT:

Susan Sweet explained the area near Lamberts Fruit Centerville would always remain as undeveloped or open space. She said her family owned the area and were opposed to development.

Bonne Lapier wanted an explanation of the West Main Street expansion. She felt the property should be left for the birds, rabbits and other nature area animals. She urged Council to keep it zoned the way it is and not changed the zoning.

Helen Gallagher would like the business zoning area to stay the same and not expand it.

Susan Rohrback questioned the lack of public meetings regarding this zoning change in Centerville. She felt the area was already a high traffic area and wondered if the proposal fit with the Cape Cod Commission's regional policy? She urged Council to be more specific regarding any changes, specifically waste water, which might cost us more in the end.

Felicia Penn said it was a shame that state regulations did not make it mandatory to notify abutters of a business zoning change. This felt this was unfair to the abutters and not the fault of the Town. She felt language on agenda item # 2019-032 should be removed/or revised regarding principal permitted uses, 10 foot setbacks, dumpsters, lot sizes, trees and building materials. She also had language from agenda item# 2019-042 which should be revised as she questioned the inclusive of residential parcels on each of the maps. She felt the expansion on Phinney's Lane, Strawberry Hill, West Main Street, as well as the entire third map area should be deleted as it is encroachment into a residential neighborhood

Fred Chirigotis questioned the expansion of the business district as it does not fit with the local or village comprehensive plan. He felt the traffic was a safety issue. He urged Council to create a comprehensive plan that works by looking at each section before the town expands The Highway Business District.

Clifford Carroll explained he was in support of the agenda items and was thankful for the Town revising the zoning. He felt the changes reflected the Town's good insight and uses for the area. He added this revised zoning could help the Town with economic growth.

Upon a motion duly made and seconded it was close public hearing for the Town Council

VOTE: PASSES 12 YES 1 No (Rapp Grasseti)

Upon a motion duly made and seconded the Planning Board adjourned to the Selectman's Room for further deliberation regarding the aforementioned proposed agenda items and left the public hearing open – PASSES UNANIMOUS.

Upon a motion duly made and seconded it was to reconsider closing Public Hearing for agenda items # 2019-032 and 2019-042 – PASSES 11 YES2 NO (Steinhilber and Wallace)

Upon a motion duly made and seconded it was

Ordered: That Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning be amended as follows:

Section 1.

By amending Article II, Section 6, The Zoning Map of the Town of Barnstable, Massachusetts, is hereby amended by expanding the Highway Business (HB) District as shown on the maps entitled:

- “Proposed Amendment to the Town Zoning Map Expanding the Highway Business District in Centerville and Hyannis”
- “Proposed Amendment to the Centerville Zoning Map Expanding the Highway Business District in Centerville and Hyannis”
- “Proposed Amendment to the Hyannis Zoning Map Expanding the Highway Business District in Centerville and Hyannis”
- “Proposed Amendment to the Osterville Zoning Map Expanding the Highway Business District in Centerville and Hyannis.”

all dated October 26, 2018, as prepared by the Town of Barnstable GIS Unit.

Section 2

That Chapter 240, Article III, § 240-26 "Highway Office" of the Zoning Ordinance is hereby deleted.

Section 3

That Chapter 240, Article II, § 240-5 "Establishment of Districts" of the Zoning Ordinance is hereby amended by striking the Office Districts section and the associated “Highway Office District.”

UPON A MOTION DULY MADE AND SECONDED IT WAS CLOSE PUBLIC HEARING FOR THE TOWN COUNCIL

VOTE: 5 YES 7 NO (TINSLEY, HEBERT, SCHNEPP, RAPP GRASSETTI, CULLUM, BEEDENBENDER AND DAGWAN) – PUBLIC HEARING WILL STAY OPEN.

2019-041 RESOLVE TO AUTHORIZE THE TOWN MANAGER TO EXTEND the CONTRACT OF THE DIRECTOR OF FINANCE, MARK MILNE UNTIL DECEMBER 30, 2023 INTRO: 11/01/18, 11/15/18

There is a scrivener’s error need to change June 30, 2023 to December 30, 2023.

Upon a motion duly made and seconded it was

RESOLVED, that the Town Council authorizes Town Manager, Mark Ells, to extend the contract of the Director of Finance Director, Mark A. Milne until December 30, 2023.

VOTE: PASSES UNANIMOUS (Crocker and Hebert are off dais)

Councilor Hebert returned to the dais.

Vice President Crocker returned to the dais at approximately 9:30 pm.

2019-046 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$120,000 FOR THE REPAIR OF STORM DAMAGE AT BLISH POINT, BARNSTABLE VILLAGE INTRO: 11/01/18, 11/15/18

Open the Public Hearing

Dan Santos, Director of Public Works gave the rationale. He discussed the 2015 soft solution to protect the sediment containment basin at Blish Point. He explained burlap bags were filled with sand and utilized to protect the basin. He mentioned a Woods Hole company has been hired to look at all types of solutions for this area. He added there might be a final hard solution similar to the right side of the area which has a revetment and a protected coastal embankment. He mentioned the interim solution was to haul in the sand to rebuild the dune and protect the basin.

Seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$120,000** be appropriated and transferred from the General Fund Reserves for the purpose of repairing storm damage at Blish Point, Barnstable Village, including the payment of costs incidental or related thereto, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto

VOTE: PASSES 13 YES

2019-030A APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION: INTRO: 09/20/18, 10/04/18, 11/15/18

Councilor questions and comments:

This particular individual is on two of our boards placing him on a third board might be asking a too much

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Infrastructure and Energy Committee:** Paul Canniff, DMD, 106 Hayes Road, Centerville, as a regular member to a term expiring 06/30/20

VOTE: FAILS 5 YES 8 NO (Beedenbender, Cullum, Crocker, Hebert, Leveque, Neary, Steinhilber, and Wallace)

2019-047 AUTHORIZATION TO ACCEPT AND EXPEND A GRANT IN THE AMOUNT OF \$154,140 TO THE BARNSTABLE SENIOR SERVICES DIVISION FROM THE EXECUTIVE OFFICE OF ELDER AFFAIRS TO SUPPORT STAFF SALARIES AND PROGRAMS OF THE BARNSTABLE SENIOR CENTER INTRO: 11/15/18

Lynne Poyant, Director of Community Services, gave the rationale. She said it was an annual grant based on the census.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby accepts a grant of **\$154,140** from the Executive Office of Elder Affairs and authorizes the Director of Senior Services to expend the grant to support staff salaries and programs of the Barnstable Senior Center.
VOTE: PASSES UNANIMOUS

2019-048 ACCEPTANCE OF A GIFT IN THE AMOUNT OF \$2,500 FROM THE CORSON FAMILY FOR BARNSTABLE RECREATION DIVISION'S FRIDAY NIGHT SOCIAL PROGRAM INTRO: 11/15/18

Lynne Poyant, Director of Community Services, gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Town of Barnstable hereby accepts a gift of **\$2,500** from the Corson Family for Barnstable Recreation Division's Friday Night Social Program and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

VOTE: PASSES UNANIMOUS

2019-049 CONSERVATION RESTRICTION TO BE HELD BY BARNSTABLE LAND TRUST OVER APPROXIMATELY 2.94 ACRES OF LAND ON CHURCH ST, WEST BARNSTABLE, MA INTRO: 11/15/18

Councilor Wallace gave the rationale. Janet Milkman, Executive Director of Barnstable Land Trust, discussed the maps.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council moves to approve the conservation restriction application of Pricilla Jones, Grantor, and Barnstable Land Trust, Grantee, over 2.94 acres of land located at 240 Church St., West Barnstable, Map 153 Parcel 007001 for the purpose of preserving open space

VOTE: PASSES UNANIMOUS

2019-052 ALLOCATION OF TAX LEVY FISCAL YEAR 2019 – RESIDENTIAL EXEMPTION INTRO: 11/15/18

Upon a motion duly made and seconded it was

RESOLVED, that the Town Council hereby votes to adopt a Residential Exemption of 20 percent for fiscal year 2019.

VOTE: REFER TO A PUBLIC HEARING ON 12/06/2018 – PASSES UNANIMOUS

2019-053 ALLOCATION OF TAX LEVY FISCAL YEAR 2019 – TAX FACTOR INTRO: 11/15/18

Upon a motion duly made and seconded it was

RESOLVED, that the Town Council hereby votes to classify the Town of Barnstable under the Classification Act at a Factor of 1 (one) for the Fiscal Year 2019

VOTE: REFER TO A PUBLIC HEARING ON 12/06/2018 – PASSES UNANIMOUS

Mark Milne, Director of Finance gave an overview of a PowerPoint presentation. He explained the December 6th discussion regarding two tax levy shifting options: residential exemption and the classification of factor of 1 (one).

Council recessed at approximately 10:01 pm
Council returned to the dais at approximately 10:15 pm

Vice President Crocker was off the dais at approximately 10:15 pm

Chair Mary Barry, of the Planning Board, explained the Planning Board would like to continue the agenda items to the Joint Meeting on 12/06/2018.

**Upon a motion duly made and seconded it was to continue the Joint Meeting and the Public Hearing with Town Council for Agenda item 2019-032 to the 12/06/2018.
VOTE: PASSES UNANIMOUS**

**Upon a motion duly made and seconded it was to continue the Joint Meeting and the Public Hearing with Town Council for Agenda item 2019-042 to the 12/06/2018.
VOTE: PASSES UNANIMOUS**

**Upon a motion duly made and seconded it was to continue Public Hearing and Joint Public Hearing with the Planning Board for Agenda item 2019-032 to the 12/06/2018.
VOTE: PASSES 12 YES 1 NO (NEARY)**

**Upon a motion duly made and seconded it was to continue Public Hearing and Joint Public Hearing with the Planning Board for Agenda item 2019-042 to the 12/06/2018.
VOTE: PASSES UNANIMOUS**

Councilor Beedenbender discussed the need for notification of abutters to properties affected by agenda items 2019-032 and 2019-042.

Ruth Weil, Town Attorney explained if the Town initiates this process it has to be across the board. She added this could be considered a pilot project and see what the parameters are before committing to a policy. She noted Town Staff should evaluate it as a policy regarding this issue.

Upon a motion duly made and seconded it was to recommend notifying abutters to properties affected by the agenda items 2019-032 and 2019-042.

VOTE: PASSES 6 YES 5 NO (Tinsley, Leveque, Wallace, Steinhilber, and Neary) 2 Abstain (Crocker and Hebert)

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was
VOTED TO ADJOURN:

Adjourned at 10:20PM
Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: December 6, 2018

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