



Town Council Meeting  
January 9, 2025

A quorum being duly present, President Craig Tamash called the January 9, 2025, Town Council meeting to order at 6:00 PM.

An announcement was made by President Tamash 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 8 or Channel 1072.

**PRESENT:** Seth Burdick, Kristine Clark, John Crow, Matthew Levesque, Betty Ludtke, Jeffrey Mendes, Paul Neary, Paula Schnepf, Craig Tamash, Kristin Terkelsen

**ZOOM:** Charles Bloom, Felicia Penn, Gordon Starr (6:41 PM),

Councilor Ludtke introduced veteran, Lee Vaughn to lead the pledge of allegiance, followed by President Tamash with a moment of silence for the memory of our 39<sup>th</sup> President Jimmy Carter and Joan Bentinck-Smith, a Cotuit resident. On behalf of Councilor Starr, Vice President Clark offered a moment of silence for Ted Theodores.

**PUBLIC COMMENT:**

**In-Person:**

Lori Crowley questioned the Marstons Mills School Property Master Plan and the three (3) submitted ideas/offerings. She does not support more recreation/parks. She wanted more information on the demographics, and more housing. She wondered why the Housing Committee was not involved with this master plan.

Owen Fletcher spoke about the lack of attainable housing. He supports constructing homes on town owned land. He discussed the need for balance in the community.

Eric Schwaab discussed the data collected regarding the wants of the Marstons Mills Property. There was a need for more restrooms than ADUs (Accessory Dwelling Units). He noted the majority wanted parking and walking trails and open space. He urged Council to inventory the Town's assets and present the whole picture.

Catherine Clark, Senior Director of Development Housing Assistance Corporation, supported housing at the Marstons Mills site. She stressed the need for housing for our essential workers as we are losing 850 households (who make under \$100,000 per year) due to the high cost of housing. Please keep this door open for housing at Marstons Mills site.

Lynne Rhodes stressed the need for affordable housing. We need housing.

Carolyn Pickman abuts the Marston Mills Property and hoped everyone would listen to the Council and the three options. She supported the buffer zones and suggested the buffer zones be part of the conservation lands making them untouchable. She felt there was a deeper problem with income inequality as housing is not the only issue.

Angela Aversa hoped Council would consider something else besides housing for this land.

Rob Brenner discussed the need for housing and spoke about Chapter 40Y funding. He talked about the cottage style or starter homes, 4 units per acre and some of the other housing

developments on the Cape.

**Zoom:**

Samatha Leonard felt there was a need for a new library in Marstons Mills. The present library is outdated and no longer meets the needs of the community. She said the Town land could be used for many things in the community.

**In-Person:**

Sam Crocker understood that housing is tough on the Cape but felt Marstons Mills should stay as it is – there tends to be a lot more issues with more housing.

**Zoom:**

Sandy Fitzgerald, who previously owned Winn Flower Company, was in favor of the buffer zones. They had utilized the buffer zones at Winn Farm and the community was very happy. This property fits the bill for housing and a park. This is a Barnstable decision residents should decide how this land should be utilized.

Beth Young agreed with Samantha’s ideas to be utilized as a new library. She felt the proposed designs missed the mark. She urged Council not to rush to accept one of the designs.

Close Public Comment

**COUNCIL RESPONSE TO PUBLIC COMMENT:**

(Ludtke) great ideas about utilizing the Marstons Mills Property. Looking forward to the workshop. (Levesque) This is an important conversation to have to discuss different opportunities for public land usage. The need for parking and a year-round playground in Marstons Mills has been discussed since 2017. (Neary) this is a unique property. There is a basic human need for shelter and security. (Schnepp) This is a real opportunity to bring a variety of elements together. The Council wants to enhance the village with this project. (Mendes) felt Hyannis cannot take all the building. The property being discussed is our property, but a building does not make the community it is the people that make a community. Unfortunately, people cannot afford to live here. We need to come to a decision as a Town and compromise. (Tamash) thanked the people that spoke tonight. He explained the libraries are private entities and are not owned by the Town.

**TOWN MANAGER’S COMMUNICATIONS: (Pre-Recorded)** The Town Manager’s report has been pre-recorded and is available to the Town Council and the public. The report will be prepared in written form and posted on the Town Manager’s website. The Town Manager and staff will be available to answer any questions regarding the report as presented.

1. Preparation of the Capital and Operating Budgets for Fiscal Year 2026
2. December 18, 2024, the Attorney General’s Office (AGO) issued a determination that the Town Council did not violate the Open Meeting Law (OML) when it met in executive session on April 4<sup>th</sup>, June 6<sup>th</sup>, and June 13<sup>th</sup>, 2024, to discuss litigation strategy regarding the Park City Wind offshore renewable wind project.
3. The Town Manager has created a cross-departmental group to work on enforcement issues in Barnstable
4. Under Section 5 of the Affordable Homes Act, Chapter 150 of the Acts of 2024, amending Chapter 23B of the General Laws, the Secretary of the Executive Office of Housing and Livable Communities would designate municipalities as seasonal communities. All municipalities in Barnstable County that have over 35 percent seasonal

housing units, as determined by the Executive Office in Consultant with the Cape Cod Commission, shall receive such designation.

5. The Executive Office of Energy and Environmental Affairs (EEA) issued a Notice of Public Hearing and draft regulations for Implementing the Public Lands Preservation Act (PLPA), now referred to by the EEA as the Open Space Act. – Update
6. Cape & Island Bridge Coalition (CIBC) held its quarterly meeting – update
7. The next round of applications acceptance for the Town of Barnstable's Opioid Abatement Grants closed on December 31, 2024. The committee received 8 applications.
8. Open Seat for the Affordable Housing Growth and Development Trust Fund Board.
9. Kate Maldonado Planning and Development Senior Planner will provide an update on the Local Comprehensive Plan and Accessory Dwelling Units.

**Discussion:**

(Schnepp) Please explain item 3 - cross-departmental group to work on enforcement issues in Barnstable (Clyburn) This is not a committee or a subcommittee it is an internal work group, Jim Kupfer Director, Planning and Development is part of the group to look at enforcement. (Crow) Good luck we all have been waiting for this group. Are any Councilors on this group. (Clyburn) Enforcement is under the purview of the Town Manager.

**ACT ON PUBLIC SESSION MINUTES:**

Upon a motion duly made and seconded, it was voted to accept the minutes of December 12, 2024, as presented.

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN**

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

- **Marstons Mills School Property Master Plan Workshop presented by James Kupfer, Director, Planning and Development**

Jim Kupfer, Director, Planning and Development introduced David Anthony, Director of Asset Management. (Anthony) discussed the history of the 2095 Main Street Marstons Mills property/site. He explained the property consisted of 1 large parcel and 2 small parcels. He said the school building was demolished in 2023. (Kupfer) discussed examples of similar projects in Sandwich (Henry T. Wing school) and Yarmouth (Mattacheese School) where housing was built on Town land. (Kupfer) Then discussed our process and ultimately the 3 proposed concepts: recreation only, recreation option with single family option or recreation option with townhouse and single-family option. The first option the Town retains the land and begins the planning process for recreation and will seek funding. The second and third options the Town will subdivide the property retain recreation area, begin the planning for specific recreation funding and place a Request for Proposal (RFP) for the property to be developed. He discussed the next steps – need for Town's leadership to give direction for this important site and to ultimately determine whether or not to dispose of a portion or the entity of the site. (Mendes) What about mix use on this site and can the townhouses be smaller – size of a single-family homes. (Schnepp) The concepts give us ideas we need other information as well. Will the Recreation Department weigh in on this project. (Kupfer) Yes, the Recreation Department will be a part of this project – there will be no additional action on ballfields. (Schnepp) what determines the need for parking. (Kupfer) Preferred concept chosen will drive the parking

needs. (Schnepp) What are the preliminary thoughts of the Council. (Terkelsen) How likely will the property be what the Council and residents want it to be (Kupfer) It is a town owned property, and it will be spelled out in the RFP. The Town has all the control.

Councilor Mendes at approximately 8:15 pm left the meeting.

(Clark) I like the cottage-style homes and what Mr. Brenner said about the financial angle. I like half the property to be designated for housing. (Starr) he felt the recreation option should be removed. (Penn) suggested no retail with housing away from Route 28. She added 100 percent sustainability with housing built to scale and designed like it has been there – keep with similar architectural designs as surrounding area. (Tamash) Can we compromise the needs for the property – 6 acres recreation and 6 acres housing. (Kupfer) Yes concept 2 is a shared concept. (Levesque) Discussed possible conservation restrictions on the buffer zones, walking paths and possibly a farmer's market as this farming community which has no farmer's market area. He spoke about Chapter 40Y which was not a new concept as it was Chapter 40R which was connected to public transportation and then the public transportation element was removed, and it became Chapter 40Y. (Ludtke) Agrees with Councilor Penn with placing new housing away from Route 28.

Councilor Starr (zoom) at approximately 8:35 pm left the meeting.

Break – 8:35 pm – 8:48 pm

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

(Penn) Discussed Massachusetts Maritime Academy (MMA) (article in paper) used to be in our 367 Main Street building from 1942 – 1949 it was called at the time Massachusetts Nautical Training School. They relocated to Buzzard Bay due to the training ship having a draft which could not fit into our harbor. She noted there were 5 other United States Maritime Academies. The article she noted talked about the new ships and having the same technology on all new ships. (Tamash) Added leadership just met the intern from MMA who will be working with the Town on Emergency Management. (Schnepp) January 25<sup>th</sup> Marstons Mills Village Ham and Bean event from 4 pm – 6 pm at library Hall. Everyone is invited - it is a great time.

<b>2025-061 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 12/12/2024, 01/09/2025</b>
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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: **Conservation Commission:** Jeffrey Kaschuluk, as a regular member to a term expiring 06/30/2027; **Disability Commission:** Mackenzie Bonaiuto, as a regular member to a term expiring 06/30/2027; **Historical Commission:** John Richmond, from an alternate position to a full member position to a term expiring 06/30/2027; **Infrastructure and Energy Committee:** Ron Ruggiero, as a regular member to a term expiring 06/30/2027

**VOTE: PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**2025-063 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FEDERAL FISCAL YEAR 2024 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$19,924 FROM THE U.S. DEPARTMENT OF JUSTICE INTRO: 01/09/2025**

Police Chief Jean Challis gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a Federal Fiscal Year 2024 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice in the amount of **\$19,924** for the purpose of funding specific policing services, programs and purchases within the Barnstable Police Department.

**VOTE: PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**2025-064 AUTHORIZATION TO CONTRACT FOR AND EXPEND A GRANT IN THE AMOUNT OF \$5,460 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF ENHANCING THE TOWN'S WASTE REDUCTION PROGRAMS INTRO: 01/09/2025**

Dan Santos, Director of Public Works, gave the rationale. He explained this was an annual grant which the Town had received for the last 12 years.

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a 2025 grant from the Massachusetts Department of Environmental Protection Recycling Dividends Program ("RDP") in the amount of **\$5,460** for the purpose of enhancing its waste reduction programs through the acquisition of recycling containers, recycling carts and recycling bins, waste reduction and/or recycling outreach and education materials, and other related expenses authorized by the RDP.

**VOTE: PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**2025-065 APPROPRIATION ORDER IN THE AMOUNT OF \$164,000 IN COMMUNITY PRESERVATION ACT FUNDS FOR THE PURPOSE OF CONSERVATION, PRESERVATION AND RESTORATION OF GRAVESTONES IN THE UNIVERSALIST CEMETERY LOCATED AT 320 MAIN STREET, HYANNIS, AS SHOWN ON ASSESSORS MAP 327, PARCEL 074 INTRO: 01/09/2025**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of **One Hundred Sixty-Four Thousand Dollars (\$164,000)** shall be appropriated for the purpose of conservation, preservation and restoration work on the historic resource of 270 gravestones in the Universalist Cemetery owned and maintained by the Federated Church of Hyannis and located at 320 Main Street, Hyannis, as shown on Assessors Map 327, Parcel 074, and that to fund this appropriation, \$164,000 be provided from the amount set aside for Historic Preservation within the Community Preservation Fund. The Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: REFER TO PUBLIC HEARING ON 01/30/2025 - PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**2025-066 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 IN COMMUNITY PRESERVATION ACT FUNDS FOR THE PURPOSE OF HIRING A CONSULTANT TO ASSIST WITH UPDATING THE TOWN OF BARNSTABLE'S OPEN SPACE AND RECREATION PLAN INTRO: 01/09/2025**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of **Fifty Thousand Dollars (\$50,000)** be appropriated for the purpose of hiring a consultant to assist the Planning and Development Department with updating the Town of Barnstable's Open Space and Recreation Plan; and to fund this appropriation that \$50,000 be provided from the amount set aside for open space and recreation within the Community Preservation Fund. If a state land grant is awarded, the amount needed from the Community Preservation Fund will be reduced. The Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: REFER TO PUBLIC HEARING ON 01/30/2025 - PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**2025-067 AUTHORIZATION OF A CONTRACT WITH A TERM OF UP TO TEN YEARS FOR THE MANAGEMENT OF THE CONANT MEETING HOUSE FARM PROPERTY LOCATED IN WEST BARNSTABLE INTRO: 01/09/2025**

Upon a motion duly made and seconded it was

**RESOLVED:** In accordance with G.L. c. 30B, Sec. 12(b), the Town Council does hereby authorize the award of a contract for the management of the Conant Meeting House Farm property located at 2135 Meetinghouse Way/Route 149 in West Barnstable for a term of up to ten years commencing on or about May 1, 2025.

**VOTE: REFER TO SECOND READING ON 01/30/2025 - PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**2025-068 AUTHORIZATION OF A CONTRACT WITH A TERM OF UP TO TEN YEARS FOR A FIXED BASE OPERATOR TO PROVIDE MANAGEMENT OVERSIGHT SERVICES AT CAPE COD AIRFIELD IN MARSTONS MILLS INTRO: 01/09/2025**

Upon a motion duly made and seconded it was

**RESOLVED:** In accordance with G.L. c. 30B, Sec. 12(b), the Town Council does hereby authorize the award of a contract for a fixed base operator to provide Management Oversight of aviation-related activities at Cape Cod Airfield in Martons Mills for a term of up to ten years commencing May 1, 2025.

**VOTE: REFER TO SECOND READING ON 01/30/2025 - PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**VOTED TO ADJOURN:**

**VOTE: PASSES 11 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, PENN, SCHNEPP, TAMASH, TERKELSEN**

**Adjourned at 9:07 PM**  
Respectfully submitted,

Janet E. Murphy  
Assistant Town Clerk

**NEXT MEETING: January 30, 2025**

Exhibits:

A. Town Managers update