



Town of Barnstable Planning Board



www.town.barnstable.ma.us/PlanningBoard

Board Members

Stephen Robichaud – Chair Robert Twiss – Vice Chair Tim O’Neill - Clerk Mary Barry Michael Mecnas Raymond Sexton Matthew Teague
Paula Schnepf – Town Council Liaison

Planning & Development Dept. Staff Support

James Kupfer, AICP, Director
Kyle Pedicini, Assistant Director - kyle.pedicini@town.barnstable.ma.us
Karen Pina – Principal Assistant - karen.pina@town.barnstable.ma.us

Town of Barnstable PLANNING BOARD Minutes February 10, 2025

Stephen Robichaud – Chairman	Present
Robert Twiss, Vice Chairman	Present
Tim O’Neill – Clerk	Present
Mary Barry	Absent
Michael Mecnas	Present
Raymond Sexton	Absent
Matthew Teague	Absent

Also in attendance were Planning & Development Staff; James Kupfer, Director, Karen Pina, Principal Assistant. and Kyle Pedicini, Assistant Director

Application materials may be accessed through the Planning Board website at: <https://www.townofbarnstable.us/boardscommittees/PlanningBoard/default.asp?brd=Planning+Board&brdid=19&year=2023> or by contacting Karen.pina@town.barnstable.ma.us or calling 508-862-4064.

Notice of Recording 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>

The Chair must inquire whether anyone else is taping this meeting and to please make their presence known.

Call to Order Introduction of Commission and Board Members

General Public Comment - None

Zoning Amendments

ZA No. 2025-062 - Amending the Code of the Town of Barnstable, Part 1 General Ordinances, Chapter 240 Zoning to Establish a Cannabis District Overlay and Expand Existing Medical Marijuana District *continued from January 27, 2025*

Jim Kupfer gives an explanation of the submission, petition for expansion of overlay.

Chair Stephen Robichaud, legal did not provide a memo, but gave some information regarding the state.

Nathan Herschler in attendance. Interaction of marijuana products and preserve safety in community. April 2024 has surpassed. Town of Mashpee more than \$320,000 in revenue, as well as Provincetown. Barnstable

can position itself strategically if have this. Operate with oversight by Cape Cod Commission. Want to preserve the quality of life as some other towns have. Town of Bourne has established an overlay district.

Chair Stephen Robichaud asks how many signatures ?

Nathan Herschler, had 20 to 30 signatures on the Petition.

Chair Stephen Robichaud, has concerns regarding federal laws. Procedure for this type of zoning amendment.

Jim Kupfer, Legal offered some guidance. This use is prohibited at federal level, but state has since 2016. Is allowed in state of Mass. Certain parameters in which towns can adopt. It goes along with how the liquor license, a max of 4 can be obtained, Mass General Law 94G is how it allows for adoption of this use.

Jim Kupfer, Town Council form of government. May petition with 10 or more certified residents and a landowner can petition as well. Then process goes to Town Council that would ultimately adopt the zoning. Planning Board must forward an advisory report to town council within 21 day of the Board's hearing. Once hearing closed. Planning Board is simply an advisory report for zoning amendment.

Motion made by Chair Stephen Robichaud to close the public hearing, seconded by Bob Twiss,

Roll Call Vote:

Michael Mecenas - aye

Bob Twiss - aye

Tim O'Neill - aye

Stephen Robichaud - aye

Public hearing is closed.

Chair Stephen Robichaud, a zoning amendment is a big deal with a high threshold to meet to make a change like this. A lot of areas affected looking at the map. These seem like high traffic areas/locations. Hyannis is very populated. Traffic is a key talking point. Has concerns with this. Would want to see a clear community benefit, looks like only a tax benefit.

Michael Mecenas has concerns – amazing no public attendance for this. Would advise to move to Town Council.

Bob Twiss comments, seeks to create overlary district. 20% and based upon this number it allows for 4 recreational outlets. If alcohol licenses increase it would also potentially create more. Route 132, almost all the way to Cape Cod Community College and Yarmouth Rd. and also near the hospital. Allows for cultivators, testing laboratories. The marijuana matters he has been involved with have thousands of plants, hydroponic and irrigation systems. Marijana of today is not the marijuana of previous years, today it has high levels of THC content. The impact on younger population, devastation and havoc it has had on many lives. High percentage coming to court he has seen as being habitual marijuana users. Drug abuse was found to be a major factor in some criminal behavior. Success level very low for rehabilitation of marijuana and its abuse. Tremendous cost to and for rehabilitation services. Iyannough Road, near Cape Cod Mall and plazas near there. We should be attempting to recruit upscale businesses here. People may not want to shop near marijuana facility or dispensary. Why would we allow 4 or more to be located in this area? Yarmouth Rd. as well is highly trafficked and this would impact. Could be known as the marijuana zone. Town Council did not want to allow this previously. This is bad for public heath and Barnstable.

Tim O'Neill, this is a clear piece of regulation for this matter. Views the Planning Board as good tool. Locations and amount and looking at the mapping. Areas designated are slated for different type of development. Doesn't see the net positive.

Motion made by Chair Stephen Robichaud to not recommend Item No. 2025-062 as presented to Town Council, seconded by Michael Mecenas,

This motion is amended and re done.

Bob Twiss moves to amend previous motion - to recommend Item No. 2025-062 to Town Council as presented, seconded by Stephen Robichaud,

Roll Call Vote:

Michael Mecnas – aye

Bob Twiss – aye

Tim O’Neill – aye

Stephen Robichaud - aye

Motion made by Chair Stephen Robichaud to recommend Item No. 2025-062 to Town Council as presented,

Roll Call Vote:

Michael Mecnas – no

Bob Twiss – no

Tim O’Neill – no

Stephen Robichaud - no

General Correspondence

Chapter 91 Notice - 60 Bay Shore Rd. – Steinkrause – maintain pier and floats

Staff Updates

Jim Kupfer, presented to Town Council on flow neutral presentation to adopt. They recommend to develop and bring to Planning Board. Could save significant funds for Comprehensive Wastewater Management Program (CWMP). Flow neutral is a land use control policy. Identified through Mass Dep, state fund that will give low interest loans for sewer products, wastewater management. Would be low interest loans for cost savings. Mass DEP – 6 other towns that have this. We have planned out a full build out and what would be allowed. 30 year. We won’t exceed full build out. Low interest loans .03 percent. 30 years is the right match.

Regional Housing services. Pilot program about to end. Working with County. Regionalize some admin burdens in terms of monitoring affordable units. More cost effective.

Local Comprehensive Plan (LCP) on Thursday – first draft before the Committee. Then out to public for review of the first draft.

Town Council Ad Hoc Committees. Zoning will meet to discuss potential changes. Solar, inclusionary.

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

January 27, 2024, Draft Minutes

Chair Stephen Robichaud entertains a motion to approve, moved by Tim O’Neill, seconded by Michael Mecnas,

Roll Call Vote:

Michael Mecnas - aye

Bob Twiss - aye

Tim O’Neill – aye

Stephen Robichaud - aye

Future Meetings: February 24th, March 10th, 2025 @ 7:00 p.m.

Adjournment

Chair Stephen Robichaud entertains amotion to adjourn, moved by Bob Twiss,

Roll Call Vote:

Michael Mecenias - aye

Bob Twiss - aye

Tim O'Neill - aye

Stephen Robichaud - aye

The meeting adjourned at 7:34 p.m.

Respectfully Submitted,

Karen Pina, Principal Assistant, Planning & Development

Further detail may be obtained by viewing the video via Channel 18 on demand at
<http://www.town.barnstable.ma.us>

APPROVED