



**BARNSTABLE**  
Water Resources



**Town of Barnstable  
Comprehensive Wastewater Management Plan  
Ad Hoc Committee**

**Meeting Minutes**

**Date: April 22, 2025**

**Location: Selectman's Conference Room, Town Hall, Second Floor**

*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>*

**Committee Members Present (In-Person):**

Scott Horsley, Chair; Tom Cambareri; Zee Crocker; Rob O'Leary; Louise O'Neil; Butch Roberts; Glenn Snell; Kris Clark, Town Council; Paul Neary, Town Council

**Committee Members Present (Via Zoom):**

Gordon Starr, Town Council

**Committee Members Absent:**

Brian Hughes, Vice Chair

**Others in Attendance:**

Griffin Beaudoin, Town Engineer, Department of Public Works; Amber Unruh, Special Projects Manager, Department of Public Works; Chris Gadd, Communications Assistant, Department of Public Works; James Kupfer, Director, Planning & Development.

## **Agenda:**

### **Call to Order**

Scott Horsley, Chair, called the April 22, 2025 meeting of the Comprehensive Wastewater Management Plan (CWMP) Ad Hoc Committee to order at 6:00 PM. The meeting of the committee was held in a hybrid fashion, with committee members attending in both the Selectman's Conference Room (Barnstable Town Hall) and virtually via Zoom.

### **Administrative Items**

#### a) Recording Notice

Chris Gadd, Communications Assistant, Department of Public Works, read the notice of meeting recording.

#### b) Roll Call

Chris Gadd, Communications Assistant, Department of Public Works, conducted a roll call from the committee. The attendance of members is reflected above.

#### c) Approval of Meeting Minutes

Scott Horsley, Chair, entertained a motion to approve the March 31, 2025 meeting minutes. Butch Roberts moves to approve the minutes. Councilor Neary seconds. The committee unanimously votes to approve the March 31, 2025 minutes.

**Roll Call:** Butch Roberts (Yes), Tom Cambareri (Yes), Scott Horsley (Yes), Glenn Snell (Yes), Zee Crocker (Yes), Paul Neary (Yes), Louise O'Neil (Yes), Gordon Starr (Yes)

#### d) Next Meeting

Scott Horsley, Chair, opens the discussion by reminding the committee that the visit to the Massachusetts Alternative Septic System Testing Center (MASSTC) will be on May 19<sup>th</sup> from 1-3 PM. He reiterates his thinking that the topics that will be discussed at MASSTC will be relevant to the committee's discussions on potential recommendations. He also notes that the state has updated the terminology of Enhanced Innovative/Alternative (EIA) Systems to now refer to them as Nitrogen Reducing (N/R) Systems. He opens the discussion to whether another May meeting is necessary, or should we take the MASSTC visit as a meeting and skip a May meeting. There is a desire to have a draft in front of Town Council by August.

- Zee Crocker asks what the topic of the next meeting will be.
  - Scott responds that it will begin the deliberation process.
  - Zee notes his support for a meeting in May as time is running out.
- Tom Cambareri asks if we can have the meeting at MASSTC

- Scott notes that previous discussions with DPW indicate this would not be feasible for a variety of reasons.
- Councilor Neary asks if we should plan the next meeting to be before or after the MASSTC visit.
  - Scott notes his support for having the meeting after the MASSTC visit.

After further discussion, it is decided that the next meeting of the committee will be on Monday, May 19<sup>th</sup> at 5:00 PM in the Selectman's Conference Room.

- Tom asks if there will be a recap of the MASSTC Visit
  - Chris Gadd, Communications Assistant, Department of Public Works, explains that the MASSTC Visit is only an educational opportunity. Under the Open Meeting Law, it is not going to be an official meeting so there will be no deliberation. He notes it may be worthwhile for those who attended to discuss what was learned, but onsite there will be nothing aside from informal discussion.

Scott continues the discussion of deliberations by noting "Addendum 2: Potential Policy Discussion Items" that has been included in all copies of the minutes since January. He suggests using the addendum as an outline of topics as the committee deliberates.

- Chris notes that, in addition to the topics brought up by the committee during meetings, some potential discussion items have been added by the DPW staff for the committee to opine on.
- Scott provides an open invitation to contact him with suggestions for what the committee could discuss. He will then meet with DPW staff to provide an outline of deliberation items.
  - Tom requests effluent disposals be added to the list of topics.
    - Scott notes a meeting with himself, Tom, DPW Staff, and the Town's consultant on effluent (CDM Smith). He notes the town is looking at and evaluating a variety of locations for where to put effluent.
  - Glenn Snell requests information on the process of how Wellfleet and Martha's Vineyard made the determination of who is required to get an I/A system.
    - Scott responds that both Towns have health regulations on this.
    - Glenn Snell requests a copy of the regulations.

Chris notes that as discussion points are pulled together, if there is any data that is wanted/needed the DPW is happy to provide whatever information it can.

- Scott requests a GIS analysis of how many septic systems are within a set distance from water bodies, and if this has been done previously.
  - Amber Unruh, Special Projects Manager, Department of Public Works, responds that this data has not been tabulated.
  - Griffin Beaudoin, Town Engineer, Department of Public Works, responds that it has not been done before but can be done. He asks if there are set distances the committee wants to look at.
  - Scott responds that we should follow the example of other towns and use 500-foot increments, up to 2,000 feet.
- Glenn asks if other towns took into consideration the depth of the water table. He believes it is very important to do so.
  - Tom notes this adds to the time-of-travel issue which should be part of the analysis as well.
  - Scott asks if it would be worthwhile, instead of mean low tide line, to also buffer the Marstons Mills River. USGS will soon be publishing a report on rivers and nitrogen loading.
- Zee notes the topic of alternative solutions should be discussed, in terms of what and where they can be accomplished.

Scott requests to send him any further ideas for discussion. He will work with the DPW to revise the list for discussion.

- Chris notes, for the first round of ideas, to send them by the end of the current week, to allow for scheduling a meeting with DPW the following week.

Scott completes the discussion by noting that on May 19 there will be the MASSTC visit from 1-3PM, followed by the committee meeting at 5 PM.

- Tom notes that the last time he visited MASSTC there was an issue getting to it due to the location on Joint Base Cape Cod.
- Chris notes that there is only one gate that can be used to access MASSTC. He will send a reminder email with additional details of which gate to use. These details are also in the calendar invite sent for the visit.

### **Discussion of the View of the CWMP through the lens of the Local Comprehensive Plan**

Scott Horsley, Chair, introduces James (Jim) Kupfer, Director, Planning & Development, to discuss the relationship between the Comprehensive Wastewater Management Plan (CWMP) and the Local Comprehensive Plan (LCP).

Jim begins his presentation by noting that now is the perfect time for both plans to be updating. DPW and Planning & Development have been working together for some time and reviewing how the LCP Committee foresees future land use and tying it closely to what is occurring with the CWMP. He notes that the LCP Committee is always looking to collect comments on their plan and looks forward to hearing from CWMP Committee members and others who may be watching the meeting.

Jim explains that the LCP has been a 3-year process. He provides insight on what a local comprehensive plan is, noting it is a long-term vision for a community by anticipating and guiding the rate of new development and coordinating it with capital facilities. This is similar to what is occurring with the CWMP. The plan defines the unique values the town seeks to protect and encourages balanced economic development. He notes that the LCP is targeted at land use.

Jim continues his presentation by discussing why the LCP is important. He explains that the LCP furthers the mission of the Town of Barnstable. The plan is an attempt to be proactive and plan land use accordingly within town.

Jim continues by explaining the various parts of the LCP, which are:

- Existing Conditions Report
  - Essentially the baseline that the LCP is built from. It is approximately one year worth of work coordinating with different departments and analyzing data. This also includes community engagement and getting an understanding of what the future may look like in Barnstable.
- Vision Statement
- Chapters
  - Land Use
    - Includes future land use
  - Housing
  - Natural Resources
  - Infrastructure
  - Facilities
  - Economic Development
  - Culture, heritage, and Design
- Expert Presentations
  - Used to build the chapters using local and regional experts
- Future Land Use Map
  - One of the last steps in the plan, this map helps to show the information geographically.
- Target Action plan
  - This builds on everything discussed previously and outlines goals and specific strategies to conduct over the next 10 years.

Jim continues by noting the LCP Committee will be hosting several community meetings around Town in Spring 2025 and welcomes all to attend and submit comments.

Jim continues by explaining how to submit comments on the LCP, noting it can be done through a public comment form available at the community meetings, a dedicated email address ([BarnstableLCP@town.barnstable.ma.us](mailto:BarnstableLCP@town.barnstable.ma.us)), online at BarnstableLCP.com under “Document Library”, by bringing comments to the Planning & Development Office, or by calling the Planning & Development Office. He notes that draft copies of the LCP are available at various locations around town, including libraries and the Barnstable Adult Community Center. All comments will be provided to the LCP Committee for consideration.

Jim continues by noting the next step is to continue the community engagement meetings which will feed back to the 13 residents on the LCP Committee. They will then finalize the plan and send it off to the Planning Board and Town Council for consideration of adoption.

Jim continues by noting that the process does not stop at adoption of the plan. It is designed as a living document and once approved will proceed to the implementation stage. This process begins with the Town Council’s strategic plan which outlines the “big picture” of the Town, identifying the key items for the Town to look at. Once established, relevant departments will look at the LCP and other plans such as the CWMP to look at how to implement the goals and strategies. The goal each year is for the Planning Board to author a report to the Town Council about how the community has achieved actions of the LCP and how it meets the Town Council’s strategic plan.

Jim continues by discussing how the LCP ties into the CWMP. He begins by showing the future land use map, which he states has only slightly changed from the 2010 future land use map, which is by design. The map is split into two main areas: regulatory and study areas. There are many areas which are identified as needing further discussion and planning analysis to determine the next step for a neighborhood or village center. The regulatory side begins with the Growth Incentive Zone (GIZ), where many of the incentive programs are designed to further the investment in the community by redeveloping vacant properties. There are many boarded-up properties in this area that, as a result of the GIZ, are seeing millions of dollars in investments.

Jim notes a change in language in certain areas to better encompass the purpose of the zones. This is evident in the “Highway Business” district along West Main Street, which allows for many different uses. He notes there is some investment needed in that district, but not to the degree of downtown Hyannis. There is an attempt to soften language and zoning framework in the area. The goal is to focus more on neighborhood centric corridor uses and reducing traffic impacts. This effort is focused on redevelopment, not completely new development.

Another area is the big box regional commercial center, in the vicinity of the airport rotary. The LCP Committee has identified a need for this area and there is substantial investment in the area. This is slated to continue with the idea of a regional commercial center around the mall and old K-Mart Plaza.

The last identified areas are village centers around town. These were previously identified as activity zones or centers, but the conversation is now aimed towards historic preservation. Each village center is unique, and the LCP committee recognizes this and aims to preserve the village center.

- Scott asks what the relevance is to the size of the circles on the map.
  - Jim explains that the circle is the geographic area. While some may look bigger than others, it is based on the layout of the pertinent district. There was a discussion about identifying these areas by parcel line or by general area, and it was decided to take a hybrid approach, with the predominant shape being affected by the general area.

Jim continues his presentation by discussing the study side of the future land use map. There is a study on West Main Street looking at the high school, the adult community center, and some parcels/corridors that need investment. They are looking at what the future may hold, what the zoning framework would look like, and what other policies may be necessary.

There is a similar area at Independence Park, which Jim relays has been one of the top comments heard in most conversations. There is a decision needed about whether the area will be better suited for industrial or residential. Currently it is going to the highest and best use.

Another area is the Route 6 Ramp/community college area. Cape Cod Community College is currently working on their comprehensive plan, and it's believed then Town should be "at the table" and a strong partner in that endeavor to help understand what the future may hold in that area.

There is an area between the Route 6 Ramp/community college area and the Independence Park area. Due to the close proximity of the areas, the committee felt it pertinent to study the connecting area to understand what the impacts will be.

The future land use map helps fuel the conversation with DPW and the CWMP. Through the conversations the LCP Committee has had over the last three years, the intent has become to develop a similar pattern but with possible slowing and understanding what investment has already come to Barnstable. They continue to incentivize growth in Downtown Hyannis but counter it with protection of resource areas. Much of Barnstable outside of Downtown Hyannis is included in a Resource Protection Overlay District, which is zoned for two-acre single-family zoning. There are some actions that may take place to further the overlay district and protect resources.

- Tom Cambareri asks about Route 28, noting that the future land use map does not have much designated along Route 28. As the CWMP has projects along Route 28, are there plans to allow additional or alternative land use along the route?
  - Jim responds that this may need to be specifically called out in the LCP. The LCP Committee has recognized that, as sewer is installed in Route 28, there are opportunities for new growth. However, the intent of the installation of sewer is for nitrogen removal, not new growth. The jurisdiction of the LCP is to ask if there is a desire for new growth along Route 28 and what would that look like? Currently, the LCP Committee is looking at a limited section of Route 28, but ultimately the desire seems to limit new growth along Route 28. Growth is focused on certain areas (such as the GIZ) which have tools and resources available to allow that to happen. The LCP Committee is not just following where sewer is being installed to determine locations for future development.
- Rob O’Leary asks if there are recommendations to change zoning when sewer is installed to prevent growth.
  - Jim responds that in the areas zoned for single-family housing, that is all that will be allowed. Zoning does not look at the interior of the house, leaving that to the Building Department and Board of Health. Right now, the recommendation for future land use along Route 28 (except the study area near West Main Street) is to continue to protect the existing open areas, not encouraging extensive redevelopment.
- Glenn Snell asks what the small pink areas are on the map.
  - Jim responds that they are existing regional plazas, such as the Centerville Plaza and the Stop & Shop in Marstons Mills.

Jim continues by explaining the next step of the LCP, known as the Targeted Action Plan. Each chapter has several goals, and each goal has certain action steps that are necessary to achieve the goal. The goals were developed during the year of community engagement and interactions with departments and committees. Once the goals were identified, another round of community engagement was undertaken to ensure they aligned with community sentiment.

Jim shares goals of the LCP that pertain to the CWMP which include:

- Closely coordinate implementation of the Town’s Comprehensive Wastewater Management Plan and housing development to address both natural resource protection and housing needs.
  - An action for this plan is to maintain a build-out analysis which encompasses future sewer areas, water supply areas, and zoning. This is currently underway. It goes beyond the current zoning and aims to look into the future.
- Within lake and pond recharge areas, development or redevelopment located within 300 feet of freshwater bodies shall be required to meet critical nutrient loading standards.



- Actions for this include exploring Innovative/Alternative (I/A) technologies and potential requirement/incentivization for use outside of areas identified in the CWMP. This action item will come out of the CWMP Ad Hoc Committee and aid the LCP Committee in taking their next steps.
- Continue to pursue roadway easements for sewer installation on private roads impacted by the CWMP.
  - An action for this is to develop a policy for the Town to take over ownership and responsibility of private roads. This is one of the items included in the potential policy discussion addendum.
- Continue to implement the CWMP and coordinate updates as required by factors such as growth, environmental impact, or regulatory requirements to address wastewater needs.
  - There is more to the LCP than the CWMP, but many of the items being reviewed by the CWMP are helpful to the LCP, including the actions of this committee.

Jim wraps up his presentation by encouraging everyone to submit comments to the LCP Committee using their expertise. He notes that key points of the LCP are that future growth is planned to align with the CWMP and that the CWMP is a key planning tool for the LCP. He welcomes any questions on the topic.

- Scott notes that “Climate Change” is not called out in the LCP and asks whether it is included in the plan.
  - Jim responds that, after much deliberation, the LCP Committee identified climate change and resiliency as a key topic throughout each chapter. The topic touches every element of the plan, so a callout in each chapter was created to address these needs. It also includes human services, such as addressing homelessness.
- Scott notes a lot of outreach done for the LCP and asks what the level of engagement has been.
  - Jim responds that lately there has been “LCP Exhaustion”, with many desiring to be done with the process. There have been over 3,000 unique responses over three years, including 1,000 from direct mailings to every household. Once people know about it, there is engagement in the process.
- Butch Roberts asks how the 2-acre single-family overlay district plays into the old Marstons Mills School that has had recent discussions about multi-family housing.
  - Jim responds that the perception is properties in the area not fitting into the zoning. He notes that in earlier decades (1950s-80s) there was an incremental increase in square footage requirements. Those who got in early were able to get smaller lots, which happen to be near water bodies that the committee will soon be looking at. In 2000, it was established that the western side of the town would have two-acre single-family zoning. In regard to the Marstons Mills School area, a key priority from Town Council was

to look at Town-owned land such as the school area. If the two-acre zoning were to remain, approximately six houses would fit on the land. The question becomes what the best next step is. He notes other concepts that could work while preserving open space and utilizing infrastructure from the Route 28 West Sewer Expansion Project. Some concepts included 20-21 units on the land utilizing sewer and preserving tree canopy. Because it is town-owned land, there is more flexibility for what is allowed in the space.

- Butch asks what the impact of the Resource Protection Overlay District is, as it seems to not be taken into account.
  - Jim responds that the district may be the binding requirement for any project. The Town could also consider re-zoning that parcel. If someone were to come in “by right” and take the lot, they could subdivide it into two-acre single-family lots
- Scott asks what the current population of Barnstable is and what the buildout population is.
  - Jim responds that there are under 50,000 year-round residents, which increases to 140,000 during the summer. He does not have the buildout population readily available and notes uncertainty of its existence, noting we do have a property buildout projection.
  - Griffin Beaudoin, Town Engineer, Department of Public Works, responds that there is a population buildout projection in the CWMP, but it primarily looked back in time.
- Zee Crocker asks how the projection was calculated.
  - Griffin responds that it was pulled using Census data.
  - Jim responds that in 2015 there was 44,000 individuals and in the 2020 Census it was approximately 47,000 individuals.
- Scott notes his belief that buildout is an important concept, likening it as a blueprint for the future. In addition to the new accessory dwelling unit law, there is a new merger law which allows for additional development that was previously not thought to be allowed.
  - Jim notes that, locally, there is allowance in the law to unmerge undersized lots, but there are many conditions associated with it.
- Zee asks for an explanation of the merger law/topic.
  - Tom responds with an anecdote from his neighborhood. A quarter-acre lot subdivision existed, from which someone bought three lots and combined them, allowing them to build a large house.
  - Jim clarifies that the law is the inverse of what happened. If someone had two lots and a house was built on one of them, over the years the Town merged lots together as they were functionally the same. State Law now allows the unmerging of lots above 10,000 square feet. However there must be a three-bedroom, 1,800 square foot house on the now unmerged lot. He has not seen anyone come through the office with all the

applicable boxes checked, but notes that several Land Use attorneys were at his door when the law passed.

- Scott notes the annual “One Cape” Conference put on by the Cape Cod Commission. Approximately five years ago a retiring MIT professor spoke and said, if given the opportunity, he would stop all development except for village and city centers. “If people think it’s bad now, it is only going to get worse” was his message, and it happens slow. The two-acre zoning contributes to much of the CWMP cost because they are on the border of being too expensive to sewer. These lots do not give the amount of open space that is predicted, with many 1.5-acre lawns. Prior thoughts of the Cape Cod Commission were that the two-acre zoning would be beneficial for nitrogen loading. Instead, it created a lot of sprawl which created costly infrastructure.
- Rob notes that the conversation has been focused on incentivizing growth in Downtown Hyannis. He asks if multi-family dwellings are being incentivized in Downtown Hyannis and how they are being incentivized.
  - Jim responds that there are three different approaches to this issue. In 2023 they looked at and eventually removed regulations that prohibited building in the area. This allowed for building “top of shop” and “in the back of”, which allowed for preservation of the area. He has seen a lot of this occurring. Jim notes there are 1,400 building permits in Downtown Hyannis over the last two years. Previously there were approximately 250 over a six-year timeframe. Removing red tape and allowing for the highest and best use in the area incentivizes growth.
  - Another incentive is through various programs including pre-development and development grants through the Affordable Housing Trust. These are for areas that would bring affordable housing to the area.
  - Another incentive is tax-exemptions. There is an existing program (HDIP-Housing Development Incentive Program) in Downtown Hyannis which provides an opportunity to apply for a reduction in the taxes of the new growth realized. This helps offset the costs, which was identified by developers as a need.
- Rob asks about parking and how it may be affected by growth incentives.
  - Jim responds that there is too much parking in Downtown Hyannis. There are 13,000 parking spaces in Downtown Hyannis and currently about 12,000 are empty. There are 400 publicly available spaces, with the remainder being shared. There is an effort to look at existing regulations, which pulled back on the amount of required parking and incentivized development. However they do not want to create an issue where there is too little parking.
- Zee asks if the number of parking spaces includes parking for the boats
  - Jim responds that the number does not include parking at the Harbor View Hotel and Shuttle parking by the airport. It includes Main Street, North Street, and South Street.

This has been a focus of the Zoning Ad Hoc Committee, who ended up walking all 13,000 parking spaces. It sounds like a lot but is about one mile of Main Street.

- Scott asks Griffin what planning has occurred, or should occur, to support the growth downtown.
  - Griffin Beaudoin, Town Engineer, Department of Public Works, responds that the planning was done as part of the CWMP. There are buildout projections for the entire sewer area, both existing and proposed.
- Scott asks if the plan includes the zoning being discussed
  - Griffin responds that it does, but notes that the zoning was passed after the planning for the CWMP. However there is significant buildout analysis in the CWMP. At the time it was calculated as full development of every property under current zoning regulations. There has been discussion of re-evaluating the buildout analysis but because the initial planning was conservative, the reality is aligning with projections. This is certainly something to keep an eye on. This is being factored into the flows being designed for the CWMP.
- Scott notes that there has been discussion of utilizing Innovative/Alternative (I/A) systems in Phase Three of the CWMP and that this may free up some capacity, which may be better dedicated to growth in Downtown Hyannis.
  - Griffin responds that it is a potential, but notes that the Total Maximum Daily Loads (TMDLs) must still be met.
  - Scott agrees, noting the hope for I/A systems to work as well as they are thought to, it may be worth looking at. There needs to be infrastructure capacity. Nitrogen reduction is a goal, but running sewers dedicated to growth centers makes more sense than sprawling the plan to pick up houses “at the end of the line”.
  - Griffin notes there are sewers in all existing growth centers, including Downtown Hyannis. There was significant investment in that area to ensure adequate infrastructure.
- Tom asks if there is an allocation in the CWMP for sewer areas and in other areas.
  - Griffin notes there is an allocation listed in Section 5 of the CWMP. This section tabulates the flows of each phase/stage, the existing flows, and buildouts for commercial and residential buildout. The buildout is just under 1 million gallons per day.
- Tom asks about the Hanover buildings which were built during Phase 1 and asking what allocation they took up.
  - Griffin responds they took up about 50,000 gallons per day, which is a significant amount.

- Rob asks if there are things we are not doing that other communities may be doing to promote growth. He has lived here a long time and it's "just the same and gotten worse". It doesn't seem to make a difference, though he hopes it does.
  - Jim responds that it is about what the community's priority is. The strategic approach being carried out is in line with much of the community. He notes that in Newport, Rhode Island, red tape was removed and there has been an influx of massive buildings on the waterfront. The Town is not looking for that, but is trying to right-size investments. A controversial topic is the allowance of up to four stories, but there will now be permits coming in for those. The Town can then look at what has been done, evaluate the impact of the development, then look at what else can be done.
  - Councilor Neary adds that there is a lack of units coming online which creates a fear of what's actually going to happen. The hope is that structures and amenities will be put up that improve the area, but we can only hope. As a councilor, there is pressure to control things that can't be controlled. They must plan and set the stage to the best of their ability and hope to get a good response.
  
- Scott asks if there have been efforts to bring in developers and get their ideas
  - Jim responds that has been done and cites the 2023 zoning which utilized developer input in 2018-2019. The two biggest items brought up were allowing for more height and reducing the parking, both of which have been addressed and discussed in this meeting. Cape Cod is different because of the desire for strategically placed cottages as opposed to whole city blocks.
  
- Lousie O'Neil asks if the redeveloping on West Main Street has been controversial, as it seems like it has been.
  - Councilor Neary responds that six years ago the topic came up to at least allow for "top of shop" apartments. The thought was to continue it down to where Lambert's is. It seemed like it would be permitted, but at the end of discussions it wound up not going through. There was a fear that two-stories would turn into five-stories.
  - Tom notes his surprise at the issue of Wendy's across from the high school and how the area is zoned the same as along Route 28, allowing commercial development. Sometimes we try to do the best thing, but something comes in and causes an issue.
  - Jim notes the project in question required a special permit that was turned down by the Zoning Board of Appeals but overturned in land court. In 2010 the LCP Committee identified that area as needing zoning for highway-business. That ultimately created what we have today. A drive-thru was not envisioned at the time but it is allowed. The words in the plan are very important.
  
- Tom asks how long it takes to adjust zoning, specifically for the West Main Street area.
  - Jim responds that the Zoning Ad Hoc Committee has already suggested this approach and will be presenting it to the Town Council soon.

- Rob asks about a possible seven-year wait after a change is made, which would grandfather a business into old zoning.
  - Jim responds that if there is an existing use you are grandfathered in. The seven years is likely referring to freezing planning, used when certain permits have been pulled. This allows for the freezing of development rights with permitted use for eight years.
- Scott pivots the discussion to the 0% interest financing, of which Barnstable is the only town on the Cape not to be getting.
  - Jim asks to confirm that we are the only town in that situation.
  - Councilor Starr confirms Barnstable as the only municipality not getting 0% interest loans, but is close to bringing the matter to Town Council.
- Scott asks if there are any “blind spots” with the 0% interest loans in respect to the LCP
  - Jim notes close collaboration with the DPW, explaining that they have looked at other flow-neutral ordinances around the Cape and have worked to align the ordinance with the CWMP. He also notes that a presentation to the Town Council for adoption of a flow-neutral policy is close to being ready and is currently being reviewed by the Town Legal Department.
- Scott asks where the Town is at with “Safe Harbor” under Massachusetts General Law 40B.
  - Jim provides a brief overview of what 40B is, which includes 10% of the housing stock being affordable housing to be in “Safe Harbor”. This was adopted in 1969 and requires a housing plan. Most towns are not at 10%. Barnstable is at 7.15%, with 700 units being needed to achieve 10% affordable units.
- Scott asks if there are thoughts of the Town sponsoring affordable housing to get the Town closer to the requisite 10%.
  - Jim responds there are discussions about how the Town can achieve “Safe Harbor” by other methods. It can also be achieved by developing new growth at 0.5% and 1%, which the Town is, for a period of one to two years based on an approved housing plan. Once in “Safe Harbor” there is some breathing room. To date, he is not aware of pushes to identify projects or parcels to achieve 10%. There were opportunities in the past that may have been helpful, such as the Hanover.
- Scott asks how many affordable units are in the Hanover complex.
  - Jim responds that the Hanover is 13% affordable housing. At this time there is the opportunity for developers to utilize the 40B law, such as one proposed behind the Phinney’s Lane Pump Station.

- Zee asks what the role of Independence Park is in the need for 40B housing, citing possible shortages in the area.
  - Griffin responds that there were comments made by the Barnstable Water District with concerns about the drinking water withdrawal permit. For sewer, DPW submitted comments indicating that an evaluation was needed for the infrastructure, focused on whether the pipes could physically handle the sewage, not the capacity of the system.
  - Scott notes the biggest issue with 40B, in his opinion, is that you don't get the affordable housing you think you're going to get. This uses up infrastructure on 75% market-rate housing. It seems the Town should be proactive in creating 40B housing.
- Zee asks if ADUs count towards affordable housing.
  - Jim responds that year-round units do count towards housing stock. If they are deed-restricted as affordable, they are counted as affordable. There was a recent discussion had with the Town Council about incentivizing ADUs to be affordable.
- Glenn asks what makes a unit "Affordable"
  - Jim responds that it must be deed-restricted to an affordability level. This is based off data from the U.S. Department of Housing and Urban Development. He does not have the numbers readily available but estimates a family of four would need to make less than \$100,000 to qualify. An affordable ADU would sell for approximately \$200,000, with market rate being well above the \$200,000 threshold.
- Zee asks to confirm that a rental ADU is limited in size.
  - Jim responds that for an ADU it must be less than 900 square feet, or half of the habitable gross square area of the primary residence.
- Rob asks if the deed-restrictions must be in perpetuity.
  - Jim responds that it is dependent on how it is negotiated and through what program the restriction is being used. Many in town are in perpetuity, but there are some in town that are restricted to 20- or 30-years.
- Rob asks what enforcement mechanisms are in place and asks to clarify the number of affordable housing units at the property at Independence Park.
  - Jim responds that the number of affordable units depends on the project. 40Bs are 25%.
- Rob asks if the Town can take a more aggressive stance to increase the number of affordable units.
  - Scott notes that Wellfleet is building two projects anticipated to bring 500 affordable units. They are both tied into wastewater solutions. They will bring net water quality improvements.
  - Councilor Neary notes that it is a large number being subsidized.

- Rob emphasizes that there is a large amount of housing up at Independence Park being built to address the big problem, but a lot of the housing likely won't help the problem as it's not enough affordable housing. We have a moment when the developer shows up.
  - Councilor Neary notes the difficulty is that it is private money being used to build these units and developers want a return on their investment. There have been conversations about the cost of housing being built on Stevens Street which is approximately \$650,000. They will be sold as affordable for approximately \$250,000. 50% has to be subsidized just for the building cost. The cost of building nowadays is astronomical and is what turned the market over. He notes that the house he bought "a long time ago" was so affordable it was \$75 more than his rent. He has been searching for a house for his children and found a two-bedroom as-is for \$530,000. The cost has gone up exponentially. There are other projects being brought that will be 500 square foot apartments for \$2,200 per month. His opinion is that alternative methods of funding are something that needs to be looked at. He opines that the term "affordable" does not exist anymore and may never come back. He also notes he has heard that filling affordable housing is difficult due to the hoops needed to get through. He hopes that when more units come online there is downward pressure to drive down the cost.
  - Tom notes that what Councilor Neary describes has been occurring since affordable housing came to be. The reality is the profit margin. If the Town has empty parcels, jump on it.
- Councilor Clark asks if we should look at the buildout projections and overlaying them on the map. Some areas of Town may have reached their buildout projection.
  - Scott notes that he previously worked on a project in Nantucket. The population was 22,000, and their buildout analysis was 300,000. He thinks it would be worth looking at the number. Once zoning is in place, it's hard to turn it back.
- Councilor Neary notes his opinion that, whatever the committee may decide to do, such as with I/A systems, affordability must be at the forefront.
  - Scott notes discussions with Zee about attempts to cost-share and compare I/A systems.
  - Zee notes there are budgetary constraints from the State, noting a lack of SRF funding for I/A systems in Wellfleet that was previously thought of being secured.

#### **Public Comment/Questions**

No matters were heard.

#### **Matters Not Reasonably Anticipated by the Chair**

No matters were heard.

#### **Adjournment**



Scott Horsley, Chair, entertains a motion to adjourn. Councilor Clark motions to adjourn the meeting. Councilor Neary seconds. The meeting is adjourned at 7:31 PM.

**Roll Call:** Tom Cambareri (Yes), Kris Clark (Yes), Zee Crocker (Yes), Scott Horsley (Yes), Paul Neary (Yes), Rob O’Leary (Yes), Louise O’Neil (Yes), Butch Roberts (Yes), Glenn Snell (Yes), Gordon Starr (Yes)

*Respectfully submitted by Christopher Gadd, Communications Assistant, Barnstable Department of Public Works*

# Addendum 1: Proposed Meeting Topics

All meetings are subject to change. Official agendas will be posted to the Town of Barnstable's Website in accordance with Open Meeting Laws.

Meeting Held/Topic Discussed
Next Meeting/Topic
Future Meeting/Topic

- Meeting #1 (Held Tuesday, October 22, 2024)
  - Introductions and overview of Town Council & DPW wishes for the committee.
- Meeting #2 (Held Monday, November 18, 2024)
  - Opportunity to ask questions from assigned homework to get up to speed on the current CWMP.
- Meeting #3 (Held Monday, December 16, 2024)
  - Presentation on Enhanced Innovative & Alternative Septic Systems.
- Meeting #4 (Held Tuesday, January 28, 2025)
  - Presentation on Growth
  - Presentation on Accessory Dwelling Units
- Meeting #5 (Held Tuesday, March 4, 2025)
  - Presentation on Additional Alternatives such as dredging and cranberry bog restoration
    - Amber Unruh, Special Projects Manager, Department of Public Works
  - Presentation on overall approach to funding of the CWMP
    - Mark Milne, Director, Finance Division
- Meeting #6 (Held March 31, 2025)
  - Discussion with Board of Health/Health Division on relevant policies
    - Tom McKean, Director, Health Division
    - Tom Lee, Chair, Board of Health
- Meeting #7 (Held April 22, 2025)
  - Discussion of the view of the CWMP through the lens of the Local Comprehensive Plan (LCP)
    - James Kupfer, Director, Planning Board
- Meeting #8 (Scheduled for May 19, 2025)
  - Formulation of recommendations to be made to Town Council
- Meeting #9 (Tentatively June)
  - Meeting topic TBD based on Meeting #8
- Meeting #10 (Tentatively July)
  - Meeting topic TBD based on Meeting #9
- Meeting #11 (Tentatively August)
  - Update on Water Pollution Control Facility nitrogen reduction upgrade and effluent disposal evaluations
    - Rob Steen, Assistant Director, Department of Public Works
  - Around this time the goal is to make presentations to Town Council
- Meeting #12 (Tentatively September)
  - Review of feedback from Town Council on proposed recommendations
- Meeting #13 (Tentatively October)
  - Final recommendations, discussions, and any other related topics.
- Meeting #14 (Tentatively November)
  - Hold for final discussions.
- Meeting #15 (Tentatively December)
  - Potentially not needed
  - CWMP must be submitted to MassDEP in December 2025

## Addendum 2: Potential Policy Discussion Items

### Accessory Dwelling Units (ADU)

- *Information on ADUs was presented by James Kupfer at the 01/28/25 Meeting.*
- ADUs recently became codified under Massachusetts Law
- Specific questions pertaining to ADUs include:
  - Can sewerage and I/As incentivize ADUs, and vice versa?

### Grinder Pumps

- *A request for this practice to be discussed was made by a resident through the DPW staff.*
- The current practice for grinder pumps is the first pump is purchased by the Town then becomes the responsibility of the property owner.
- Specific questions pertaining to grinder pumps include:
  - Should the existing practice be formulated/continued as is?

### Innovative/Alternative (I/A) Systems

- *Information on I/A Systems was presented by Zee Crocker at the 12/16/24 Meeting.*
- Enhanced I/A systems are approaching general approval by MassDEP and the committee could evaluate recommending I/A systems as part of the CWMP.
- Specific questions pertaining to I/A systems would include:
  - How to determine the usage of specific technologies
  - When could I/A systems be required to be used?
  - How could I/A systems be implemented & funded?
  - Would I/A systems be used in specific watersheds or across town?

### Private Roads

- *A request for this practice to be discussed was made by DPW Staff*
- The current practice for private roads is for the Town to obtain an easement for sewer installation.
- Specific questions pertaining to private roads include:
  - Should the existing practice be continued as is?
  - Alternatively, should the Town take the road?

## Sidewalks

- *A request for this practice to be discussed was made by DPW Staff*
- The current practice for sidewalks is to not include them in a CWMP project, instead submitting them as their own individual project.
- Specific questions pertaining to sidewalks include:
  - Should the existing practice be continued as is?

## State Revolving Fund (SRF) and 0% Interest Loans

- *Information on SRFs and 0% interest loans was presented by Andrew Gottlieb at the 01/28/25 Meeting.*
- Town Council is workshopping potential changes.