



Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail : council@barnstable.gov

TOWN COUNCIL MEETING

February 12, 2026

6:00 pm

Councillors:

Craig Tamash
President
Precinct 4

Kris Clark
Vice President
Precinct 11

Gordon Starr
Precinct 1

Thomas Keane
Precinct 2

Betty Ludtke
Precinct 3

John Crow
Precinct 5

William Crocker
Precinct 6

Seth Burdick
Precinct 7

Lisa DaLuz
Precinct 8

Charles Bloom
Precinct 9

Matthew P. Levesque
Precinct 10

Barry Sheingold
Precinct 12

Felicia Penn
Precinct 13

Administrator:
Cynthia A. Lovell
Cynthia.lovell@barnstable.gov

The February 12, 2026 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2nd Floor James H. Crocker Jr. Hearing Room, Hyannis, MA. The public may attend in person or participate remotely in Public Comment or during a Public Hearing via the Zoom link listed below.

1. The meeting will be televised live via Xfinity Channel 8 or 1070 or High-Definition Channel 1072 or may 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>

2. Written Comments that will be distributed to the entire Town Council may be submitted to: https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town_Council/Agenda-Comment.asp

3. Remote Participation: The public may participate in Public Comment or Public Hearings by utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://townofbarnstable-us.zoom.us/j/88530649050> Meeting ID: 885 3064 9050
US Toll-free 1-888 475 4499

PUBLIC SESSION

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS (Pre-Recorded and available on Video on Demand on the Town website)

7. MINUTES

- ACT ON PUBLIC SESSION MINUTES: January 29, 2026

8. COMMUNICATIONS - from elected officials, boards, committees, and staff, commission reports, correspondence and announcements

- Update from the Hyannis Main Street Waterfront Historic District Commission
Cheryl Powell, Chair

9. ORDERS OF THE DAY

- A. Old Business
- B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: February 26, 2026

ITEM NO.	INDEX TITLE	PAGE
A.	OLD BUSINESS	
2026-003	Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III Section 24.1.5(c) Table 2, to modify the required parking for residential or artist live/work (per du), modify the calculation for minimum parking spaces, and establish minimum dimensional standards for parking spaces (Public Hearing) (Roll Call 2/3 Full Council)	3-15
2026-005	Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, to modify building height requirements in the Downtown Main Street District and Downtown Village District (Public Hearing) (Roll Call 2/3 Full Council)	16-54
2026-006	Amending the code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning to repeal the Downtown Village District and amend the zoning map to replace the Downtown Village District with the downtown neighborhood zoning district (Public Hearing) (Roll Call 2/3 Full Council)	55-88
2026-007	Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning to amend the area in the Downtown Main Street District where ground floor commercial space is required (Public Hearing) (Roll Call 2/3 Full Council)	89-95
2026-087	Authorizing the grant of an easement for gas facilities on Town-owned land at 790 Iyannough Road in Hyannis (May be acted upon) (Majority Vote)	96-98
2026-089	Order approving amendments to the Town Council Rules (May be acted upon) (Majority Vote)	99-100
B.	NEW BUSINESS	
2026-090	Appropriation Order in the amount of \$105,000 for the purpose of funding additional Fiscal Year 2026 operating expenses at the Town’s Municipal Golf Courses (Refer to Public Hearing 02/26/2026)	101-102
2026-145	Authorization to contract for and expend a Fiscal Year 2026 Grant from the Commonwealth of Massachusetts, Department of Environmental Protection in the amount of \$137,719 for the purpose of funding nitrogen scenario modeling and hydrogeologic evaluations (May be acted upon) (Majority Vote)	103-104
2026-146	Transfer Order in the amount of \$57,450 for the purpose of buying information technology equipment for the Barnstable Police Department in lieu of extending the lease (May be acted upon) (Majority Vote)	105-106

Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the extent permitted by law. It is possible that if it votes, the Council may go into executive session. The Council may also act on items in an order other than as they appear on this agenda. Persons interested are advised that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, it may be continued to a future meeting, and with proper notice.

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-003

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

**2026-003 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III DISTRICT
REGULATIONS, SECTION 240-24.1.5 STANDARDS FOR ALL DISTRICTS TO
MODIFY THE REQUIRED PARKING FOR RESIDENTIAL OR ARTIST LIVE/WORK
AND ESTABLISH A PARKING SPACE DIMENSIONAL STANDARD**

ORDERED: That the Code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning, Article III District Regulations, Section 240-24.1.5, Standards for all Districts, Subsection (C) Parking Standards, be amended as follows:

SECTION 1

By amending subsection (2)(a) by inserting after the words “on-site shared parking” the following: “, but excluding accessible parking spaces required by the Massachusetts Architectural Access Board regulations at 521 CMR 23.00”

SECTION 2

By further amending said subsection (2)(a) by adding the following new subsection (ii):

(ii) Parking space dimensions shall be a minimum of 9 feet by 18 feet and the drive aisle between spaces shall be a minimum of 20 feet.

SECTION 3

By amending subsection (2)(b) by inserting after the words “Table 2” the following: “and the parking standards found in subsection (C)(2)(a)(ii)”.

SECTION 4

By amending Table 2 Minimum Required Accessory Parking Spaces by striking from the Use Category of “Residential or artist live/work (per DU)” the number “1” where it appears each time under the headings: DMS, DV, DN, HH and TC, and inserting the number “1.5” in place thereof.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
<u>07/17/2025</u>	<u>No action taken</u>
<u>08/21/2025</u>	<u>First Reading Refer to Planning Board</u>
<u>01/29/2026</u>	<u>Open and continue Public Hearing to 02/12/2026</u>

☐ Read Item
☐ Motion to Open Public Hearing
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-003

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: James Kupfer, Director, Planning & Development Department
DATE: June 30, 2025
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III Section 24.1.5(c) Table 2, to modify the required parking for residential or artist live/work (per du), modify the calculation for minimum parking spaces, and establish minimum dimensional standards for parking spaces.

BACKGROUND: The proposed zoning amendments follow discussions by the Town Council Ad-Hoc Subcommittee regarding necessary updates to Chapter 240 Zoning Ordinance. The Committee has recommended that Town Council consider the proposed amendment to Chapter 240 §24.1.5.C Table 2 Minimum Required Accessory Parking Spaces to increase the minimum required parking for “Residential or artist live/work (per DU)” from one space per unit in all districts to a parking ratio of a minimum of 1.5 space per dwelling unit up to no more than two spaces per dwelling unit.

The Committee further recommended that when calculating required parking spaces that the mandated handicap parking spaces not be included in this count (which would make those spaces additional requirements). And finally, the committee recommended establishing minimum parking dimension standards of 9’ x 18’ per space and a minimum of a 20’ drive aisle between spaces.

Zoning amendments are processed in accordance with Massachusetts General Law (MGL) Chapter 40A, Section 5. Adoption or change of zoning ordinances may be initiated by the submission to the Town Council of a proposed zoning ordinance by different parties, including the Town Council itself.

ANALYSIS: The proposed changes will increase the total parking required per residential dwelling unit as well as provide specific parking dimensional requirements.

FISCAL IMPACT: There is no significant fiscal impact associated with this item.

STAFF SUPPORT: James Kupfer, Director, Planning & Development Department

§ 240-24.1.5. Standards for all Districts.

A. Building standards.

1. Frontage types.

- (a) Buildings must have at least one frontage type except if otherwise specified. Buildings on corner lots must have two frontage types, one for each frontage.
- (b) Frontage types are permitted as specified by Table 11.¹
- (c) Multiple frontage types may exist for buildings that have more than one principal entrance.

2. Buildings must have at least one principal entrance located on the facade.

- (a) Multistory buildings with ground floor commercial space(s) must have one principal entrance for each commercial space in addition to any principal entrance(s) necessary for any upper stories.

3. Buildings may not exceed the maximum number of stories as specified for each district.

- (a) Each individual story of a building must comply with the minimum and maximum story height specified for each district.
 - (b) Story height is measured vertically from the surface of the finished floor to the surface of the finished floor above. When there is no floor above, story height is measured from the surface of the finished floor to the top of the structural beam or joists above or the top of the wall plate, whichever is more.
 - (c) The ground story is always counted as one story, except that a single ground story over 18 feet in height is counted as two stories.
 - (d) Each upper story is counted as one additional story, except that any upper story over 16 feet is counted as two stories.
 - (e) Basements are not counted as one story unless the finished floor of the ground story is five feet or more above the average ground level of the lot.
 - (f) Habitable space located directly under a pitched roof is counted as a 0.5 story.
 - (i) The roof rafters of a half story must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two feet above the finished floor of the half story.
 - (g) Non-habitable attic space located under a pitched roof is not counted a half story.
 - (h) Pitched roofs with a slope greater than 12:12 require a special permit.
- #### 4. Buildings may not exceed the maximum building height specified for each district, as applicable.

1. Editor's Note: See § 240-24.1.13, Tables.

- (a) Building height is measured as the vertical distance from the average finished ground level to the top of the structural beam or joists of the uppermost story.
- 5. Non-habitable architectural features including, but not limited to, mechanical and stairwell penthouses; vents or exhausts; solar panels or skylights; belfries, chimneys, cupolas, parapets, spires, and steeples are not included in any building height or story calculations and are permitted on roofs.
- 6. Building components are permitted as specified by Table 12.²
- 7. Facades must have fenestration as specified for each district, as applicable.
 - (a) Fenestration is calculated as a percentage of the area of a facade.
 - (b) For buildings with ground story commercial spaces, ground story fenestration is measured between two feet and 12 feet above the finished floor of the ground story.
 - (c) For all other buildings and all other building stories, fenestration is measured independently for each story, corresponding with the top of a finished floor to the top of the finished floor above.
- 8. Fenestration enclosed with glass may be included in the calculation if it meets the following criteria:
 - (a) For ground story fenestration, glazing must have a minimum 60% Visible Light Transmittance (VLT) and no more than 15% Visible Light Reflectance (VLR) as indicated by the manufacturer.
 - (b) For upper story fenestration, glazing must have a minimum of 40% VLT and no more than 15% VLR as indicated by the manufacturer.
- B. Use provisions.
 - 1. General.
 - (a) The use of real property is permitted as specified by Table 1.
 - (i) Table 1 is organized by broad use categories and specific uses that may be regulated differently than other uses from the same category.
 - (ii) Use categories are intended to include uses with similar functional, product, or physical characteristics; the type and amount of activity; the manner of tenancy; the conduct of customers; how goods or services are sold or delivered; and the likely impacts on surrounding properties.
 - (iii) Where Table 1 identifies a category followed by "except as follows" any use that meets the definition of that use category is permitted by right, while the specific uses identified in the list under that category are either not permitted, are permitted with limitations, or require a special permit despite belonging to the same use category.

2. Editor's Note: See § 240-24.1.13, Tables.

- (iv) Where Table 1 identifies a category followed by "as specified below" the specific uses listed under the category are the only land uses permitted from that use category.
- (b) The Building Commissioner shall classify the actual use of land or structures using the defined use categories specified on Table 1. Also see § 240-24.1.4, Definitions.
 - (i) Real property may have one or more principal use(s).
 - (ii) Once classified into a use category, the use of land or structures in the same manner cannot also be classified into another use category.
 - (iii) The use of land or structures in a manner that is inconsistent with a permitted use category or specific use type specified on Table 1 is prohibited.
 - (iv) Unless classified as a specific use that is not permitted in a zoning district, an existing nonconforming use may be changed to another nonconforming use that is from the same use category as the existing nonconforming use by special permit.
 - (v) A nonconforming use may not change to a different nonconforming use that is from a different use category than the existing nonconforming use.
- (c) Accessory uses are permitted as set forth in Article V of the Barnstable Zoning Ordinance.

Table 1.							
Use Category Specific Use	DMS	DV	DN	DH	HH	TC	HC
Commercial services (except as follows)	P	P	N	P	P	P	P
Automobile maintenance and repair	N	N	N	N	N	N	N
Boat storage and repair	N	N	N	N	P	N	N
Contractor services	N	N	N	N	N	N	N
Funeral services	N	N	N	N	N	N	N
Marina	N	N	N	N	P	N	N
Commercial parking	N	N	N	N	N	P	SP
Public transportation maintenance	N	N	N	N	N	SP	N
Recreational facility	SP	SP	N	SP	SP	SP	SP
Self-storage facility	N	N	N	N	N	N	SP
Veterinary services	SP	SP	N	N	N	N	P
Cultural services (as specified below)	—	—	—	—	—	—	—
Arts and culture establishments	P	P	N	N	P	P	P
Fraternal and social organizations	P	P	N	N	P	P	P
Performing arts and theaters	P	P	N	N	P	P	P
Artist live/work	P	P	P	N	P	P	N

Table 1.							
Use Category Specific Use	DMS	DV	DN	DH	HH	TC	HC
Food and beverage services (except as follows)	L	L	N	SP	L	L	SP
Brewery/distillery	L	N	N	N	N	N	N
Hospital	N	N	N	P	N	N	N
Office (except as follows)	P	P	L	P	P	P	P
Health care clinic	P	P	L	P	P	N	P
Research and development	P	P	N	P	P	N	P
Residential (as specified below)	—	—	—	—	—	—	—
Multiunit dwelling	L	L	L	N	L	L	N
Two-unit dwelling	P	P	L	N	N	N	N
Single unit dwelling	N	P	P	N	N	N	N
Retail sales (except as follows)	L	L	N	SP	L	L	SP
Boat sales	N	N	N	N	SP	N	N
Gasoline sales	N	N	N	N	N	N	N
Motor vehicle sales	N	N	N	N	N	N	N
Visitor accommodations (as specified below)	—	—	—	—	—	—	—
Hotel/motel	P	N	N	N	P	N	P
Bed-and-breakfast	N	P	P	N	P	N	N

P Permitted by right

SP Special permit

N Not permitted

L Permitted with limitations (see district)

C. Parking standards.

1. Applicability.

- (a) Parking is required based on the intended use of floor area within a building at construction permitting and not for the subsequent establishment, change, or expansion of any permitted use; or the renovation of any existing principal building.

2. General.

- (a) Accessory parking must be provided as specified by Table 2 and is calculated as the sum of all required spaces, including any adjustment specified for on-site shared parking, [but excluding accessible parking spaces required by the Massachusetts Architectural Access Board regulations at 521 CMR 23.00.](#)

- (i) Commercial parking uses are exempt from Table 2.
 - (ii) Parking space dimensions shall be a minimum of 9 feet by 18 feet and the drive aisle between spaces shall be a minimum of 20 feet.
 - (b) Relief from the parking requirements of Table 2 and the parking standards found in subsection (C)(2)(a)(ii) requires a special permit.
 - (c) In its discretion to approve or deny a special permit authorizing relief from the minimum parking requirements of Table 2, the Planning Board shall consider conditioning the special permit upon one or more of the following:
 - (i) Elimination or reduction of existing curb cuts and driveway aprons.
 - (ii) Establishment of a shared driveway or cross-access connection between abutting parking lots with a binding easement and joint maintenance agreement defining the responsibilities of abutting property owners sharing access.
3. Location.
- (a) Accessory parking spaces must be located on the same lot as the building they support and may be provided within a principal building or outbuilding or as surface parking.
 - (b) Motor vehicle parking of any type is prohibited within the frontage area of a lot and any required landscape buffer.
 - (i) Real property in the Highway Commercial (HC) district or in the Downtown Hospital (DH) district is exempt.

Table 2. Minimum Required Accessory Parking Spaces								
Use Category	DMS	DV	DN	DH	HH	TC	HC	On Site Shared Parking Adjustment ¹
Commercial services (per 1,000 square feet)	0	4	N/A	4	4	4	4	Reduce by 50% the required spaces for commercial services where mixed with residential uses on the same lot
Cultural services (per 1,000 square feet)	0	4	4	4	N/A	4	4	Reduce by 20% the required spaces for cultural services where mixed with residential uses on the same lot
Food and beverage services (per 1,000 square feet)	0	4	N/A	4	4	4	4	—
Hospital (per 3 beds)	N/A	N/A	N/A	1	N/A	N/A	N/A	—
Office (per 1,000 square feet)	3	3	3	3	3	3	3	Reduce by 50% the required spaces for office where mixed with residential uses on the same lot
Residential or artist live/work (per DU)	1.5	1.5	1.5	N/A	1.5	1.5	N/A	—

Table 2. Minimum Required Accessory Parking Spaces								
Use Category	DMS	DV	DN	DH	HH	TC	HC	On Site Shared Parking Adjustment¹
Retail sales (per 1,000 square feet)	0	4	N/A	4	4	4	4	Reduce by 20% the required spaces for retail sales where mixed with residential uses on the same lot
Visitor accommodations (per room)	1.25	1.25	1.25	N/A	1.25	N/A	1.25	—

D. Site standards.

1. Forecourts.

- (a) Driveways and passenger drop-offs are permitted in forecourts by special permit.
 - (i) Real property in the Downtown Hospital (DH) district is exempt.
- (b) Garage entrances, parking spaces, loading and service areas, exhaust vents, mechanical equipment, and refuse or recycling storage are not permitted in forecourts.

2. Landscaping.

- (a) Lot area uncovered by structures or impermeable surfaces must be landscaped.
- (b) New canopy trees must be at least 14 feet in height or three inches in caliper when planted.
- (c) New understory trees must be at least 10 feet in height or 1.5 inches in caliper when planted.
- (d) New evergreen trees must be at least six feet in height when planted.
- (e) Vegetation must be low-water-use and low-maintenance plant species that are indigenous to Cape Cod. Plant species should be capable of withstanding seasonably wet conditions and provide habitat value for wildlife.
- (f) Landscaped areas must be maintained, irrigated, and fertilized. Vegetation should be organically maintained to every extent practicable.
- (g) Vegetation may not obscure any driveways, vehicular entrances, or roadway intersections.
- (h) Mulch may not be placed in a manner that will wash into catch basins or drainage pipes.
- (i) All site plan and special permit applications for development or modifications that meet or exceed the thresholds established in § 240-24.1.3B2(b)(i) must submit a landscape plan(s) signed and stamped by a MA registered landscape architect.
- (j) The Building Commissioner shall not issue a certificate of occupancy until the

landscaping has been installed in accordance with the approved plans unless the property owner posts security to the Town of Barnstable for 150% of the estimated cost of installation of the landscaping.

- (k) All development and/or modifications that meet or exceed the thresholds established in § 240-24.1.3B2(b)(i) shall provide financial security for 150% of the estimated cost of plant installation for the duration of three years after planting has been installed and must be provided prior to issuance of any certificate of occupancy in a form acceptable to the Town Attorney's Office. The cost estimate shall be prepared by a qualified professional and submitted to the Director of Planning and Development for approval. Upon completion of planting, the applicant must request an inspection. The three-year maintenance period commences upon approved inspection. Partial release of the security may be authorized after approved inspection, not to exceed 50%. The full security shall be returned to the applicant or their successors after three years upon final inspection by the Director of Planning & Development. The Town reserves the right upon noncompliance with this section to pursue all available legal and equitable remedies to compel compliance.
 - (l) Any fractional value required for plant materials is rounded up to the next whole number.
3. Stormwater management.
- (a) Rain gardens should be used to the maximum extent practicable. Rain gardens are defined as landscaped areas designed to absorb and filter stormwater runoff from impervious surfaces.
4. Signs.
- (a) All development shall comply with the applicable signage requirements contained in Article VII, Sign Regulations, at §§ 240-59 through 240-89, inclusive, of the Barnstable Zoning Ordinance. Internally illuminated signs are prohibited in the Downtown Hyannis Zoning Districts.
5. Outdoor lighting.
- (a) All outdoor lighting must be directed only on site.
 - (i) The trespass of light at any lot line may not exceed 0.1 footcandle, except that the trespass of light at any lot line abutting a lot in Downtown Neighborhood (DN) district may not exceed 0.05 footcandle.
 - (ii) At driveways, lighting may be up to 0.5 footcandle at the front lot line.
 - (iii) Outdoor lighting may not cause glare that impacts motorists, pedestrians, or neighboring premises.
 - (b) Light fixtures must have a total cutoff of all light at less than 90° and a beam cutoff of less than 75°. Attached building or wall pack lighting should be screened by the building's architectural features or contain a 45° cutoff shield.

- (c) Electrical service for lighting on posts or poles must be located underground.

6. Fences.

- (a) Fences greater than four feet in height in the frontage area and seven feet in height in all other locations at any point along their length require a special permit except that where fencing that is higher than seven feet is needed to screen mechanical equipment, the Building Commissioner may allow a greater height as determined through the site plan review process.
- (b) Fences may be no more than 50% open.
- (c) Fence posts and supporting rails must face inward toward the property being fenced and the finished face must be oriented towards the abutting lot.

7. Vehicular access.

- (a) Driveways, vehicular entrances to parking lots or structures and curb cuts must comply with the minimum or maximum width specified for each district.
- (b) Drive-throughs require a special permit and are only permitted for the following uses:
 - (i) Banks (a specific use of the commercial service use category).
 - (ii) Pharmacies (a specific use of the retail sales use category).
- (c) All new curb cuts require a special permit.
- (d) The interior width of a curb cut (between the curb stones or flares) may be no wider than the driveway, vehicular entrance, or loading facility it serves, unless a greater width is determined to be appropriate by the Building Commissioner during the Site Plan Review process based upon unique operational requirements of the proposed use.
- (e) A driveway apron may be installed within a sidewalk of an improved way, but the grade, cross slope, and clear width of the pedestrian walkway must be maintained between the driveway apron and the abutting driveway.
- (f) The appearance of the pedestrian walkway (i.e., scoring pattern or paving material) must indicate that, although a vehicle may cross to enter a property, the area traversed by a vehicle remains part of the sidewalk.

8. Utilities.

- (a) All mechanical equipment must be screened from view from adjacent lots and public rights-of-way and integrated into or compatible with the architectural design of the building.

E. Surface parking lot design standards.

1. Applicability.

- (a) This section is applicable to the construction of any new surface parking lot and the expansion or modification of an existing surface parking lot containing 21 or more parking spaces that increases the number of parking spaces by five or more.

2. General.

- (a) To reduce traffic congestion and increase convenience for customers, employees, and residents, development is encouraged to provide direct vehicular connections between abutting parking lots so that motor vehicles can move between properties without re-entering the public street.
- (b) To increase walkability and reduce conflicts between pedestrians and motor vehicles, development is encouraged to provide access to rear parking lots via driveways that are shared between abutting properties or multiple properties on the same block face.

3. Surface parking lot landscaping.

- (a) One three-inch minimum caliper low-water-use, low-maintenance tree must be provided for every five parking spaces and must be located within 10 feet of the parking lot. Trees shall be maintained and irrigated as necessary and planted within at least 50 square feet of permeable area. Existing trees located in the interior of parking lots are credited toward this requirement.
- (b) A front landscaped buffer at least 10 feet wide must be provided between any parking lot and any lot line abutting an improved way and must include the following features over the span of 50 linear feet:
 - (i) One canopy tree.
 - (ii) One understory or evergreen tree.
 - (iii) Five medium shrubs and five small shrubs or a fence or wall a maximum of four feet in height.
- (c) A side/rear landscaped buffer at least six feet wide must be provided between any side or rear lot line and any parking lot with five or more parking spaces, excluding any vehicular connections to abutting parking lots and must include the following features over the span of 50 linear feet:
 - (i) Two understory or evergreen trees.
 - (ii) Three large shrubs and five small shrubs or a fence or wall at least six feet in height.
- (d) A landscaped buffer at least 10 feet wide must be provided between any building and any parking lot with 10 or more parking spaces, excluding building entrances, service and loading areas, and utility locations, and must include the following features over the span of 50 linear feet:
 - (i) Two understory or evergreen trees.

- (ii) Four medium shrubs.
- (iii) Six small shrubs.
- (e) At least 10% of any parking lot with 10 or more parking spaces must be landscaped. Lot area required as a landscape buffer is excluded from the calculation of the parking lot area.
- (f) Landscape islands abutting a single row of parking spaces must be at least six feet in width and the same length as the parking spaces. Each island must include one three-inch minimum caliper, low-water-use, low-maintenance tree.
- (g) Landscape islands abutting a double row of parking spaces must be at least eight feet in width and the same length as the parking spaces. Each island must include two three-inch minimum caliper, low-water-use, low-maintenance trees.



Town of Barnstable Planning Board

www.townofbarnstable.us/planningboard

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October 28, 2025

Craig Tamash, President
Barnstable Town Council
367 Main Street
Hyannis, MA 02601

23 DEC '25 AM 9:56
BARNSTABLE TOWN CLERK

RE: **Report of the Barnstable Planning Board to Town Council on Item No. 2026-003, a Proposal to Amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, Section 240-24.1.5 Standards for all Districts to Modify the Required Parking for Residential or Artist Live/Work and Establish a Parking Space Dimensional Standard**

Dear President Tamash,

The Planning Board held a duly posted and noticed public hearing on October 27, 2025 on the Proposal to Amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, Section 240-24.1.5 Standards for all Districts to Modify the Required Parking for Residential or Artist Live/Work and Establish a Parking Space Dimensional Standard. Notably, this proposed zoning amendment would increase the minimum parking requirements in downtown Hyannis from 1 space per dwelling unit to 1.5 spaces per dwelling unit.

At the close of the public hearing, a motion was duly made and seconded to recommend to Town Council adoption of the proposed zoning amendment, Item No. 2026-003 as written.

The vote approving that motion was a 5-1 vote of members present.

Respectfully Submitted,

11-18-2025

Stephen Robichaud, Planning Board Chair

cc: James Kupfer, Director, Planning & Development
Ann Quirk, Town Clerk

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-005

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

2026-005 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III DISTRICT REGULATIONS, TO MODIFY BUILDING HEIGHT REQUIREMENTS IN THE DOWNTOWN MAIN STREET DISTRICT AND DOWNTOWN VILLAGE DISTRICT

ORDERED: That the Code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning, Article III District Regulations, be amended as follows:

SECTION 1

By amending Section 240-24-1.6 Downtown Main Street District (DMS) by deleting in subsection A.1 the word “four” and inserting the words “three and one half” in its place.

SECTION 2

By further amending Section 240-24.1.6 by deleting in subsection C.6 the word “fourth” and inserting the words “third and one half” in its place.

SECTION 3

By further amending Section 240-24.1.6 by deleting in Table 3, under the heading “Building Form” the words “or 4” where they appear after “F - Number of Stories”.

SECTION 4

By further amending said Table 3 by deleting in footnote 1 the word “fourth” and inserting the words “third and one half” in its place.

SECTION 5

By amending Section 240-24.1.7 Downtown Village District (DV) by deleting in subsection A.1 the word “four” and inserting the words “three and one half” in its place.

SECTION 6

By further amending Section 240-24.1.7 by deleting in subsection C.4 the word “fourth” and inserting the words “third and one half” in its place.

SECTION 7

By further amending Section 240-24.1.7 by deleting in Table 4, under the heading “Building Form” the words “or 4” where they appear after “F – Number of Stories”.

SECTION 8

By further amending said Table 4 by deleting in footnote 1 the word “fourth” and inserting the words “third and one half” in its place.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
<u>07/17/2025</u>	<u>No action taken</u>
<u>08/21/2025</u>	<u>First Reading Refer to Planning Board</u>
<u>01/29/2026</u>	<u>Open Public Hearing and continue to 02/12/2026</u>

<input type="checkbox"/>	Read Item
<input type="checkbox"/>	Motion to Open Public Hearing
<input type="checkbox"/>	Rationale
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Close Public Hearing
<input type="checkbox"/>	Council Discussion
<input type="checkbox"/>	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-005

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: James Kupfer, Director, Planning & Development Department
DATE: June 30, 2025
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, to modify building height requirements in the Downtown Main Street District and Downtown Village District

BACKGROUND: These proposed zoning amendments follow discussions by the Town Council Ad-Hoc Subcommittee regarding necessary updates to Chapter 240 Zoning Ordinance. The Committee has recommended revising height restrictions in the Downtown Main Street District and Downtown Village District to better align with surrounding neighborhoods and prevent a "canyon effect" along Main Street. The amendments eliminate the fourth-story step-back requirement while lowering the overall maximum building height.

Zoning amendments are processed in accordance with Massachusetts General Law (MGL) Chapter 40A, Section 5. Adoption or change of zoning ordinances may be initiated by the submission to the Town Council of a proposed zoning ordinance by different parties, including the Town Council itself.

ANALYSIS: The proposed changes will reduce maximum allowable building heights within the Downtown Main Street District and Downtown Village District to ensure development remains compatible with existing structures and neighborhood character. The amendment may encourage a more varied and nuanced approach to building height regulations based on location and surrounding properties.

FISCAL IMPACT: There is no significant fiscal impact associated with this item.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, supports this item.

STAFF SUPPORT: James Kupfer, Director, Planning & Development Department

§ 240-24.1.6. Downtown Main Street District (DMS).

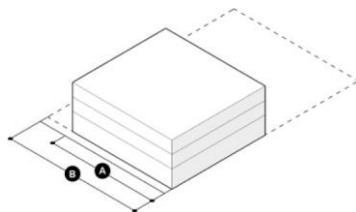
A. Intent.

1. The Downtown Main Street District is intended to promote the continuation of a walkable, pedestrian-oriented downtown environment with continuous active streetscape. Development is characterized by mid-rise (two- to ~~three~~ and one half-story ~~four~~) mixed-use buildings, continuous street walls and variety of materials with parking visually minimized. Land uses are mixed residential and active commercial, including retail, restaurant, office, hospitality, cultural and institutional.

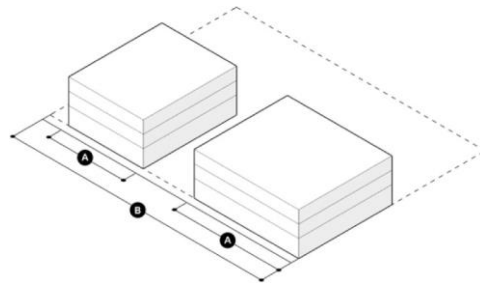
B. Lot standards.

1. Newly platted lots must be dimensioned as specified by Table 3.
2. Building facades must have a minimum width that is equal to a percentage of a lot's width and is specified as the facade buildout by Table 3.
 - (a) Facade buildout is calculated by dividing the total width of all facades by the lot width and may be cumulatively calculated by multiple buildings.
 - (b) The open space of a forecourt is considered part of the building for the purpose of measuring building width and facade buildout.
 - (c) The SPGA may provide relief from the facade buildout requirements; the Board must find the issuance of the special permit is consistent with the design and infrastructure plan.

Facade Build Out



$$\text{Single Building per Lot} = A \div B$$



$$\text{Multiple Buildings per Lot} = (A + A) \div B$$

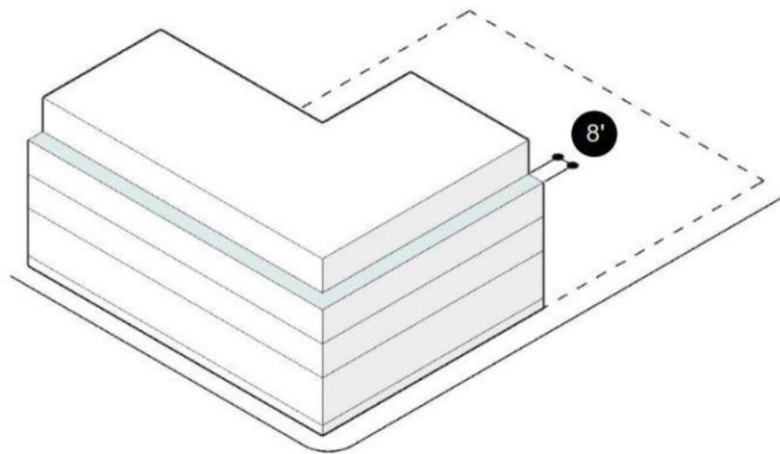
C. Building standards.

1. Multiple principal buildings are permitted per lot.
2. Principal buildings are permitted as specified by Table 3.
 - (a) Additional principal buildings are exempt from the required maximum front setback.
3. Principal building facade(s) must be built parallel to any primary front lot line, at or

§ 240-24.1.6

between the minimum and maximum front setbacks.

4. Any building contributing toward the frontage buildout for any lot fronting Main Street between Ocean Street and Sea Street must provide ground story commercial space that is at least 20 feet in depth for 100% of the total width of the building, excluding lobby entrances and other means of egress associated with the use of upper stories.
5. Awnings, canopies, signs, balconies, and non-habitable architectural features of a building may project over the public sidewalk but must provide at least eight feet of clearance and a license from the Town Manager in accordance with Barnstable General Ordinances, Part 1, Chapter 121, § 121-6J is required.
6. The ~~fourth~~ third and one half story of any building must be recessed ("stepped back") from the facade of the stories below at least eight feet.

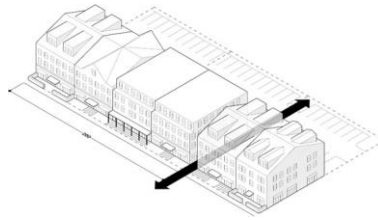


7. Mechanical and stairwell penthouses and building systems equipment must be setback from any exterior wall a distance that is equal to their height.
8. Facades may not have any blank wall areas without fenestration or architectural surface relief greater than 20 feet measured both vertically and horizontally for all stories of a building for any facade.
9. Loading and service areas may not be visible from any public sidewalk of Main Street.

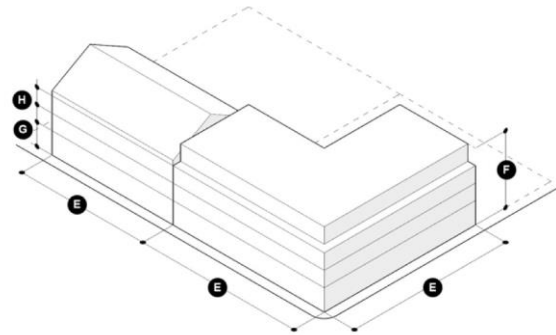
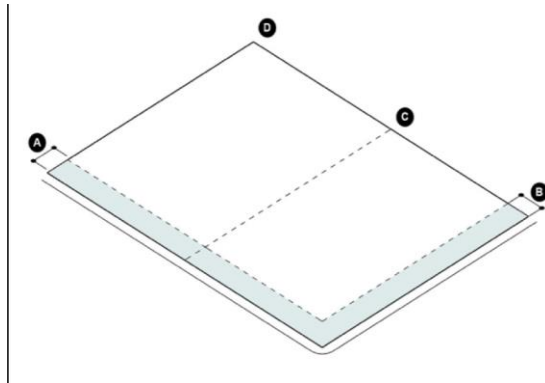
D. Design guidelines.

1. The development of any new principal building should include a pedestrian passage connecting the sidewalk at the front of the property to any parking areas to the rear of the building, to every extent practicable, where no such pedestrian passage exists within 200 linear feet of the building's principal entrance.

§ 240-24.1.6



2. When provided, pedestrian passages may be designed as an open-air passage between buildings, a covered atrium providing continuous protection from the elements, or as an up to two-story passage through a building.
- E. Use provisions.
1. Limitations.
 - (a) Occupation of a single commercial space greater than 5,000 square feet by any food and beverage service or retail sales use requires a special permit.
 - (b) The maximum number of dwelling units permitted for any multiunit dwelling residential use is determined by the permitted dimensions of the building and the actual motor vehicle parking spaces provided on a lot as required by Table 2.
- F. Site standards.
1. Driveways, vehicular entrances to parking lots or structures, and curb cuts may be no wider than 24 feet.
- G. Landscape standards.
1. A front landscape area is not required if the front setback is zero. When a setback is greater than zero, those portions of the setback not occupied by pedestrian amenities and public spaces shall be landscaped including one canopy tree to be planted every 30 feet of frontage of the property.
 2. A side or rear landscaped area at least six feet wide must be provided along any side or rear lot line abutting a lot in Downtown Neighborhood (DN) district and must include the following features over the span of 50 linear feet:
 - (a) Two understory or evergreen trees.
 - (b) Three medium shrubs and three small shrubs or a fence or wall at least six feet in height.
- H. Parking standards.
1. For development on any through lot fronting Main Street, parking access must be provided from the non-Main-Street frontage.

Table 3. DMS Dimensional Standards**Lot**

Lot width	30 feet minimum
Lot coverage	100% maximum
Facade buildout (minimum)	—
Primary frontage	80% minimum
Secondary frontage	40% minimum

Setbacks - Principal Buildings

A - Primary front setback	0 foot minimum 15 feet maximum
B - Secondary front setback	0 foot minimum 15 feet maximum
C - Side setback	0 foot minimum
D - Rear setback	0 foot minimum

Building Form

E - Building width	180 feet maximum
F - Number of stories	3.5 or 4 maximum ¹
G - Ground story height	—
Commercial	14 feet minimum
Residential	10 feet minimum
H - Upper story height	10 feet minimum

Building Features

Ground story fenestration	—
Primary frontage	60% minimum
Secondary frontage	15% minimum
Upper story fenestration	15% minimum
Blank wall	20 feet maximum
Commercial space depth	20 feet minimum

¹ See § 240-24.1.6C6 (~~fourth~~ third and one half story step-back).

§ 240-24.1.7. Downtown Village District (DV).

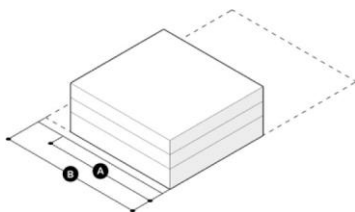
A. Intent.

1. The Downtown Village District is intended to promote mixed land uses that support the downtown core and reestablish or preserve traditional neighborhood forms and pedestrian orientation. Development is characterized by mid-rise (two- to ~~three and one half~~~~four~~-story) single-use buildings and detached and semi-detached residential buildings.

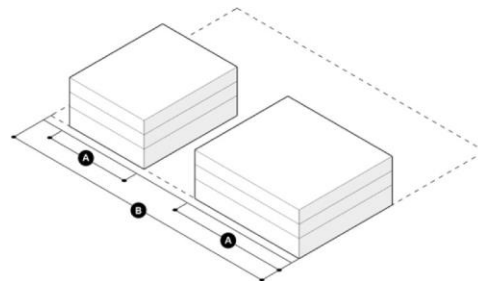
B. Lot standards.

1. Newly platted lots must be dimensioned as specified by Table 4.
2. Lot coverage may not exceed the maximum specified by Table 4.
3. Building facades must have a minimum width that is equal to a percentage of a lot's width and is specified as the facade buildout on Table 4.
 - (a) Facade buildout is calculated by dividing the total width of all facades at or forward of the maximum front setback by the lot width and may be cumulatively calculated by multiple buildings.
 - (b) The open space of a forecourt is considered part of the building for the purpose of measuring building width and facade buildout.
 - (c) The SPGA may provide relief from the facade buildout requirements; the Board must find the issuance of the special permit is consistent with the design and infrastructure plan.

Facade Build Out



Single Building per Lot = $A \div B$



Multiple Buildings per Lot = $(A + A) \div B$

C. Building standards.

1. Multiple principal buildings are permitted per lot.
2. Principal buildings are permitted as specified by Table 4.
 - (a) Additional principal buildings are exempt from the required maximum front setback.

§ 240-24.1.7

3. Principal building facade(s) must be built parallel to any primary front lot line, at or between the minimum and maximum front setbacks.
4. The ~~fourth~~ third and one half story of any building must be recessed ("stepped back") from the facade of the stories below at least eight feet.
5. Mechanical and stairwell penthouses and building systems equipment must be set back from any exterior wall a distance that is equal to their height.

D. Use provisions.

1. Limitations.

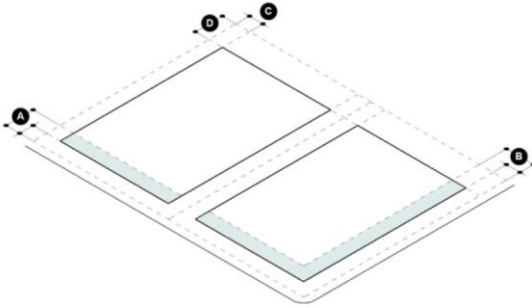
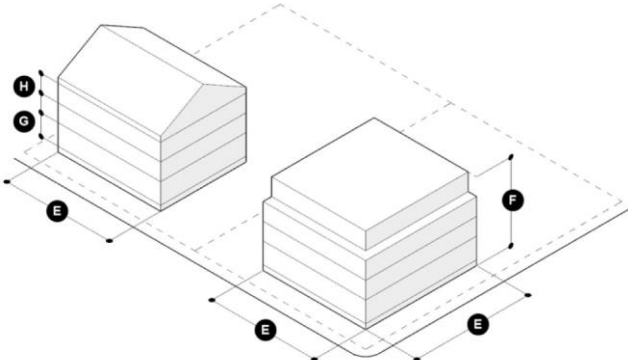
- (a) Occupation of a single commercial space greater than 5,000 square feet by any food and beverage service or retail sales use requires a special permit.
- (b) The maximum number of dwelling units permitted for any multiunit dwelling residential use is determined by the permitted dimensions of the building and the actual motor vehicle parking spaces provided on a lot as required by Table 2.¹

E. Site standards.

1. Driveways, vehicular entrances to parking lots or structures, and curb cuts may be no wider than 24 feet.

F. Landscape standards.

1. A front landscape area is not required if the front setback is zero. When a setback is greater than zero, those portions of the setback not occupied by pedestrian amenities and public spaces shall be landscaped including one canopy tree to be planted every 30 feet of frontage of the property.

Table 4. DV Dimensional Standards			
			
Lot		Building Form	

1. Editor's Note: See § 240-24.1.5, Standards for all Districts.

Lot width	30 feet minimum	E - Building width	120 feet maximum
Lot coverage	80% maximum	F - Number of stories	3.5 or 4 maximum ¹
Facade buildout (minimum)	—	G - Ground story height	—
Primary frontage	80% minimum	Commercial	14 feet minimum
		Residential	10 feet minimum
Setbacks - Principal Buildings		Upper story height	10 feet minimum
A - Primary front setback	0 foot minimum 15 feet maximum	Building Features	
B - Secondary front setback	0 foot minimum 15 feet maximum	Ground story fenestration	—
C - Side setback	0 foot minimum	Primary frontage	15% minimum
D - Rear setback	0 foot minimum	Secondary frontage	15% minimum
		Upper story fenestration	15% minimum
		Blank wall	20 feet maximum
		Commercial space depth	20 feet minimum

¹ See § 240-24.1.7C4 (~~fourth~~ third and one half story step-back).



Town of Barnstable Planning Board

www.townofbarnstable.us/planningboard

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Kyle Pedicini

Principal Assistant
Karen Pina

December 9, 2025

Craig Tamash, President
Barnstable Town Council
367 Main Street
Hyannis, MA 02601

23 DEC '25 AM9:56
BARNSTABLE TOWN CLERK

RE: **Report of the Barnstable Planning Board to Town Council on Item No. 2026-005, a Proposal to Amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, by modifying building height requirements in the Downtown Main Street and Downtown Village District**

Dear President Tamash,

The Planning Board held duly posted and noticed public hearings on September 22, 2025, October 27, 2025, November 24, 2025, and December 8, 2025 on the proposal to amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, by modifying building height requirements in the Downtown Main Street (DMS) and Downtown Village (DV) Districts.

At the close of the public hearing, a motion was duly made and seconded to NOT recommend to Town Council adoption of the proposed zoning amendment, Item No. 2026-005 as written. The vote approving that motion was unanimous, 7-0 with all members present.

The Planning Board agreed with the concept of lowering building height limits. However, it became clear to the Board that the proposed amendment did not effectively accomplish this intent. Specifically, after careful review, research and discussion, the Board found that solely reducing the number of stories may not necessarily lead to lower building heights. Instead, the Board elected to focus specifically on a recommendation to set a total building height limit for each downtown Hyannis zoning district, in addition to a maximum story limit.

Furthermore, it was recommended that the definition for "building height" found within the downtown Hyannis zoning districts be revised. The Board's discussions revealed that building height for the downtown area has historically been measured from the ground level to the top plate. The board expressed concern with this method, as the Board felt that this did not provide the public with a predictable result related to overall building height.

Instead, the Board recommended that the zoning ordinance specify that building height for downtown Hyannis zoning districts will be measured from the average mean grade to the top of the building ridge – representing a measurement of the entire building, rather than only a portion of the building. This change will result in reduced overall building heights as roof systems would be included in building height calculations.

In terms of establishing an appropriate height limit for DMS and DV, 56 feet was used as a starting point for the discussion. The Planning Board came to that starting point by simply adding typical story heights for four stories as well as a gable roof system. They also evaluated multiple building

367 Main Street, Hyannis, MA 02601

heights on Main Street including the new development located at 201 Main Street which will be a four-story building measured at 55.5 feet.

Given the recommended reduction in maximum stories from 4 to 3.5, the board felt it would be appropriate to reduce the maximum height by the corresponding amount. Since the minimum commercial story height in these districts is 14 feet, the board agreed that an appropriate reduction in height would be seven feet (equivalent to a half-story height). As such the Planning Board settled on a recommended maximum height of 49 feet (56 feet minus 7 feet) for the DMS and DV districts.

Although the topic was not originally included in the proposed amendment, the Board also examined building height limits for the Downtown Neighborhood (DN) District. To maintain consistency with the other downtown Hyannis districts, it was recommended to establish a maximum height of 42 feet for this district. As maximum stories for the DN is three, this recommended height limit was determined by subtracting the height of a commercial story (14 feet) from the starting point for discussion (56 feet). It was noted that all other downtown Hyannis zoning districts have previously established building height limitations.

Once an overall building height has been established, the Board then recommends removing limitations to the minimum and maximum stories to simplify the requirement and allow the building code to control floor heights as it does through Town.

Attached to this letter please find the Planning Board's recommended amendments in the form of redlined edits to the town's existing zoning ordinance, as well as sample building heights and a detailed diagram of building heights reviewed during the hearing.

Respectfully Submitted,



12-23-2025

Stephen Robichaud, Planning Board Chair

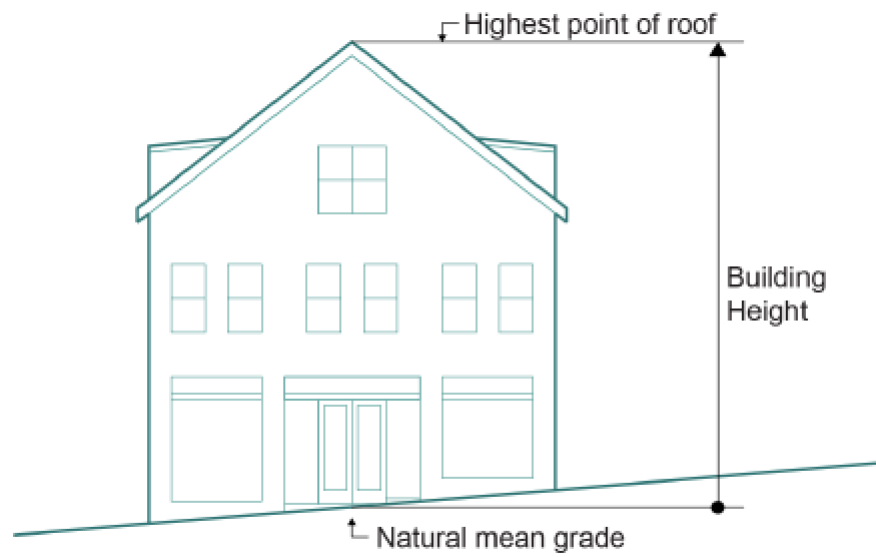
cc: James Kupfer, Director, Planning & Development
Ann Quirk, Town Clerk

§ 240 24.1.5. Standards for all Districts.

A. Building standards.

1. Frontage types.
 - (a) Buildings must have at least one frontage type except if otherwise specified. Buildings on corner lots must have two frontage types, one for each frontage.
 - (b) Frontage types are permitted as specified by Table 11.¹
 - (c) Multiple frontage types may exist for buildings that have more than one principal entrance.
2. Buildings must have at least one principal entrance located on the facade.
 - (a) Multistory buildings with ground floor commercial space(s) must have one principal entrance for each commercial space in addition to any principal entrance(s) necessary for any upper stories.
3. Buildings may not exceed the maximum number of stories as specified for each district.
 - (a) Each individual story of a building must comply with the minimum and maximum story height specified for each district.
 - (b) Story height is measured vertically from the surface of the finished floor to the surface of the finished floor above. When there is no floor above, story height is measured from the surface of the finished floor to the top of the structural beam or joists above or the top of the wall plate, whichever is more.
 - (c) The ground story is always counted as one story, except that a single ground story over 18 feet in height is counted as two stories.
 - (d) Each upper story is counted as one additional story, except that any upper story over 16 feet is counted as two stories.
 - (e) Basements are not counted as one story unless the finished floor of the ground story is five feet or more above the average ground level of the lot.
 - (f) Habitable space located directly under a pitched roof is counted as a 0.5 story.
 - (i) The roof rafters of a half story must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two feet above the finished floor of the half story.
 - (g) Non-habitable attic space located under a pitched roof is not counted a half story.
 - (h) Pitched roofs with a slope greater than 12:12 require a special permit.

Figure 1. Building Height



4. Buildings may not exceed the maximum building height specified for each district, as applicable.

1. Editor's Note: See § 240-24.1.13, Tables.

- (a) ~~Building height is measured as the vertical distance from the average finished ground level to the top of the structural beam or joists of the uppermost story. For the purposes of this section Building height shall be defined as follows: The vertical distance between the elevations of the natural mean grade and the highest point of the roof. The natural mean grade is calculated by taking the average of the existing grade at the proposed building footprint corners.~~

5. Nonhabitable architectural features including, but not limited to, mechanical and stairwell penthouses; vents or exhausts; solar panels or skylights; belfries, chimneys, cupolas, parapets, spires, and steeples are not included in any building height or story calculations and are permitted on roofs.
6. Building components are permitted as specified by Table 12.²
7. Facades must have fenestration as specified for each district, as applicable.
 - (a) Fenestration is calculated as a percentage of the area of a facade.
 - (b) For buildings with ground story commercial spaces, ground story fenestration is measured between two feet and 12 feet above the finished floor of the ground story.
 - (c) For all other buildings and all other building stories, fenestration is measured independently for each story, corresponding with the top of a finished floor to the top of the finished floor above.
8. Fenestration enclosed with glass may be included in the calculation if it meets the following criteria:
 - (a) For ground story fenestration, glazing must have a minimum 60% Visible Light Transmittance (VLT) and no more than 15% Visible Light Reflectance (VLR) as indicated by the manufacturer.
 - (b) For upper story fenestration, glazing must have a minimum of 40% VLT and no more than 15% VLR as indicated by the manufacturer.

B. Use provisions.

1. General.
 - (a) The use of real property is permitted as specified by Table 1.
 - (i) Table 1 is organized by broad use categories and specific uses that may be regulated differently than other uses from the same category.
 - (ii) Use categories are intended to include uses with similar functional, product, or physical characteristics; the type and amount of activity; the manner of tenancy; the conduct of customers; how goods or services are sold or delivered; and the likely impacts on surrounding properties.
 - (iii) Where Table 1 identifies a category followed by "except as follows" any use that meets the definition of that use category is permitted by right, while the specific uses identified in the list under that category are either not permitted, are permitted with limitations, or require a special permit despite belonging to the same use category

- (iv) Where Table 1 identifies a category followed by "as specified below" the specific uses listed under the category are the only land uses permitted from that use category.
- (b) The Building Commissioner shall classify the actual use of land or structures using the defined use categories specified on Table 1. Also see § 240-24.1.4, Definitions.
 - (i) Real property may have one or more principal use(s).
 - (ii) Once classified into a use category, the use of land or structures in the same manner cannot also be classified into another use category.
 - (iii) The use of land or structures in a manner that is inconsistent with a permitted use category or specific use type specified on Table 1 is prohibited.
 - (iv) Unless classified as a specific use that is not permitted in a zoning district, an existing nonconforming use may be changed to another nonconforming use that is from the same use category as the existing nonconforming use by special permit.
 - (v) A nonconforming use may not change to a different nonconforming use that is from a different use category than the existing nonconforming use.
- (c) Accessory uses are permitted as set forth in Article V of the Barnstable Zoning Ordinance.

Table 1.							
Use Category Specific Use	DMS	DV	DN	DH	HH	TC	HC
Commercial services (except as follows)	P	P	N	P	P	P	P
Automobile maintenance and repair	N	N	N	N	N	N	N
Boat storage and repair	N	N	N	N	P	N	N
Contractor services	N	N	N	N	N	N	N
Funeral services	N	N	N	N	N	N	N
Marina	N	N	N	N	P	N	N
Commercial parking	N	N	N	N	N	P	SP
Public transportation maintenance	N	N	N	N	N	SP	N

Table 1.							
Use Category Specific Use	DMS	DV	DN	DH	HH	TC	HC
Recreational facility	SP	SP	N	SP	SP	SP	SP
Self-storage facility	N	N	N	N	N	N	SP
Veterinary services	SP	SP	N	N	N	N	P
Cultural services (as specified below)	—	—	—	—	—	—	—
Arts and culture establishments	P	P	N	N	P	P	P
Fraternal and social organizations	P	P	N	N	P	P	P
Performing arts and theaters	P	P	N	N	P	P	P
Artist live/ work	P	P	P	N	P	P	N
Food and beverage services (except as follows)	L	L	N	SP	L	L	SP
Brewery/ distillery	L	N	N	N	N	N	N
Hospital	N	N	N	P	N	N	N
Office (except as follows)	P	P	L	P	P	P	P
Health care clinic	P	P	L	P	P	N	P
Research and development	P	P	N	P	P	N	P
Residential (as specified below)	—	—	—	—	—	—	—
Multiunit dwelling	L	L	L	N	L	L	N
Two-unit dwelling	P	P	L	N	N	N	N
Single unit dwelling	N	P	P	N	N	N	N

Table 1.							
Use Category Specific Use	DMS	DV	DN	DH	HH	TC	HC
Retail sales (except as follows)	L	L	N	SP	L	L	SP
Boat sales	N	N	N	N	SP	N	N
Gasoline sales	N	N	N	N	N	N	N
Motor vehicle sales	N	N	N	N	N	N	N
Visitor accommodations (as specified below)	—	—	—	—	—	—	—
Hotel/motel	P	N	N	N	P	N	P
Bed-and- breakfast	N	P	P	N	P	N	N

P Permitted by right

SP Special permit N

Not permitted

L Permitted with limitations (see district)

C. Parking standards.

1. Applicability.

- (a) Parking is required based on the intended use of floor area within a building at construction permitting and not for the subsequent establishment, change, or expansion of any permitted use; or the renovation of any existing principal building.

2. General.

- (a) Accessory parking must be provided as specified by Table 2 and is calculated as the sum of all required spaces, including any adjustment specified for on-site shared parking.
 - (i) Commercial parking uses are exempt from Table 2.
- (b) Relief from the parking requirements of Table 2 requires a special permit.
- (c) In its discretion to approve or deny a special permit authorizing relief from the minimum parking requirements of Table 2, the Planning Board shall consider conditioning the special permit upon one or more of the following:
 - (i) Elimination or reduction of existing curb cuts and driveway aprons.

- (ii) Establishment of a shared driveway or cross-access connection between abutting parking lots with a binding easement and joint maintenance agreement defining the responsibilities of abutting property owners sharing access.

3. Location.

- (a) Accessory parking spaces must be located on the same lot as the building they support and may be provided within a principal building or outbuilding or as surface parking.
- (b) Motor vehicle parking of any type is prohibited within the frontage area of a lot and any required landscape buffer.
- (i) Real property in the Highway Commercial (HC) district or in the Downtown Hospital (DH) district is exempt.

Table 2. Minimum Required Accessory Parking Spaces								
Use Category	DMS	DV	DN	DH	HH	TC	HC	On Site Shared Parking Adjustment ¹
Commercial services (per 1,000 square feet)	0	4	N/A	4	4	4	4	Reduce by 50% the required spaces for commercial services where mixed with residential uses on the same lot
Cultural services (per 1,000 square feet)	0	4	4	4	N/A	4	4	Reduce by 20% the required spaces for cultural services where mixed with residential uses on the same lot
Food and beverage services (per 1,000 square feet)	0	4	N/A	4	4	4	4	—
Hospital (per 3 beds)	N/A	N/A	N/A	1	N/A	N/A	N/A	—

Table 2. Minimum Required Accessory Parking Spaces								
Use Category	DMS	DV	DN	DH	HH	TC	HC	On Site Shared Parking Adjustment ¹
Office (per 1,000 square feet)	3	3	3	3	3	3	3	Reduce by 50% the required spaces for office where mixed with residential uses on the same lot
Residential or artist live/work (per DU)	1	1	1	N/A	1	1	N/A	—
Retail sales (per 1,000 square feet)	0	4	N/A	4	4	4	4	Reduce by 20% the required spaces for retail sales where mixed with residential uses on the same lot
Visitor accommodations (per room)	1.25	1.25	1.25	N/A	1.25	N/A	1.25	—

D. Site standards.

1. Forecourts.

- (a) Driveways and passenger drop-offs are permitted in forecourts by special permit.
 - (i) Real property in the Downtown Hospital (DH) district is exempt.
- (b) Garage entrances, parking spaces, loading and service areas, exhaust vents, mechanical equipment, and refuse or recycling storage are not permitted in forecourts.

2. Landscaping.

- (a) Lot area uncovered by structures or impermeable surfaces must be landscaped.
- (b) New canopy trees must be at least 14 feet in height or three inches in caliper when planted.
- (c) New understory trees must be at least 10 feet in height or 1.5 inches in caliper when planted.

- (d) New evergreen trees must be at least six feet in height when planted.
 - (e) Vegetation must be low-water-use and low-maintenance plant species that are indigenous to Cape Cod. Plant species should be capable of withstanding seasonably wet conditions and provide habitat value for wildlife.
 - (f) Landscaped areas must be maintained, irrigated, and fertilized. Vegetation should be organically maintained to every extent practicable.
 - (g) Vegetation may not obscure any driveways, vehicular entrances, or roadway intersections.
 - (h) Mulch may not be placed in a manner that will wash into catch basins or drainage pipes.
 - (i) All site plan and special permit applications for development or modifications that meet or exceed the thresholds established in § 240-24.1.3B2(b)(i) must submit a landscape plan(s) signed and stamped by a MA registered landscape architect.
 - (j) The Building Commissioner shall not issue a certificate of occupancy until the landscaping has been installed in accordance with the approved plans unless the property owner posts security to the Town of Barnstable for 150% of the estimated cost of installation of the landscaping.
 - (k) All development and/or modifications that meet or exceed the thresholds established in § 240-24.1.3B2(b)(i) shall provide financial security for 150% of the estimated cost of plant installation for the duration of three years after planting has been installed and must be provided prior to issuance of any certificate of occupancy in a form acceptable to the Town Attorney's Office. The cost estimate shall be prepared by a qualified professional and submitted to the Director of Planning and Development for approval. Upon completion of planting, the applicant must request an inspection. The three-year maintenance period commences upon approved inspection. Partial release of the security may be authorized after approved inspection, not to exceed 50%. The full security shall be returned to the applicant or their successors after three years upon final inspection by the Director of Planning & Development. The Town reserves the right upon noncompliance with this section to pursue all available legal and equitable remedies to compel compliance.
 - (l) Any fractional value required for plant materials is rounded up to the next whole number.
3. Stormwater management.
- (a) Rain gardens should be used to the maximum extent practicable. Rain gardens are defined as landscaped areas designed to absorb and filter stormwater runoff from impervious surfaces.
4. Signs.
- (a) All development shall comply with the applicable signage requirements contained

in Article VII, Sign Regulations, at §§ 240-59 through 240-89, inclusive, of the Barnstable Zoning Ordinance. Internally illuminated signs are prohibited in the Downtown Hyannis Zoning Districts.

5. Outdoor lighting.

- (a) All outdoor lighting must be directed only on site.
 - (i) The trespass of light at any lot line may not exceed 0.1 footcandle, except that the trespass of light at any lot line abutting a lot in Downtown Neighborhood (DN) district may not exceed 0.05 footcandle.
 - (ii) At driveways, lighting may be up to 0.5 footcandle at the front lot line.
 - (iii) Outdoor lighting may not cause glare that impacts motorists, pedestrians, or neighboring premises.
- (b) Light fixtures must have a total cutoff of all light at less than 90° and a beam cutoff of less than 75°. Attached building or wall pack lighting should be screened by the building's architectural features or contain a 45° cutoff shield.
- (c) Electrical service for lighting on posts or poles must be located underground.

6. Fences.

- (a) Fences greater than four feet in height in the frontage area and seven feet in height in all other locations at any point along their length require a special permit except that where fencing that is higher than seven feet is needed to screen mechanical equipment, the Building Commissioner may allow a greater height as determined through the site plan review process.
- (b) Fences may be no more than 50% open.
- (c) Fence posts and supporting rails must face inward toward the property being fenced and the finished face must be oriented towards the abutting lot.

7. Vehicular access.

- (a) Driveways, vehicular entrances to parking lots or structures and curb cuts must comply with the minimum or maximum width specified for each district.
- (b) Drive-throughs require a special permit and are only permitted for the following uses:
 - (i) Banks (a specific use of the commercial service use category).
 - (ii) Pharmacies (a specific use of the retail sales use category).
- (c) All new curb cuts require a special permit.
- (d) The interior width of a curb cut (between the curb stones or flares) may be no wider than the driveway, vehicular entrance, or loading facility it serves, unless a greater width is determined to be appropriate by the Building Commissioner during the Site Plan Review process based upon unique operational requirements of the proposed use.

- (e) A driveway apron may be installed within a sidewalk of an improved way, but the grade, cross slope, and clear width of the pedestrian walkway must be maintained between the driveway apron and the abutting driveway.
- (f) The appearance of the pedestrian walkway (i.e., scoring pattern or paving material) must indicate that, although a vehicle may cross to enter a property, the area traversed by a vehicle remains part of the sidewalk.

8. Utilities.

- (a) All mechanical equipment must be screened from view from adjacent lots and public rights-of-way and integrated into or compatible with the architectural design of the building.

E. Surface parking lot design standards.

1. Applicability.

- (a) This section is applicable to the construction of any new surface parking lot and the expansion or modification of an existing surface parking lot containing 21 or more parking spaces that increases the number of parking spaces by five or more.

2. General.

- (a) To reduce traffic congestion and increase convenience for customers, employees, and residents, development is encouraged to provide direct vehicular connections between abutting parking lots so that motor vehicles can move between properties without re-entering the public street.
- (b) To increase walkability and reduce conflicts between pedestrians and motor vehicles, development is encouraged to provide access to rear parking lots via driveways that are shared between abutting properties or multiple properties on the same block face.

3. Surface parking lot landscaping.

- (a) One three-inch minimum caliper low-water-use, low-maintenance tree must be provided for every five parking spaces and must be located within 10 feet of the parking lot. Trees shall be maintained and irrigated as necessary and planted within at least 50 square feet of permeable area. Existing trees located in the interior of parking lots are credited toward this requirement.
- (b) A front landscaped buffer at least 10 feet wide must be provided between any parking lot and any lot line abutting an improved way and must include the following features over the span of 50 linear feet:
 - (i) One canopy tree.
 - (ii) One understory or evergreen tree.

- (iii) Five medium shrubs and five small shrubs or a fence or wall a maximum of four feet in height.
- (c) A side/rear landscaped buffer at least six feet wide must be provided between any side or rear lot line and any parking lot with five or more parking spaces, excluding any vehicular connections to abutting parking lots and must include the following features over the span of 50 linear feet:
 - (i) Two understory or evergreen trees.
 - (ii) Three large shrubs and five small shrubs or a fence or wall at least six feet in height.
- (d) A landscaped buffer at least 10 feet wide must be provided between any building and any parking lot with 10 or more parking spaces, excluding building entrances, service and loading areas, and utility locations, and must include the following features over the span of 50 linear feet:
 - (i) Two understory or evergreen trees.
 - (ii) Four medium shrubs.
 - (iii) Six small shrubs.
- (e) At least 10% of any parking lot with 10 or more parking spaces must be landscaped. Lot area required as a landscape buffer is excluded from the calculation of the parking lot area.
- (f) Landscape islands abutting a single row of parking spaces must be at least six feet in width and the same length as the parking spaces. Each island must include one three-inch minimum caliper, low-water-use, low-maintenance tree.
- (g) Landscape islands abutting a double row of parking spaces must be at least eight feet in width and the same length as the parking spaces. Each island must include two three-inch minimum caliper, low-water-use, low-maintenance trees.

§ 240-24.1.6. Downtown Main Street District (DMS).

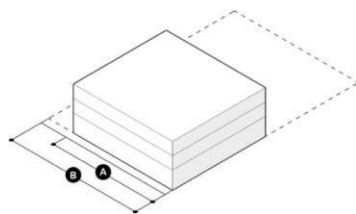
A. Intent.

1. The Downtown Main Street District is intended to promote the continuation of a walkable, pedestrian-oriented downtown environment with continuous active streetscape. Development is characterized by mid-rise (two- to four-story) mixed-use buildings, continuous street walls and variety of materials with parking visually minimized. Land uses are mixed residential and active commercial, including retail, restaurant, office, hospitality, cultural and institutional.

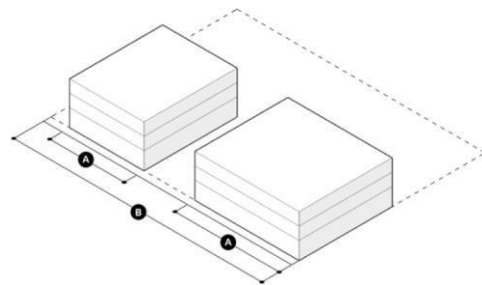
B. Lot standards.

1. Newly platted lots must be dimensioned as specified by Table 3.
2. Building facades must have a minimum width that is equal to a percentage of a lot's width and is specified as the facade buildout by Table 3.
 - (a) Facade buildout is calculated by dividing the total width of all facades by the lot width and may be cumulatively calculated by multiple buildings.
 - (b) The open space of a forecourt is considered part of the building for the purpose of measuring building width and facade buildout.
 - (c) The SPGA may provide relief from the facade buildout requirements; the Board must find the issuance of the special permit is consistent with the design and infrastructure plan.

Facade Build Out



Single Building per Lot = $A \div B$

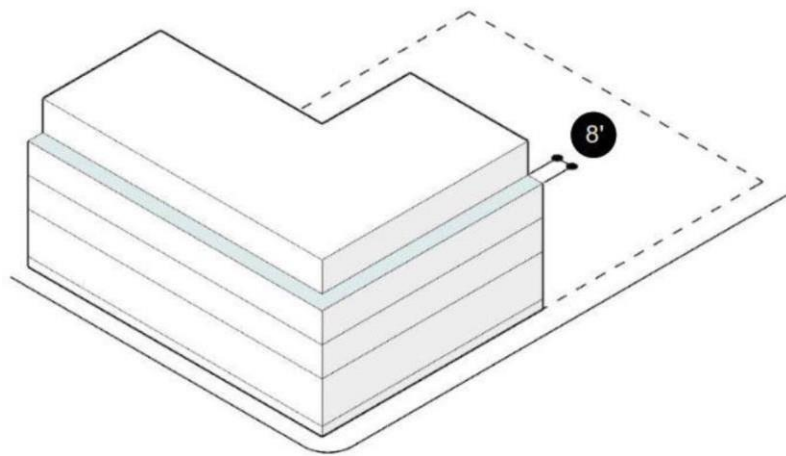


Multiple Buildings per Lot = $(A + A) \div B$

C. Building standards.

1. Multiple principal buildings are permitted per lot.
2. Principal buildings are permitted as specified by Table 3.
 - (a) Additional principal buildings are exempt from the required maximum front setback.

3. Principal building facade(s) must be built parallel to any primary front lot line, at or between the minimum and maximum front setbacks.
4. Any building contributing toward the frontage buildout for any lot fronting Main Street between Ocean Street and Sea Street must provide ground story commercial space that is at least 20 feet in depth for 100% of the total width of the building, excluding lobby entrances and other means of egress associated with the use of upper stories.
5. Awnings, canopies, signs, balconies, and nonhabitable architectural features of a building may project over the public sidewalk but must provide at least eight feet of clearance and a license from the Town Manager in accordance with Barnstable General Ordinances, Part 1, Chapter 121, § 121-6J is required.
- ~~6. The fourth story of any building must be recessed ("stepped back") from the facade of the stories below at least eight feet.~~

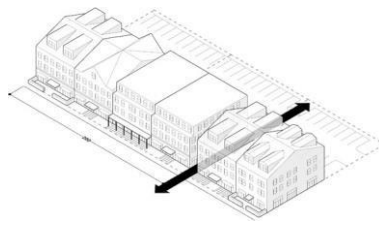


- 7.6. Mechanical and stairwell penthouses and building systems equipment must be setback from any exterior wall a distance that is equal to their height.
- 8.7. Facades may not have any blank wall areas without fenestration or architectural surface relief greater than 20 feet measured both vertically and horizontally for all stories of a building for any facade.
- 9.8. Loading and service areas may not be visible from any public sidewalk of Main Street.

D. Design guidelines.

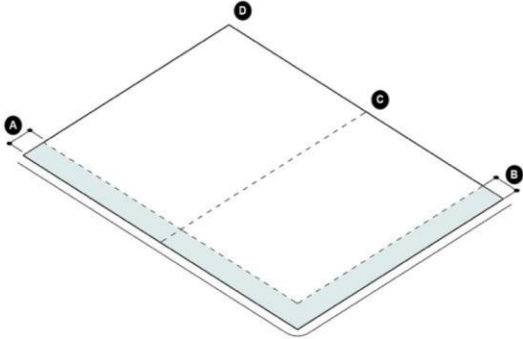
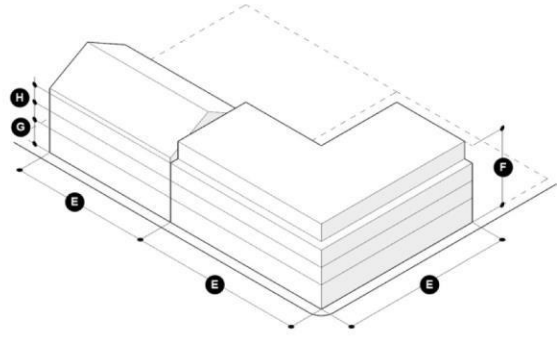
1. The development of any new principal building should include a pedestrian passage connecting the sidewalk at the front of the property to any parking areas to the rear of the building, to every

extent practicable, where no such pedestrian passage exists within 200 linear feet of the building's principal entrance.



2. When provided, pedestrian passages may be designed as an open-air passage between buildings, a covered atrium providing continuous protection from the elements, or as an up to two-story passage through a building.
- E. Use provisions.
1. Limitations.
 - (a) Occupation of a single commercial space greater than 5,000 square feet by any food and beverage service or retail sales use requires a special permit.
 - (b) The maximum number of dwelling units permitted for any multiunit dwelling residential use is determined by the permitted dimensions of the building and the actual motor vehicle parking spaces provided on a lot as required by Table 2.
- F. Site standards.
1. Driveways, vehicular entrances to parking lots or structures, and curb cuts may be no wider than 24 feet.
- G. Landscape standards.
1. A front landscape area is not required if the front setback is zero. When a setback is greater than zero, those portions of the setback not occupied by pedestrian amenities and public spaces shall be landscaped including one canopy tree to be planted every 30 feet of frontage of the property.
 2. A side or rear landscaped area at least six feet wide must be provided along any side or rear lot line abutting a lot in Downtown Neighborhood (DN) district and must include the following features over the span of 50 linear feet:
 - (a) Two understory or evergreen trees.
 - (b) Three medium shrubs and three small shrubs or a fence or wall at least six feet in height.
- H. Parking standards.
1. For development on any through lot fronting Main Street, parking access must be provided from the non-Main-Street frontage.

Table 3. DMS Dimensional Standards

 			
Lot		Building Form	
Lot width	30 feet minimum	E-G - Building width	180 feet maximum
Lot coverage	100% maximum	F - Number of stories	3.5 or 4 maximum¹
Facade buildout (minimum)	—	G - Ground story height	—
Primary frontage	80% minimum	Commercial	14 feet minimum
Secondary frontage	40% minimum	Residential	10 feet minimum
Setbacks - Principal Buildings		H - Upper story height	10 feet minimum
A - Primary front setback	0 foot minimum 15 feet maximum	Building Features	
B - Secondary front setback	0 foot minimum 15 feet maximum	Ground story fenestration	—
C - Side setback	0 foot minimum	Primary frontage	60% minimum
D - Rear setback	0 foot minimum	Secondary frontage	15% minimum
<u>Building Height</u>	<u>3.5 maximum</u>	Upper story fenestration	15% minimum
<u>E - Number of Stories</u>		Blank wall	20 feet maximum
<u>F - Building Height</u>	<u>49 feet maximum</u>	Commercial space depth	20 feet minimum

§ 240-24.1.7. Downtown Village District (DV).

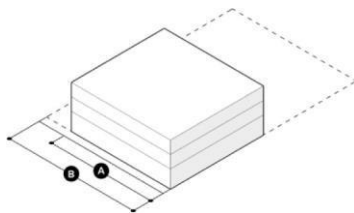
A. Intent.

1. The Downtown Village District is intended to promote mixed land uses that support the downtown core and reestablish or preserve traditional neighborhood forms and pedestrian orientation. Development is characterized by mid-rise (two- to four-story) single-use buildings and detached and semi-detached residential buildings.

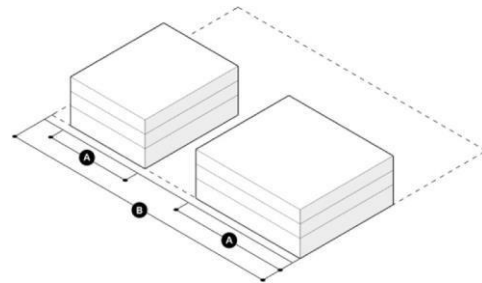
B. Lot standards.

1. Newly platted lots must be dimensioned as specified by Table 4.
2. Lot coverage may not exceed the maximum specified by Table 4.
3. Building facades must have a minimum width that is equal to a percentage of a lot's width and is specified as the facade buildout on Table 4.
 - (a) Facade buildout is calculated by dividing the total width of all facades at or forward of the maximum front setback by the lot width and may be cumulatively calculated by multiple buildings.
 - (b) The open space of a forecourt is considered part of the building for the purpose of measuring building width and facade buildout.
 - (c) The SPGA may provide relief from the facade buildout requirements; the Board must find the issuance of the special permit is consistent with the design and infrastructure plan.

Facade Build Out



Single Building per Lot = $A \div B$



Multiple Buildings per Lot = $(A + A) \div B$

C. Building standards.

1. Multiple principal buildings are permitted per lot.
2. Principal buildings are permitted as specified by Table 4.
 - (a) Additional principal buildings are exempt from the required maximum front setback.
3. Principal building facade(s) must be built parallel to any primary front lot line, at or between the minimum and maximum front setbacks.

~~4. The fourth story of any building must be recessed ("stepped back") from the facade of the stories below at least eight feet.~~

5.4. Mechanical and stairwell penthouses and building systems equipment must be set back from any exterior wall a distance that is equal to their height.

D. Use provisions.

1. Limitations.

- (a) Occupation of a single commercial space greater than 5,000 square feet by any food and beverage service or retail sales use requires a special permit.
- (b) The maximum number of dwelling units permitted for any multiunit dwelling residential use is determined by the permitted dimensions of the building and the actual motor vehicle parking spaces provided on a lot as required by Table 2.¹

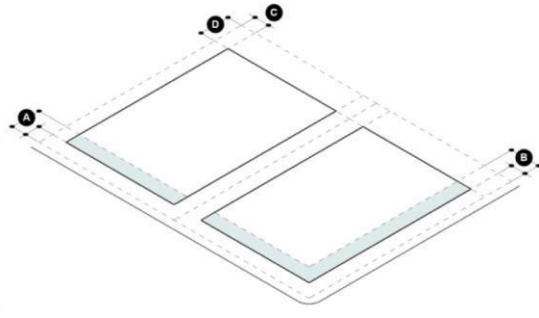
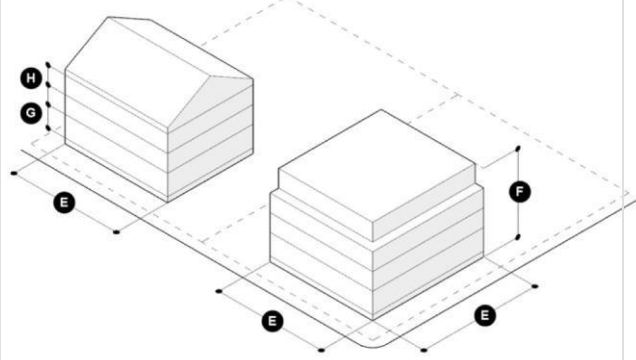
E. Site standards.

1. Driveways, vehicular entrances to parking lots or structures, and curb cuts may be no wider than 24 feet.

F. Landscape standards.

1. A front landscape area is not required if the front setback is zero. When a setback is greater than zero, those portions of the setback not occupied by pedestrian amenities and public spaces shall be landscaped including one canopy tree to be planted every 30 feet of frontage of the property.

Table 4. DV Dimensional Standards

			
Lot		Building Form	
Lot width	30 feet minimum	E-G - Building width	120 feet maximum

1. Editor's Note: See § 240-24.1.5, Standards for all Districts.

Table 4. DV Dimensional Standards

Lot coverage	80% maximum	F – Number of stories	3.5 or 4 maximum¹
Facade buildout (minimum)	—	G – Ground story height	—
Primary frontage	80% minimum	Commercial	14 feet minimum
		Residential	10 feet minimum
Setbacks - Principal Buildings		Upper story height	10 feet minimum
A - Primary front setback	0 foot minimum 15 feet maximum	Building Features	
B - Secondary front setback	0 foot minimum 15 feet maximum	Ground story fenestration	—
C - Side setback	0 foot minimum	Primary frontage	15% minimum
D - Rear setback	0 foot minimum	Secondary frontage	15% minimum
<u>Building Height</u>	<u>3.5 maximum</u>	Upper story fenestration	15% minimum
E – Number of stories			
F – Building height	<u>49 feet maximum</u>	Blank wall	20 feet maximum
		Commercial space depth	20 feet minimum

§ 240-24.1.8. Downtown Neighborhood District (DN).

A. Intent.

1. The Downtown Neighborhood District is intended to promote the traditional uses and form of the neighborhoods adjacent to downtown that are characterized by a variety of 19th and 20th century detached and semi-detached residential building types.

B. Lot standards.

1. Newly platted lots must be dimensioned as specified by Table 5.
2. Lot coverage may not exceed the maximum specified by Table 5.

C. Building standards.

1. One principal building and multiple outbuildings are permitted per lot.
2. Principal buildings and outbuildings are permitted as specified by Table 5.
 - (a) The third story in a single-family or two-family dwelling can only occur within habitable attic space.

D. Use provisions.

1. Limitations.
 - (a) Office and Health Care Clinic uses are permitted only for lots fronting South Street, School Street, or High School Road.
 - (b) Two-unit dwellings are prohibited for lots fronting only Brookshire Road or King's Way.
 - (c) Multiunit dwellings are permitted in the DN District with a maximum of four dwelling units permitted in any one building per lot. In addition, one accessory dwelling unit may be permitted per lot. Multiunit dwellings shall be prohibited for lots fronting on only Brookshire Road or King's Way.

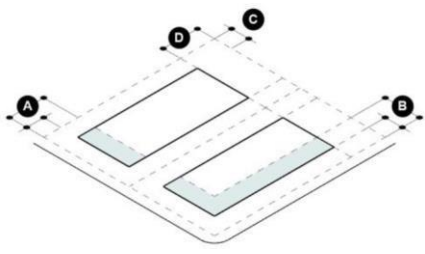
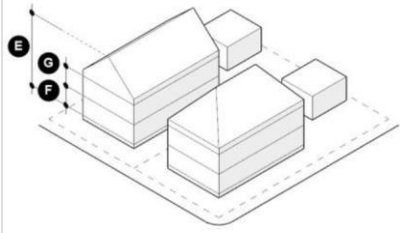
E. Site development.

1. Development on corner lots must comply with the provisions of § 240-41 of the Barnstable Zoning Ordinance.
2. Curb cuts may be no wider than 12 feet.
3. Outdoor lighting must be shielded and provide total cutoff of all light at the boundaries of the lot under development.
4. Fences greater than four feet in height in the frontage area and seven feet in height in all other locations at any point along their length require a special permit.

F. Landscape standards.

1. A perimeter green space of not less than 10 feet in width shall be provided, such space

to be planted and maintained as green area and to be broken only in a front yard by a driveway.

Table 5. DN Dimensional Standards			
			
Lot		Building Form	
Lot width	20 feet minimum	E – Number of stories	3 maximum¹
Lot coverage	50% maximum	F – Ground story height	10 feet minimum
Setbacks - Principal Buildings		G – Upper story height	10 feet minimum
A - Primary front setback	10 feet minimum 20 feet maximum	<u>Building Height</u> G – Number of stories	<u>3 maximum¹</u>
B - Secondary front setback	10 feet minimum 20 feet maximum	H – Building height	42 feet maximum
C - Side setback	10 feet minimum		
D - Rear setback	20 feet minimum		
Setbacks - Outbuildings			
Front setback	60 feet minimum		
Side setback	3 feet minimum		
Rear setback	3 feet minimum		

¹

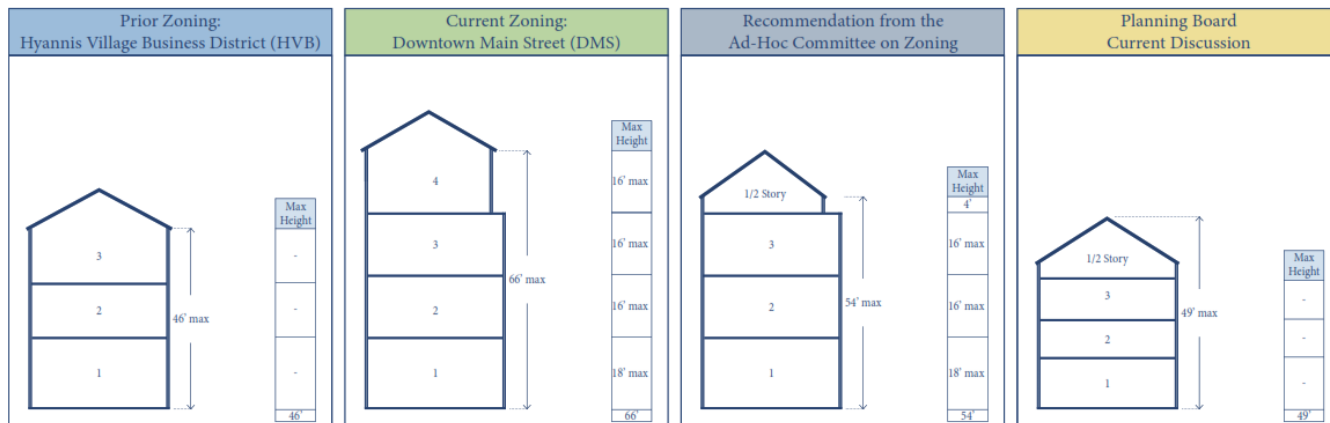
See § 240-24.1.8C2(a)

§ 240-24.1.8C2(a)

The third story in a single-family or two-family dwelling can only occur within habitable attic space.

Downtown Hyannis Zoning Building Height Comparison

			Prior Zoning: Hyannis Village Business District (HVB)	Current Zoning: Downtown Main Street (DMS)	Recommendation from the Ad-Hoc Committee on Zoning	Planning Board Current Discussion
Number of Stories		Minimum	-	-	-	-
		Maximum	3 stories	3.5 stories or 4 (with setback)	3 - 3.5 stories	3.5 stories
Ground Floor Height	Ground Story Height Commercial	Minimum	-	14' min	14' min	-
		Maximum	-	Greater than 18' = 2 stories	Greater than 18' = 2 stories	-
	Ground Story Height Residential	Minimum	-	10' min	10' min	-
		Maximum	-	Greater than 18' = 2 stories	Greater than 18' = 2 stories	-
	Upper Story Height	Minimum	-	10' min	10' min	-
		Maximum	-	Greater than 16' = 2 stories	Greater than 16' = 2 stories	-
Building Height Measurement Method			Top of plate	Top of plate	Top of plate	Top of ridge
Maximum Overall Building Height			46' (plus height of roof)	66' (plus height of roof)	54' (plus height of roof)	49' (to top of ridge)



Downtown Hyannis Existing Building Height Comparisons

Town of Barnstable
December 8, 2025



561 Main Street

- The measurement from the edge of pavement to the building ridge height is **28.2 feet**



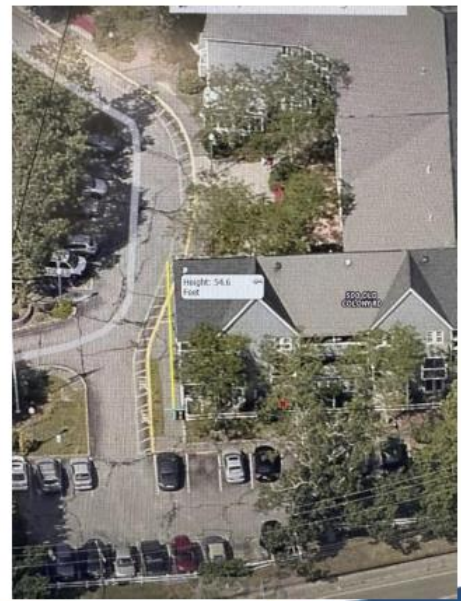
615 Main Street

- The measurement from the edge of pavement to the building ridge height is **40.9 feet**



500 Old Colony Road

- Per the ConnectExplorer Building Height Tool, the building height is **54.6 feet**



357 Main Street

- Per the ConnectExplorer Building Height Tool, the building height is **55.3 feet**



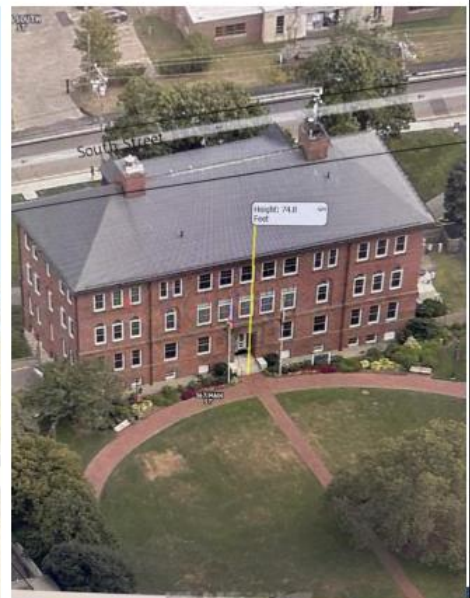
89 Lewis Bay Road

- Per the recorded Regulatory Agreement for this property, the building height is **48.5 feet**, while the height of structures containing stairwells/elevators is **61 feet**



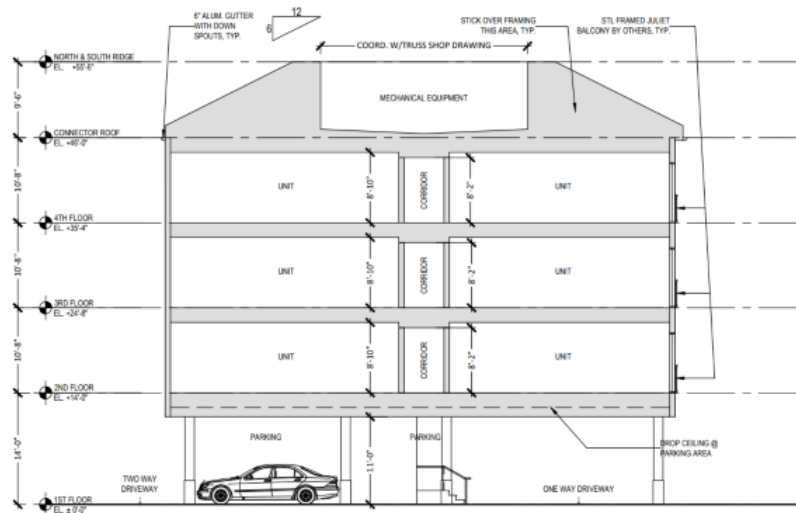
357 Main Street (Town Hall)

- Per the ConnectExplorer Building Height Tool, the building height is **74.8 feet**



201 Main Street

- Per building plans, the 201 Main Street project will have a height of 55.5 feet



A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-006

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

**2026-006 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING TO REPEAL THE
DOWNTOWN VILLAGE DISTRICT AND AMEND THE ZONING MAP TO
REPLACE THE DOWNTOWN VILLAGE DISTRICT WITH THE DOWNTOWN
NEIGHBORHOOD ZONING DISTRICT**

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

SECTION 1

By amending the Zoning Map of Barnstable, Mass. Dated September 1, 1998, as previously amended, as referenced in Article II, Section 240-6, to repeal the “Downtown Village District” and replace it with the “Downtown Neighborhood District”, as shown on the draft map dated 4-1-25, prepared by the Town of Barnstable Geographical Information System Unit, and entitled “Downtown Hyannis Zoning Districts”.

SECTION 2

By amending Article II, Section 240-5, Establishment of districts, by deleting the “DV Downtown Village” district where it appears under the heading “Downtown Hyannis Zoning District”.

SECTION 3

By amending Article III, Section 240-24.1.5 by deleting in subsection B, Table 1, the “DV” column in its entirety.

SECTION 4

By further amending Section 240-24.1.5. by deleting in subsection C, Table 2, the “DV” column in its entirety.

SECTION 5

By amending Article III by deleting Section 240-24.1.7 Downtown Village District (DV) in its entirety and inserting “Section 240-24.1.7 Reserved” in its place.

SECTION 6

By amending Article III, Section 240-24.1.13 Tables by deleting the “DV” column in its entirety.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
<u>07/17/2025</u>	<u>No action taken</u>
<u>08/21/2025</u>	<u>First Reading Refer to Planning Board</u>
<u>01/29/2026</u>	<u>Open Public Hearing and continue to 02/12/2026</u>

- ☐ Read Item
- ☐ Motion to Open Public Hearing
- ☐ Rationale
- ☐ Public Hearing
- ☐ Close Public Hearing
- ☐ Council Discussion
- ☒ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-006

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: James Kupfer, Director, Planning & Development Department
DATE: June 30, 2025
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning to delete the Downtown Village District and to amend the zoning map to expand the Downtown Neighborhood Zoning District in all locations Downtown Village District exists and to delete the Downtown Village District

BACKGROUND: These proposed zoning amendments follow discussions by the Town Council Ad-Hoc Subcommittee regarding necessary updates to Chapter 240 Zoning Ordinance. The Committee has recommended revising the outer extents of the Downtown Hyannis Zoning Districts to limit density, heights, lot coverage and increase setbacks. The subcommittee determined that Downtown Neighborhood District better aligns with surrounding neighborhoods. The amendments eliminate the Downtown Village District and expand the Downtown Neighborhood District.

Zoning amendments are processed in accordance with Massachusetts General Law (MGL) Chapter 40A, Section 5. Adoption or change of zoning ordinances may be initiated by the submission to the Town Council of a proposed zoning ordinance by different parties, including the Town Council itself.

ANALYSIS: The proposed changes will reduce maximum allowable building heights, limit overall density, limit lot coverage and increase setbacks to seek more compatible development with existing structures and neighborhood character. The proposed amended zoning district boundaries may be necessary to reflect appropriate height and density transitions.

FISCAL IMPACT: There is no significant fiscal impact associated with this item.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, supports this item.

STAFF SUPPORT: James Kupfer, Director, Planning & Development Department

§ 240-5. Establishment of districts. [Amended 7-15-1999; 10-26-2000; 2-1-2001;11-18-2004 by Order No. 2004-113; 1-20-2005 by Order No. 2005-038; 1-20-2005 by Order No. 2005-039; 7-14-2005 by Order No. 2005-100; 5-10-2007 by Order No. 2007-101; 2-28-2008 by Order No. 2008-077; 2-28-2008 by Order No. 2008-090; 4-3-2008 by Order No. 2008-091; 6-17-2010 by Order No. 2010-122; 10-7-2010 by Order No. 2010-159; 9-8-2011 by Order No. 2011-138; 2-6-2014 by Order No. 2014-050; 4-27-2017 by Order No. 2017-100; 10-21-2021 by Order No. 2022-007; 2-2-2023 by Order No. 2022-1442-2-2023 by Order No. 2022-146]

In order to carry out the purpose of this chapter, the following districts are hereby established:

Residential Districts

RB	Residence B District
RC	Residence C District
RC-1	Residence C-1 District
RC-2	Residence C-2 District
RC-2C	Residence 2-C (Pond Village District)
RD	Residence D District
RD-1	Residence D-1 District
RF	Residence F District
RF-1	Residence F-1 District
RF-2	Residence F-2 District
RG	Residence G District
RAH	Residence AH District
MAH	Multi-Family Affordable Housing MAH District

Office Districts

HO	Highway Office District
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Commercial Districts

B	Business District
BA	Business A District
MB-A1	Marine Business A1 District
MB-A2	Marine Business A2 District
MB-B	Marine Business B District
VB-A	Village Business A District
HB	Highway Business District

Commercial Districts

UB Urban Business District
S&D Service and Distribution District SD-1
Service and Distribution District MMV Marston
Mills Village District
WBVBD West Barnstable Village Business District

Downtown Hyannis Zoning District DMS

DMS Downtown Main Street
~~DV Downtown Village~~
DN Downtown Neighborhood
HH Hyannis Harbor
TC Transportation Center HC
Highway Commercial DH
Downtown Hospital

Industrial Districts

IND LIMITED Industrial Limited District
IND Industrial District

Overlay Districts

GP Groundwater Protection Overlay District
AP Aquifer Protection Overlay District
WP Well Protection Overlay District
 Shopping Center Redevelopment Overlay District
 Adult Use Overlay District
RPOD Resource Protection Overlay District
DOD Dock and Pier Overlay District
 Medical Services Overlay District
 Mixed-Use Subzone of the Medical Services Overlay District
FG-5 Former Grade 5 School Planned Unit Development Overlay District
SCCRC Senior Continuing Care Overlay District
 Recreational Shellfish Area and Shellfish Relay Area Dock and Pier
 Overlay District

Town of Barnstable, MA
§ 240-5

Overlay Districts

Medical Marijuana Overlay District
Registered Recreational Marijuana Cultivators, Research Facilities, and
Testing Laboratories Overlay District

§ 240-24.1.5. Standards for all Districts.

A. Building standards.

1. Frontage types.
 - (a) Buildings must have at least one frontage type except if otherwise specified. Buildings on corner lots must have two frontage types, one for each frontage.
 - (b) Frontage types are permitted as specified by Table 11.¹
 - (c) Multiple frontage types may exist for buildings that have more than one principal entrance.
2. Buildings must have at least one principal entrance located on the facade.
 - (a) Multistory buildings with ground floor commercial space(s) must have one principal entrance for each commercial space in addition to any principal entrance(s) necessary for any upper stories.
3. Buildings may not exceed the maximum number of stories as specified for each district.
 - (a) Each individual story of a building must comply with the minimum and maximum story height specified for each district.
 - (b) Story height is measured vertically from the surface of the finished floor to the surface of the finished floor above. When there is no floor above, story height is measured from the surface of the finished floor to the top of the structural beam or joists above or the top of the wall plate, whichever is more.
 - (c) The ground story is always counted as one story, except that a single ground story over 18 feet in height is counted as two stories.
 - (d) Each upper story is counted as one additional story, except that any upper story over 16 feet is counted as two stories.
 - (e) Basements are not counted as one story unless the finished floor of the ground story is five feet or more above the average ground level of the lot.
 - (f) Habitable space located directly under a pitched roof is counted as a 0.5 story.
 - (i) The roof rafters of a half story must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two feet above the finished floor of the half story.
 - (g) Nonhabitable attic space located under a pitched roof is not counted a half story.
 - (h) Pitched roofs with a slope greater than 12:12 require a special permit.
4. Buildings may not exceed the maximum building height specified for each district, as applicable.

1. Editor's Note: See § 240-24.1.13, Tables.

- (a) Building height is measured as the vertical distance from the average finished ground level to the top of the structural beam or joists of the uppermost story.
- 5. Non-habitable architectural features including, but not limited to, mechanical and stairwell penthouses; vents or exhausts; solar panels or skylights; belfries, chimneys, cupolas, parapets, spires, and steeples are not included in any building height or story calculations and are permitted on roofs.
- 6. Building components are permitted as specified by Table 12.²
- 7. Facades must have fenestration as specified for each district, as applicable.
 - (a) Fenestration is calculated as a percentage of the area of a facade.
 - (b) For buildings with ground story commercial spaces, ground story fenestration is measured between two feet and 12 feet above the finished floor of the ground story.
 - (c) For all other buildings and all other building stories, fenestration is measured independently for each story, corresponding with the top of a finished floor to the top of the finished floor above.
- 8. Fenestration enclosed with glass may be included in the calculation if it meets the following criteria:
 - (a) For ground story fenestration, glazing must have a minimum 60% Visible Light Transmittance (VLT) and no more than 15% Visible Light Reflectance (VLR) as indicated by the manufacturer.
 - (b) For upper story fenestration, glazing must have a minimum of 40% VLT and no more than 15% VLR as indicated by the manufacturer.

B. Use provisions.

1. General.

- (a) The use of real property is permitted as specified by Table 1.
 - (i) Table 1 is organized by broad use categories and specific uses that may be regulated differently than other uses from the same category.
 - (ii) Use categories are intended to include uses with similar functional, product, or physical characteristics; the type and amount of activity; the manner of tenancy; the conduct of customers; how goods or services are sold or delivered; and the likely impacts on surrounding properties.
 - (iii) Where Table 1 identifies a category followed by "except as follows" any use that meets the definition of that use category is permitted by right, while the specific uses identified in the list under that category are either not permitted, are permitted with limitations, or require a special permit despite belonging to the same use category.

2. Editor's Note: See § 240-24.1.13, Tables.

- (iv) Where Table 1 identifies a category followed by "as specified below" the specific uses listed under the category are the only land uses permitted from that use category.
- (b) The Building Commissioner shall classify the actual use of land or structures using the defined use categories specified on Table 1. Also see § 240-24.1.4, Definitions.
 - (i) Real property may have one or more principal use(s).
 - (ii) Once classified into a use category, the use of land or structures in the same manner cannot also be classified into another use category.
 - (iii) The use of land or structures in a manner that is inconsistent with a permitted use category or specific use type specified on Table 1 is prohibited.
 - (iv) Unless classified as a specific use that is not permitted in a zoning district, an existing nonconforming use may be changed to another nonconforming use that is from the same use category as the existing nonconforming use by special permit.
 - (v) A nonconforming use may not change to a different nonconforming use that is from a different use category than the existing nonconforming use.
- (c) Accessory uses are permitted as set forth in Article V of the Barnstable Zoning Ordinance.

Table 1.							
Use Category Specific Use	DMS	DV	DN	DH	HH	TC	HC
Commercial services (except as follows)	P	P	N	P	P	P	P
Automobile maintenance and repair	N	N	N	N	N	N	N
Boat storage and repair	N	N	N	N	P	N	N
Contractor services	N	N	N	N	N	N	N
Funeral services	N	N	N	N	N	N	N
Marina	N	N	N	N	P	N	N
Commercial parking	N	N	N	N	N	P	SP
Public transportation maintenance	N	N	N	N	N	SP	N
Recreational facility	SP	SP	N	SP	SP	SP	SP
Self-storage facility	N	N	N	N	N	N	SP
Veterinary services	SP	SP	N	N	N	N	P
Cultural services (as specified below)	—	—	—	—	—	—	—
Arts and culture establishments	P	P	N	N	P	P	P
Fraternal and social organizations	P	P	N	N	P	P	P
Performing arts and theaters	P	P	N	N	P	P	P
Artist live/work	P	P	P	N	P	P	N

Table 1.

Use Category Specific Use	DMS	DP	DN	DH	HH	TC	HC
Food and beverage services (except as follows)	L	L	N	SP	L	L	SP
Brewery/distillery	L	N	N	N	N	N	N
Hospital	N	N	N	P	N	N	N
Office (except as follows)	P	P	L	P	P	P	P
Health care clinic	P	P	L	P	P	N	P
Research and development	P	P	N	P	P	N	P
Residential (as specified below)	—	—	—	—	—	—	—
Multiunit dwelling	L	L	L	N	L	L	N
Two-unit dwelling	P	P	L	N	N	N	N
Single unit dwelling	N	P	P	N	N	N	N
Retail sales (except as follows)	L	L	N	SP	L	L	SP
Boat sales	N	N	N	N	SP	N	N
Gasoline sales	N	N	N	N	N	N	N
Motor vehicle sales	N	N	N	N	N	N	N
Visitor accommodations (as specified below)	—	—	—	—	—	—	—
Hotel/motel	P	N	N	N	P	N	P
Bed-and-breakfast	N	P	P	N	P	N	N

P Permitted by right

SP Special permit

N Not permitted

L Permitted with limitations (see district)

C. Parking standards.

1. Applicability.

- (a) Parking is required based on the intended use of floor area within a building at construction permitting and not for the subsequent establishment, change, or expansion of any permitted use; or the renovation of any existing principal building.

2. General.

- (a) Accessory parking must be provided as specified by Table 2 and is calculated as the sum of all required spaces, including any adjustment specified for on-site shared parking.

- (i) Commercial parking uses are exempt from Table 2.
 - (b) Relief from the parking requirements of Table 2 requires a special permit.
 - (c) In its discretion to approve or deny a special permit authorizing relief from the minimum parking requirements of Table 2, the Planning Board shall consider conditioning the special permit upon one or more of the following:
 - (i) Elimination or reduction of existing curb cuts and driveway aprons.
 - (ii) Establishment of a shared driveway or cross-access connection between abutting parking lots with a binding easement and joint maintenance agreement defining the responsibilities of abutting property owners sharing access.
3. Location.
- (a) Accessory parking spaces must be located on the same lot as the building they support and may be provided within a principal building or outbuilding or as surface parking.
 - (b) Motor vehicle parking of any type is prohibited within the frontage area of a lot and any required landscape buffer.
 - (i) Real property in the Highway Commercial (HC) district or in the Downtown Hospital (DH) district is exempt.

Table 2. Minimum Required Accessory Parking Spaces								
Use Category	DMS	DA	DN	DH	HH	TC	HC	On Site Shared Parking Adjustment ¹
Commercial services (per 1,000 square feet)	0	4	N/A	4	4	4	4	Reduce by 50% the required spaces for commercial services where mixed with residential uses on the same lot
Cultural services (per 1,000 square feet)	0	4	4	4	N/A	4	4	Reduce by 20% the required spaces for cultural services where mixed with residential uses on the same lot
Food and beverage services (per 1,000 square feet)	0	4	N/A	4	4	4	4	—
Hospital (per 3 beds)	N/A	N/A	N/A	1	N/A	N/A	N/A	—
Office (per 1,000 square feet)	3	3	3	3	3	3	3	Reduce by 50% the required spaces for office where mixed with residential uses on the same lot
Residential or artist live/work (per DU)	1	1	1	N/A	1	1	N/A	—

**Table 2.
Minimum Required Accessory Parking Spaces**

Use Category	DMS	DN	DN	DH	HH	TC	HC	On Site Shared Parking Adjustment ¹
Retail sales (per 1,000 square feet)	0	4	N/A	4	4	4	4	Reduce by 20% the required spaces for retail sales where mixed with residential uses on the same lot
Visitor accommodations (per room)	1.25	1.25	1.25	N/A	1.25	N/A	1.25	—

D. Site standards.

1. Forecourts.

- (a) Driveways and passenger drop-offs are permitted in forecourts by special permit.
 - (i) Real property in the Downtown Hospital (DH) district is exempt.
- (b) Garage entrances, parking spaces, loading and service areas, exhaust vents, mechanical equipment, and refuse or recycling storage are not permitted in forecourts.

2. Landscaping.

- (a) Lot area uncovered by structures or impermeable surfaces must be landscaped.
- (b) New canopy trees must be at least 14 feet in height or three inches in caliper when planted.
- (c) New understory trees must be at least 10 feet in height or 1.5 inches in caliper when planted.
- (d) New evergreen trees must be at least six feet in height when planted.
- (e) Vegetation must be low-water-use and low-maintenance plant species that are indigenous to Cape Cod. Plant species should be capable of withstanding seasonably wet conditions and provide habitat value for wildlife.
- (f) Landscaped areas must be maintained, irrigated, and fertilized. Vegetation should be organically maintained to every extent practicable.
- (g) Vegetation may not obscure any driveways, vehicular entrances, or roadway intersections.
- (h) Mulch may not be placed in a manner that will wash into catch basins or drainage pipes.
- (i) All site plan and special permit applications for development or modifications that meet or exceed the thresholds established in § 240-24.1.3B2(b)(i) must submit a landscape plan(s) signed and stamped by a MA registered landscape architect.
- (j) The Building Commissioner shall not issue a certificate of occupancy until the

landscaping has been installed in accordance with the approved plans unless the property owner posts security to the Town of Barnstable for 150% of the estimated cost of installation of the landscaping.

- (k) All development and/or modifications that meet or exceed the thresholds established in § 240-24.1.3B2(b)(i) shall provide financial security for 150% of the estimated cost of plant installation for the duration of three years after planting has been installed and must be provided prior to issuance of any certificate of occupancy in a form acceptable to the Town Attorney's Office. The cost estimate shall be prepared by a qualified professional and submitted to the Director of Planning and Development for approval. Upon completion of planting, the applicant must request an inspection. The three-year maintenance period commences upon approved inspection. Partial release of the security may be authorized after approved inspection, not to exceed 50%. The full security shall be returned to the applicant or their successors after three years upon final inspection by the Director of Planning & Development. The Town reserves the right upon noncompliance with this section to pursue all available legal and equitable remedies to compel compliance. (l) Any fractional value required for plant materials is rounded up to the next whole number.

3. Stormwater management.

- (a) Rain gardens should be used to the maximum extent practicable. Rain gardens are defined as landscaped areas designed to absorb and filter stormwater runoff from impervious surfaces.

4. Signs.

- (a) All development shall comply with the applicable signage requirements contained in Article VII, Sign Regulations, at §§ 240-59 through 240-89, inclusive, of the Barnstable Zoning Ordinance. Internally illuminated signs are prohibited in the Downtown Hyannis Zoning Districts.

5. Outdoor lighting.

- (a) All outdoor lighting must be directed only on site.
 - (i) The trespass of light at any lot line may not exceed 0.1 footcandle, except that the trespass of light at any lot line abutting a lot in Downtown Neighborhood (DN) district may not exceed 0.05 footcandle.
 - (ii) At driveways, lighting may be up to 0.5 footcandle at the front lot line.
 - (iii) Outdoor lighting may not cause glare that impacts motorists, pedestrians, or neighboring premises.
- (b) Light fixtures must have a total cutoff of all light at less than 90° and a beam cutoff of less than 75°. Attached building or wall pack lighting should be screened by the building's architectural features or contain a 45° cutoff shield.

(c) Electrical service for lighting on posts or poles must be located underground.

6. Fences.

(a) Fences greater than four feet in height in the frontage area and seven feet in height in all other locations at any point along their length require a special permit except that where fencing that is higher than seven feet is needed to screen mechanical equipment, the Building Commissioner may allow a greater height as determined through the site plan review process.

(b) Fences may be no more than 50% open.

(c) Fence posts and supporting rails must face inward toward the property being fenced and the finished face must be oriented towards the abutting lot.

7. Vehicular access.

(a) Driveways, vehicular entrances to parking lots or structures and curb cuts must comply with the minimum or maximum width specified for each district.

(b) Drive-throughs require a special permit and are only permitted for the following uses:

(i) Banks (a specific use of the commercial service use category).

(ii) Pharmacies (a specific use of the retail sales use category).

(c) All new curb cuts require a special permit.

(d) The interior width of a curb cut (between the curb stones or flares) may be no wider than the driveway, vehicular entrance, or loading facility it serves, unless a greater width is determined to be appropriate by the Building Commissioner during the Site Plan Review process based upon unique operational requirements of the proposed use.

(e) A driveway apron may be installed within a sidewalk of an improved way, but the grade, cross slope, and clear width of the pedestrian walkway must be maintained between the driveway apron and the abutting driveway.

(f) The appearance of the pedestrian walkway (i.e., scoring pattern or paving material) must indicate that, although a vehicle may cross to enter a property, the area traversed by a vehicle remains part of the sidewalk.

8. Utilities.

(a) All mechanical equipment must be screened from view from adjacent lots and public rights-of-way and integrated into or compatible with the architectural design of the building.

E. Surface parking lot design standards.

1. Applicability.

- (a) This section is applicable to the construction of any new surface parking lot and the expansion or modification of an existing surface parking lot containing 21 or more parking spaces that increases the number of parking spaces by five or more.
2. General.
- (a) To reduce traffic congestion and increase convenience for customers, employees, and residents, development is encouraged to provide direct vehicular connections between abutting parking lots so that motor vehicles can move between properties without re-entering the public street.
 - (b) To increase walkability and reduce conflicts between pedestrians and motor vehicles, development is encouraged to provide access to rear parking lots via driveways that are shared between abutting properties or multiple properties on the same block face.
3. Surface parking lot landscaping.
- (a) One three-inch minimum caliper low-water-use, low-maintenance tree must be provided for every five parking spaces and must be located within 10 feet of the parking lot. Trees shall be maintained and irrigated as necessary and planted within at least 50 square feet of permeable area. Existing trees located in the interior of parking lots are credited toward this requirement.
 - (b) A front landscaped buffer at least 10 feet wide must be provided between any parking lot and any lot line abutting an improved way and must include the following features over the span of 50 linear feet:
 - (i) One canopy tree.
 - (ii) One understory or evergreen tree.
 - (iii) Five medium shrubs and five small shrubs or a fence or wall a maximum of four feet in height.
 - (c) A side/rear landscaped buffer at least six feet wide must be provided between any side or rear lot line and any parking lot with five or more parking spaces, excluding any vehicular connections to abutting parking lots and must include the following features over the span of 50 linear feet:
 - (i) Two understory or evergreen trees.
 - (ii) Three large shrubs and five small shrubs or a fence or wall at least six feet in height.
 - (d) A landscaped buffer at least 10 feet wide must be provided between any building and any parking lot with 10 or more parking spaces, excluding building entrances, service and loading areas, and utility locations, and must include the following features over the span of 50 linear feet:
 - (i) Two understory or evergreen trees.

- (ii) Four medium shrubs.
- (iii) Six small shrubs.
- (e) At least 10% of any parking lot with 10 or more parking spaces must be landscaped. Lot area required as a landscape buffer is excluded from the calculation of the parking lot area.
- (f) Landscape islands abutting a single row of parking spaces must be at least six feet in width and the same length as the parking spaces. Each island must include one three-inch minimum caliper, low-water-use, low-maintenance tree.
- (g) Landscape islands abutting a double row of parking spaces must be at least eight feet in width and the same length as the parking spaces. Each island must include two three-inch minimum caliper, low-water-use, low-maintenance trees.

~~§ 240-24.1.7. Downtown Village District (DV)~~

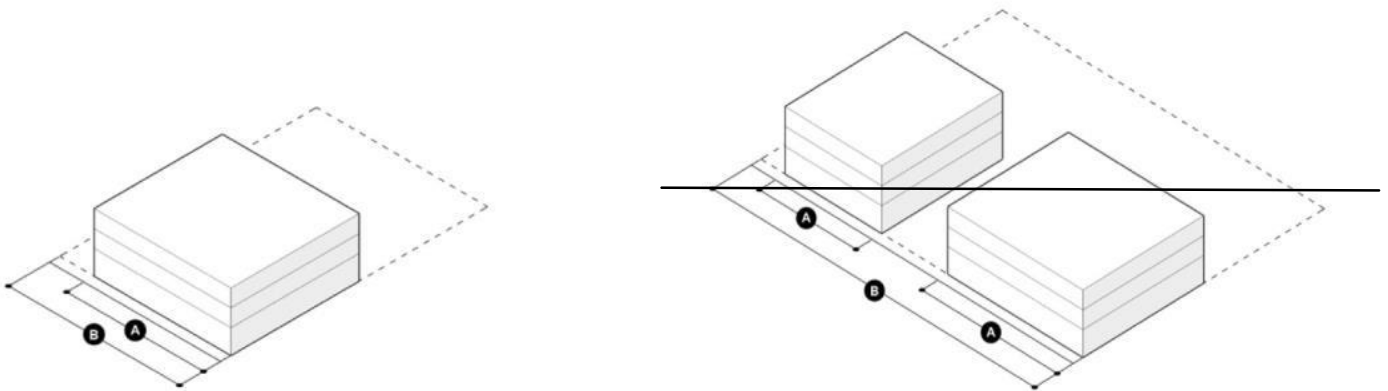
~~A. Intent.~~

- ~~1. The Downtown Village District is intended to promote mixed land uses that support the downtown core and reestablish or preserve traditional neighborhood forms and pedestrian orientation. Development is characterized by mid-rise (two- to four-story) single-use buildings and detached and semi-detached residential buildings.~~

~~B. Lot standards.~~

- ~~1. Newly platted lots must be dimensioned as specified by Table 4.~~
- ~~2. Lot coverage may not exceed the maximum specified by Table 4.~~
- ~~3. Building facades must have a minimum width that is equal to a percentage of a lot's width and is specified as the facade buildout on Table 4.~~
 - ~~(a) Facade buildout is calculated by dividing the total width of all facades at or forward of the maximum front setback by the lot width and may be cumulatively calculated by multiple buildings.~~
 - ~~(b) The open space of a forecourt is considered part of the building for the purpose of measuring building width and facade buildout.~~
 - ~~(c) The SPGA may provide relief from the facade buildout requirements; the Board must find the issuance of the special permit is consistent with the design and infrastructure plan.~~

Facade Build Out



~~Single Building per Lot = $A \div B$ Multiple Buildings per Lot = $(A + A) \div B$~~

~~C. Building standards.~~

- ~~1. Multiple principal buildings are permitted per lot.~~
- ~~2. Principal buildings are permitted as specified by Table 4.~~

§ 240-24.1.7

~~(a) Additional principal buildings are exempt from the required maximum front setback.~~

~~3. Principal building facade(s) must be built parallel to any primary front lot line, at or between the minimum and maximum front setbacks.~~

~~4. The fourth story of any building must be recessed ("stepped back") from the facade of the stories below at least eight feet.~~

~~5. Mechanical and stairwell penthouses and building systems equipment must be set back from any exterior wall a distance that is equal to their height.~~

~~D. Use provisions.~~

~~1. Limitations.~~

~~(b) Occupation of a single commercial space greater than 5,000 square feet by any food and beverage service or retail sales use requires a special permit.~~

~~(c) The maximum number of dwelling units permitted for any multiunit dwelling residential use is determined by the permitted dimensions of the building and the actual motor vehicle parking spaces provided on a lot as required by Table 2.1~~

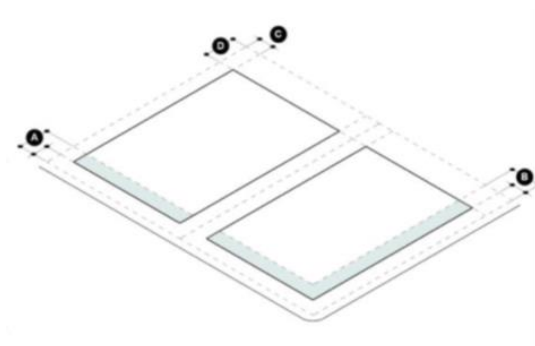
~~E. Site standards.~~

~~1. Driveways, vehicular entrances to parking lots or structures, and curb cuts may be no wider than 24 feet.~~

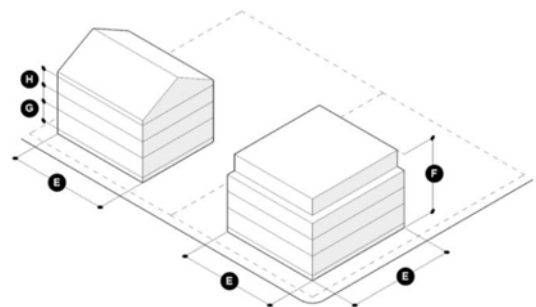
~~F. Landscape standards.~~

~~1. A front landscape area is not required if the front setback is zero. When a setback is greater than zero, those portions of the setback not occupied by pedestrian amenities and public spaces shall be landscaped including one canopy tree to be planted every 30 feet of frontage of the property.~~

Table 4. DV Dimensional Standards



Lot



Building Form

1. ~~Editor's Note: See § 240-24.1.5, Standards for all Districts.~~

Table 4. DV Dimensional Standards

Lot width	30 feet minimum	E—Building width	120 feet maximum
Lot coverage	80% maximum	F—Number of stories	3.5 or 4 maximum ¹
Facade buildout (minimum)	—	G—Ground story height	—
Primary frontage	80% minimum	Commercial	14 feet minimum
Setbacks—Principal Buildings		Residential	10 feet minimum
		Upper story height	10 feet minimum
A—Primary front setback		0 foot minimum 15 feet maximum	Building Features
B—Secondary front setback	0 foot minimum 15 feet maximum	Ground story fenestration	—
C—Side setback	0 foot minimum	Primary frontage	15% minimum
D—Rear setback	0 foot minimum	Secondary frontage	15% minimum
		Upper story fenestration	15% minimum
		Blank wall	20 feet maximum
		Commercial space depth	20 feet minimum

¹ See § 240-24.1.7C4 (fourth story step back).

Chapter 240. Zoning
Article III. District Regulations
§ 240-24.1.13. Tables.

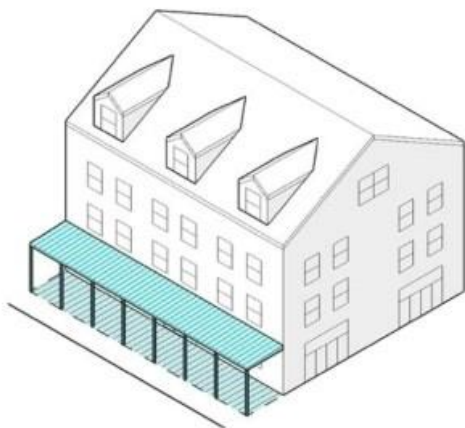
Table 10. Dimensional Standards Summary Table							
	DMS	DV	DN	DH	HH	TC	HC
A. Lot							
Lot width	30 feet minimum	30 feet minimum	20 feet minimum	50 feet minimum	20 feet minimum	50 feet minimum	50 feet minimum
Lot coverage	100% maximum	80% maximum	50% maximum	100% maximum	90% maximum	65% maximum	80% maximum
Facade buildout	—	—	—	—	—	—	—
Primary frontage	80% minimum	80% minimum	—	—	—	—	—
Secondary frontage	40% minimum	—	—	—	—	—	—
B. Setbacks - Principal Building							
Primary front setback	0 foot minimum 15 feet maximum	0-foot minimum 15 feet maximum	10 feet minimum 20 feet maximum	20 feet minimum	20 feet minimum	20 feet minimum	60 feet maximum
Lots fronting Route 28	—	—	—	—	—	50 feet minimum	20 feet minimum
Secondary front setback	0 foot minimum 15 feet maximum	0-foot minimum 15 feet maximum	10 feet minimum 20 feet maximum	20 feet minimum	20 feet minimum	20 feet minimum	20 feet minimum
Side setback	0 foot minimum	0-foot minimum	10 feet minimum	10 feet minimum	10 feet minimum	10 feet minimum	10 feet minimum
Rear setback	0 foot minimum	0-foot minimum	20 feet minimum	10 feet minimum	10 feet minimum	10 feet minimum	10 feet minimum
C. Setbacks - Outbuilding							
Primary front setback	—	—	60 feet minimum	—	—	—	—
Secondary front setback	—	—	—	—	—	—	—
Side setback	—	—	3 feet minimum	—	—	—	—
Rear setback	—	—	3 feet minimum	—	—	—	—
D. Building Form							
Building width	180 feet maximum	120 feet maximum	—	—	—	—	—
Number of stories	—	—	—	—	—	—	—
Principal building	3.5 or 4 maximum ¹	3.5 or 4 maximum ²	3 maximum ³	6 maximum	2.5 maximum	3 maximum	3 maximum ⁴
Outbuilding	—	—	—	—	—	—	—
Ground story height	—	—	10 feet minimum	—	—	—	—
Commercial	14 feet minimum	14 feet minimum	—	—	—	—	—

Table 10. Dimensional Standards Summary Table							
	DMS	DV	DN	DH	HH	TC	HC
Residential	10 feet minimum	10 feet minimum	—	—	—	—	—
Upper story height	10 feet minimum	10 feet minimum	10 feet minimum	—	—	—	—
Building height	—	—	—	85 feet maximum	35 feet maximum ⁵	40 feet maximum	40 feet maximum
E. Building Features							
Ground story fenestration	—	—	—	—	—	—	—
Primary frontage	60% minimum	15% minimum	—	—	—	—	—
Secondary frontage	15% minimum	15% minimum	—	—	—	—	—
Upper story fenestration	15% minimum	15% minimum	—	—	—	—	—
Blank wall	20 feet maximum	20 feet maximum	—	—	—	—	—
Commercial space depth	20 feet minimum	20 feet minimum					

- ¹ See § 240-24.1.6C6 (fourth Story Step-back).
- ² See § 240-24.1.7C4 (fourth Story Step-back).
- ³ See § 240-24.18C2(a).
- ⁴ See § 240-24.1.12C2(a).
- ⁵ See § 240-24.1.10C2(a).

Table 11. Frontage Types

P - Permitted	N - Not Permitted	DMS	DV	DN	DH	HH	TC	HC
		P	P	N	N/A	P	P	P

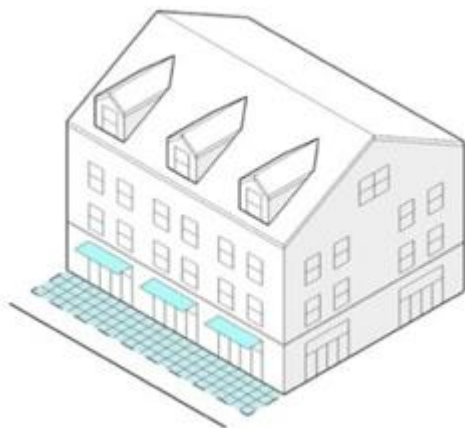


A frontage type consisting of a storefront(s) and an attached colonnade with a roof, open pergola, or balcony overhanging a paved sidewalk. A gallery may wrap around the corner of a building to create a veranda-like gallery.

Storefront		P	P	N	N/A	P	P	P
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Table 11. Frontage Types

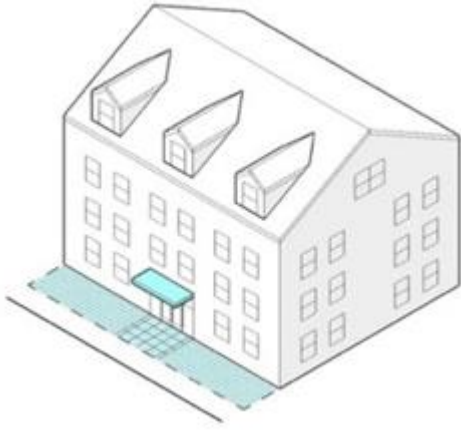
P - Permitted	N - Not Permitted	DMS	DV	DN	DH	HH	TC	HC
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A frontage type consisting of an assembly of commercial entry doors and display windows providing access and light to a commercial space and a place to display goods, services, and signs.

Common Lobby

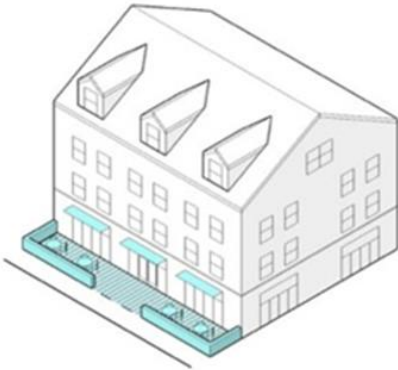
P	P	N	N/A	P	P	P
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A frontage type consisting of an assembly of entry doors and windows providing access and light to the lobby of a building. A common lobby may be combined with an entry plaza or front garden frontage type.

Dining Patio

P	P	N	N/A	P	P	P
---	---	---	-----	---	---	---



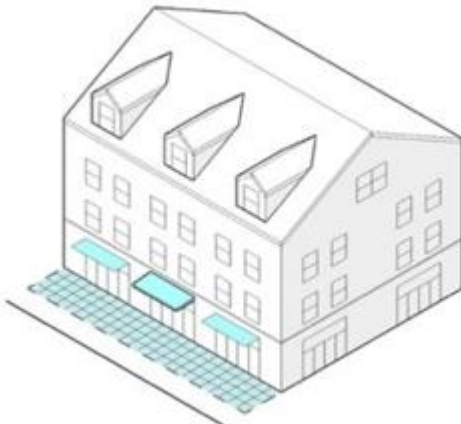
A frontage type consisting of a storefront(s) and outdoor cafe seating in the frontage area.

Entry Plaza

P	P	N	N/A	P	P	P
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Table 11. Frontage Types

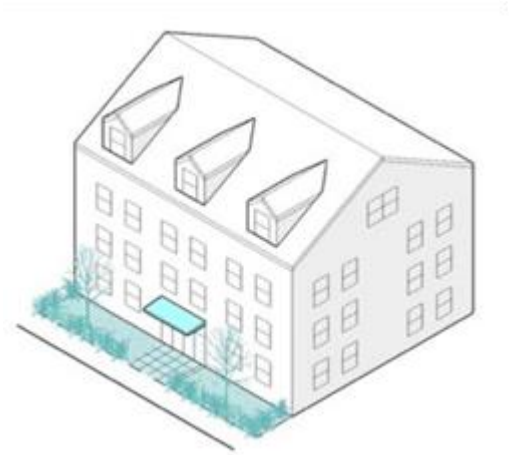
P - Permitted	N - Not Permitted	DMS	DP	DN	DH	HH	TC	HC
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A frontage type consisting of a storefront(s) and a highly paved frontage area. An entry plaza may be combined with a common lobby frontage type.

Front Garden

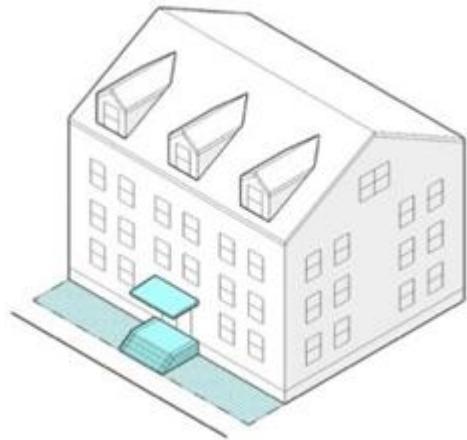
N	N	P	N/A	N	N	N
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A frontage type consisting of a highly landscaped frontage area. A front garden may be combined with a common lobby, dooryard or stoop, or porch frontage type.

Dooryard or Stoop

N	N	P	N/A	N	N	N
---	---	---	-----	---	---	---



A frontage type consisting of a zero-step entrance or a set of stairs with a landing that provides access to the entrance of a building. A dooryard or stoop may be combined with a front garden frontage type.

Table 11. Frontage Types

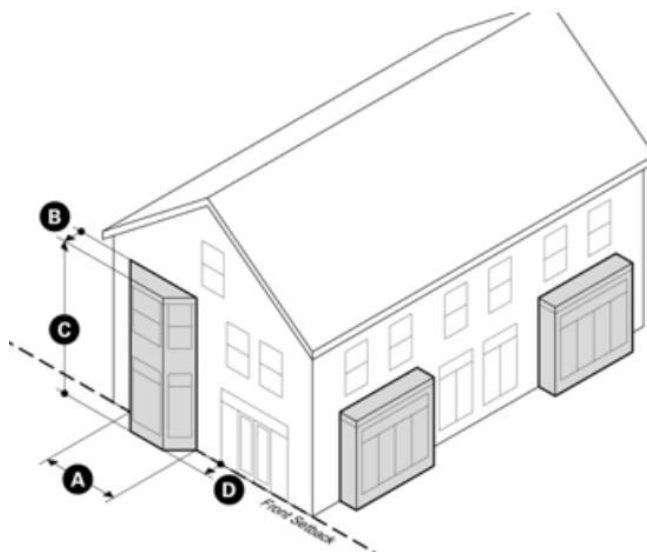
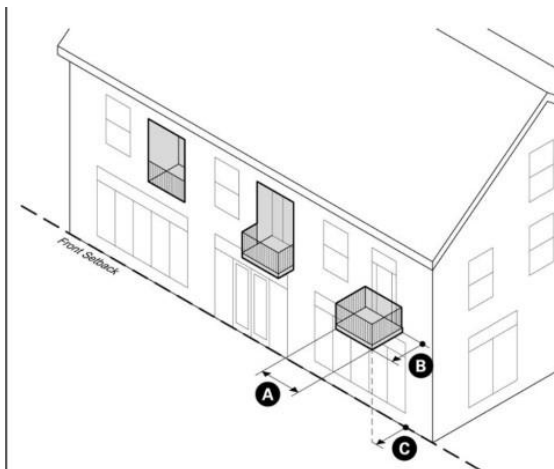
P - Permitted	N - Not Permitted	DMS		DN	DH	HH	TC	HC
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A frontage type consisting of a raised platform with a roof supported by columns, piers, or posts; an area for seating; and an optional set of stairs with a landing that provides access to the entrance of a building. A porch may be combined with a front garden frontage

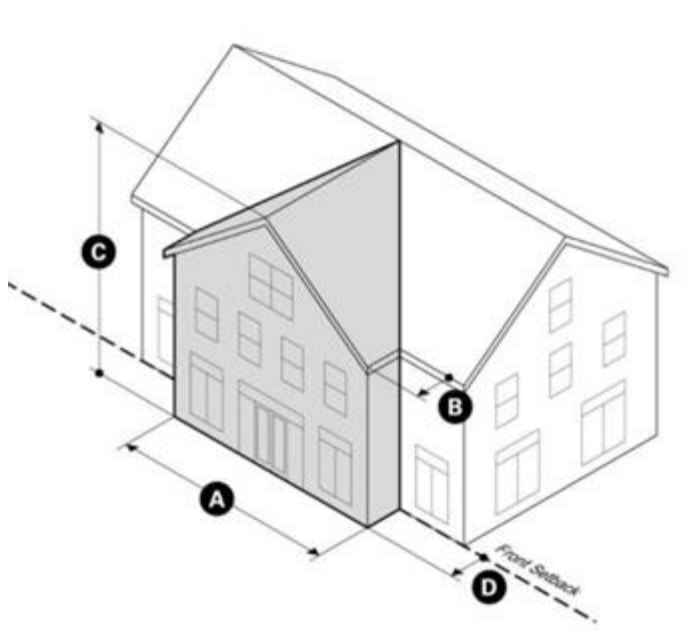
Table 12. Building

A. Balcony

B. Bay or Oriel Window



A	Width (minimum)	5 feet	A	Single bay width (maximum)	16 feet
B	Depth (minimum)	4 feet		Cumulative bay width (maximum)	50% of the width of the exterior wall from which the bays project
	Area (minimum)	20 square feet	B	Projection (maximum)	3 feet
C	Front setback encroachment (maximum)	5 feet	C	Stories (maximum)	Same as the principal building
			D	Front setback encroachment	3 feet
	Design standards: Balconies may attach to any exterior wall of a principal building. Balconies may be recessed, projecting, a combination of the two, or terraced as part of the roof of a permitted building component.			Design standards: Bays may attach to any exterior wall of a principal building. A bay window may have a flat roof.	
C.	Dormer		D.	Cross Gable	
E.	Projecting Gable				



A	Width (maximum)	Equal to the shortest side of the attached primary massing
B	Projection (maximum)	6 feet
C	Height (minimum)	Height of building in stories
D	Front setback encroachment (maximum)	6 feet
	Design standards: A projecting gable may attach only the facade of a principal building. The roof ridge of a projecting gable must be perpendicular to the main roof ridge of the principal building.	



Town of Barnstable Planning Board

www.townofbarnstable.us/planningboard

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Kyle Pedicini

Principal Assistant
Karen Pina

December 23, 2025

Craig Tamash, President
Barnstable Town Council
367 Main Street
Hyannis, MA 02601

23 DEC '25 AM 9:56
BARNSTABLE TOWN CLERK

RE: **Report of the Barnstable Planning Board to Town Council on Item No. 2026-006, a Proposal to Amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, by repealing the Downtown Village District and amending the zoning map to replace the Downtown Village District with the Downtown Neighborhood Zoning District**

Dear President Tamash,

The Planning Board held duly posted and noticed public hearings on September 22, 2025, October 27, 2025, November 24, 2025, and December 22, 2025 on the proposal to amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, by repealing the Downtown Village District and amending the zoning map to replace the Downtown Village District with the Downtown Neighborhood Zoning District.

At the close of the public hearing, a motion was duly made and seconded to NOT recommend to Town Council adoption of the proposed zoning amendment, Item No. 2026-006 as written. The vote approving that motion was a 6-0 vote of members present.

During discussions Board members agreed with the concept of reducing building heights, bulk regulations, and density for properties on the outer limits of the downtown Hyannis zoning districts but expressed concern with repealing the entirety of the DV district. It was stated that the Town should incentivize redevelopment of underutilized and/or blighted properties. Keeping the DV district would allow for a tiered development pattern that may better achieve the original intent of the amendment by reducing building heights, bulk regulations, and density on the outer limits while also incentivizing redevelopment closer to the downtown core.

As such the Board has offered a suggested amended map that keeps the DV zoning intact along North Street and portions of Main Street, while converting much of the existing DV district to DN along the edges of the downtown Hyannis zoning district. A copy of the amended map is attached, as well as the existing zoning map for comparison.

Respectfully Submitted,


12-23-2025

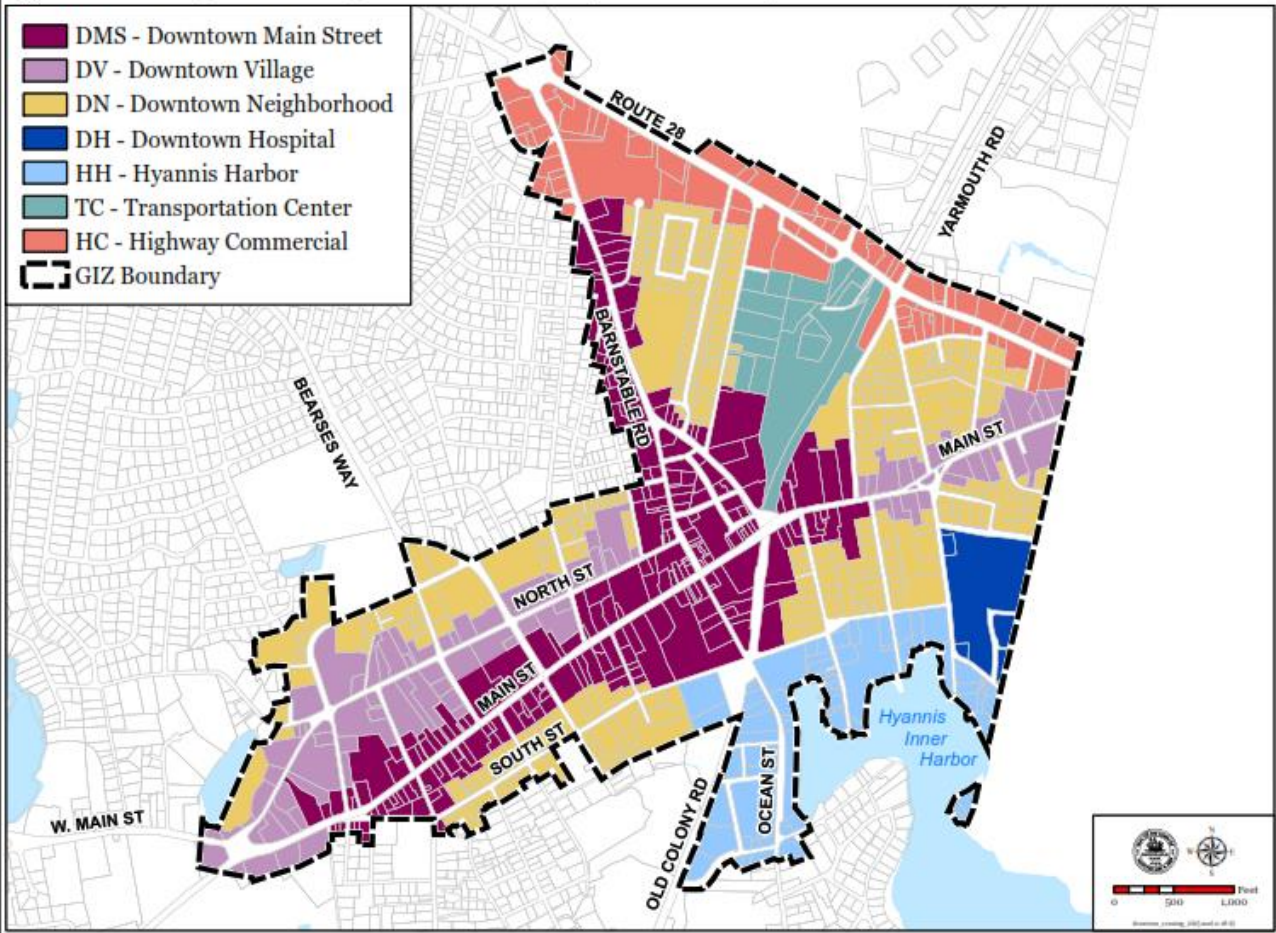
Stephen Robichaud, Planning Board Chair

cc: James Kupfer, Director, Planning & Development
Ann Quirk, Town Clerk

367 Main Street, Hyannis, MA 02601



Downtown Hyannis Zoning Districts – 2025 Proposed District Update

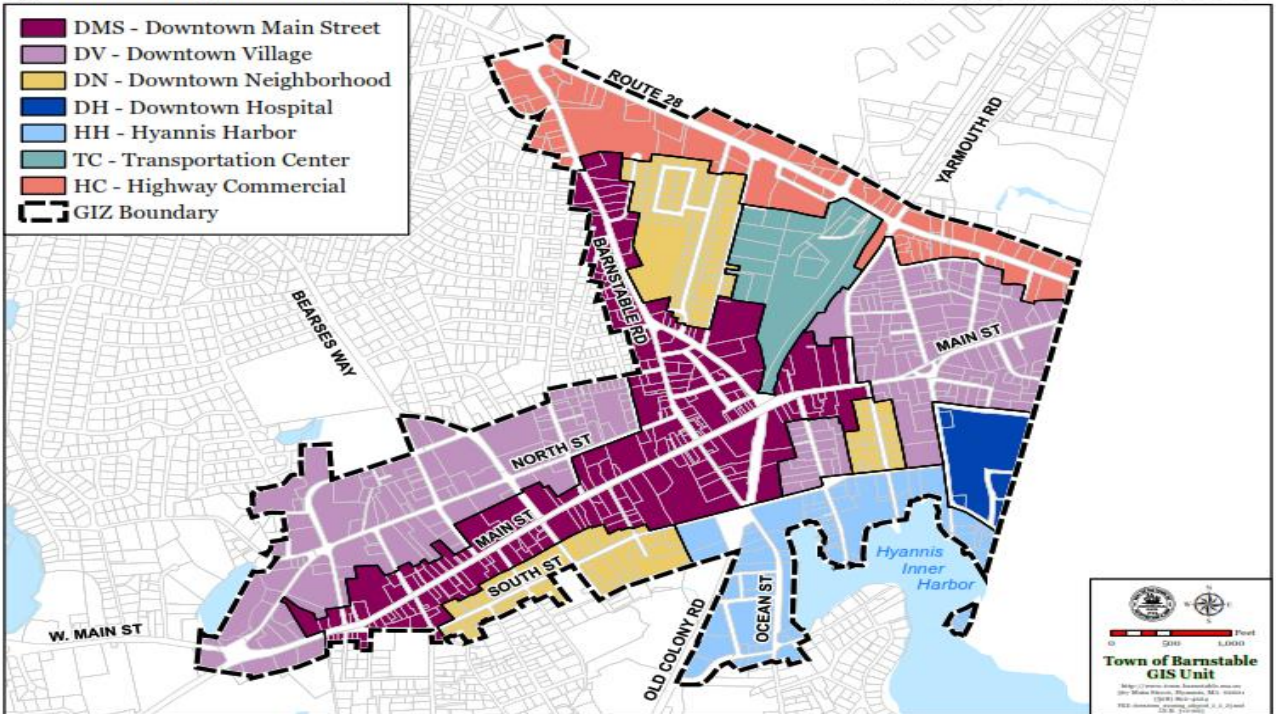


Town of Barnstable



Downtown Hyannis Zoning Districts

Approved On: February 2, 2023



Town Council's Proposed Zoning Map Amendment (Parcels Currently Zoned DV)		
(259) Parcels Impacted		
	ADDRESS	PARCEL ID
1	26 BETTY'S POND ROAD	290093001
2	14 WEST MAIN STREET	290094
3	0 NORTH STREET	290095
4	426 NORTH STREET	290096
5	396 NORTH STREET	290096001
6	765 MAIN STREET (HYANNIS)	290098
7	775 MAIN STREET (HYANNIS)	290099
8	20 SCUDDER AVENUE	290112
9	0 NORTH STREET	290149
10	776 MAIN STREET (HYANNIS)	308001001
11	724 MAIN STREET (HYANNIS)	308002001
12	760 MAIN STREET (HYANNIS)	308002002
13	320 STEVENS STREET	308004
14	300 STEVENS STREET	308005
15	294 STEVENS STREET	308006
16	385 NORTH STREET	308007
17	372 NORTH STREET	308008
18	340 NORTH STREET	308009
19	340 NORTH STREET	308010
20	340 NORTH STREET	308011
21	268 STEVENS STREET	308017
22	248 STEVENS STREET	308018
23	32 PLEASANT HILL LANE	308020
24	6 PLEASANT HILL LANE	308022
25	232 STEVENS STREET	308023
26	167 STEVENS STREET	308024
27	185 STEVENS STREET	308025
28	296 NORTH STREET	308029
29	278 MITCHELL LANE	308033
30	161 STEVENS STREET	308034
31	278 NORTH STREET	308035
32	270 NORTH STREET	308036
33	258 NORTH STREET	308037
34	246 NORTH STREET	308038001
35	244 NORTH STREET	308038002

Planning Board's Proposed Zoning Map Amendment		
(171) Parcels Impacted		
	ADDRESS	PARCEL ID
1	248 STEVENS STREET	308018
2	32 PLEASANT HILL LANE	308020
3	6 PLEASANT HILL LANE	308022
4	232 STEVENS STREET	308023
5	167 STEVENS STREET	308024
6	185 STEVENS STREET	308025CND
7	278 MITCHELL LANE	308033
8	161 STEVENS STREET	308034
9	81 BASSETT LANE	308040
10	89 BASSETT LANE	308041
11	91 BASSETT LANE	308042
12	97 BASSETT LANE	308043
13	46 MITCHELL'S WAY	308254
14	35 MITCHELL'S WAY	308273001
15	200 STEVENS STREET	309001
16	63 LOUIS STREET	309013
17	92 WINTER STREET	309184
18	96 WINTER STREET	309185
19	80 WINTER STREET	309186
20	84 WINTER STREET	309187
21	72 WINTER STREET	309188
22	15 WASHINGTON STREET	309197
23	23 WASHINGTON STREET	309198
24	35 WASHINGTON STREET	309199
25	35 LOUIS STREET	309200
26	39 LOUIS STREET	309201
27	51 LOUIS STREET	309202
28	55 LOUIS STREET	309203
29	59 LOUIS STREET	309204
30	63 LOUIS STREET	309205
31	63 LOUIS STREET	309206
32	65 LOUIS STREET	309207
33	65 LOUIS STREET	309208
34	81 LOUIS STREET	309209
35	91 LOUIS STREET	309210

36	228 NORTH STREET	308039
37	81 BASSETT LANE	308040
38	89 BASSETT LANE	308041
39	91 BASSETT LANE	308042
40	97 BASSETT LANE	308043
41	297 NORTH STREET	308044
42	309 STEVENS STREET	308045
43	325 STEVENS STREET	308046
44	55 SEA STREET EXT	308056
45	54 SEA STREET EXT	308057
46	55 BASSETT LANE	308071
47	249 NORTH STREET	308072
48	259 NORTH STREET	308073002
49	540 MAIN STREET (HYANNIS)	308074
50	181 NORTH STREET	308075
51	35 HIGH SCHOOL ROAD EXT	308076
52	725 MAIN STREET (HYANNIS)	308143
53	749 MAIN STREET (HYANNIS)	308144
54	46 MITCHELL'S WAY	308254
55	223 STEVENS STREET	308258
56	29 BASSETT LANE	308271
57	33 BASSETT LANE	308271001
58	65 SEA STREET EXT	308272
59	35 MITCHELL'S WAY	308273001
60	572 MAIN STREET (HYANNIS)	308278
61	407 NORTH STREET	308282
62	722 MAIN STREET (HYANNIS)	308283
63	200 STEVENS STREET	309001
64	63 LOUIS STREET	309013
65	92 WINTER STREET	309184
66	96 WINTER STREET	309185
67	80 WINTER STREET	309186
68	84 WINTER STREET	309187
69	72 WINTER STREET	309188
70	88 NORTH STREET	309191
71	72 NORTH STREET	309193001
72	70 NORTH STREET	309193002
73	60 NORTH STREET	309194
74	46 NORTH STREET	309195
75	40 NORTH STREET	309196

36	7 STEVENS STREET	309211CND
37	67 WINTER STREET	309215
38	77 WINTER STREET	309216
39	87 WINTER STREET	309217
40	95 HIGH SCHOOL ROAD EXT	309230
41	94 STEVENS STREET	309231
42	160 BASSETT LANE	309232
43	106 BASSETT LANE	309234
44	84 BASSETT LANE	309235
45	105 BASSETT LANE	309236
46	141 STEVENS STREET	309237
47	157 STEVENS STREET	309240
48	70 WINTER STREET	309242CND
49	45 LOUIS STREET	309262
50	90 HIGH SCHOOL ROAD EXT	309265
51	500 OLD COLONY ROAD	326027
52	132 SOUTH STREET	326028
53	93 PLEASANT STREET	326029
54	77 PLEASANT STREET	327118
55	71 PLEASANT STREET	327119
56	63 PLEASANT STREET	327120
57	53 PLEASANT STREET	327121
58	43 PLEASANT STREET	327122
59	35 PLEASANT STREET	327123
60	27 PLEASANT STREET	327124
61	30 PLEASANT STREET	327132
62	40 PLEASANT STREET	327133
63	50 PLEASANT STREET	327134
64	60 PLEASANT STREET	327135
65	78 PLEASANT STREET	327136
66	86 SOUTH STREET	327137
67	76 SOUTH STREET	327138
68	75 YARMOUTH ROAD	327165002
69	68 YARMOUTH ROAD	327166
70	58 YARMOUTH ROAD	327167
71	50 YARMOUTH ROAD	327168
72	44 YARMOUTH ROAD	327169
73	34 YARMOUTH ROAD	327170
74	26 YARMOUTH ROAD	327171
75	11 CAMP STREET	327179

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87	65 LOUIS STREET	309208
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89	91 LOUIS STREET	309210
90	7 STEVENS STREET	309211
91	130 NORTH STREET	309212
92	112 NORTH STREET	309213
93	67 WINTER STREET	309215
94	77 WINTER STREET	309216
95	87 WINTER STREET	309217
96	35 WINTER STREET	309224
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101	94 STEVENS STREET	309231
102	160 BASSETT LANE	309232
103	106 BASSETT LANE	309234
104	84 BASSETT LANE	309235
105	105 BASSETT LANE	309236
106	141 STEVENS STREET	309237
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108	70 WINTER STREET	309242
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110	200 NORTH STREET	309259002
111	184 NORTH STREET	309260
112	45 LOUIS STREET	309262
113	90 HIGH SCHOOL ROAD EXT	309265
114	500 OLD COLONY ROAD	326027
115	132 SOUTH STREET	326028

76	19 CAMP STREET	327180
77	27 CAMP STREET	327181
78	2 LYNXHOLM COURT	327182
79	4 LYNXHOLM COURT	327183
80	5 LYNXHOLM COURT	327184
81	3 LYNXHOLM COURT	327185
82	1 LYNXHOLM COURT	327186
83	53 CAMP STREET	327187
84	27 CROCKER STREET	327188
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91	47 CEDAR STREET	327199
92	104 PARK STREET	327203
93	84 PARK STREET	327204
94	74 PARK STREET	327205
95	67 PARK STREET	327206
96	26 GLEASON STREET	327207
97	20 GLEASON STREET	327208
98	91 PARK STREET	327209
99	105 PARK STREET	327210
100	16 LEWIS BAY ROAD	327211
101	22 LEWIS BAY ROAD	327212
102	20 GLEASON STREET	327214
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115	55 CEDAR STREET	328163

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129	86 SOUTH STREET	327137
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135	44 YARMOUTH ROAD	327169
136	34 YARMOUTH ROAD	327170
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139	174 MAIN STREET (HYANNIS)	327173
140	156 MAIN STREET (HYANNIS)	327175
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142	128 MAIN STREET (HYANNIS)	327178
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144	19 CAMP STREET	327180
145	27 CAMP STREET	327181
146	2 LYNXHOLM COURT	327182
147	4 LYNXHOLM COURT	327183
148	5 LYNXHOLM COURT	327184
149	3 LYNXHOLM COURT	327185
150	1 LYNXHOLM COURT	327186
151	53 CAMP STREET	327187
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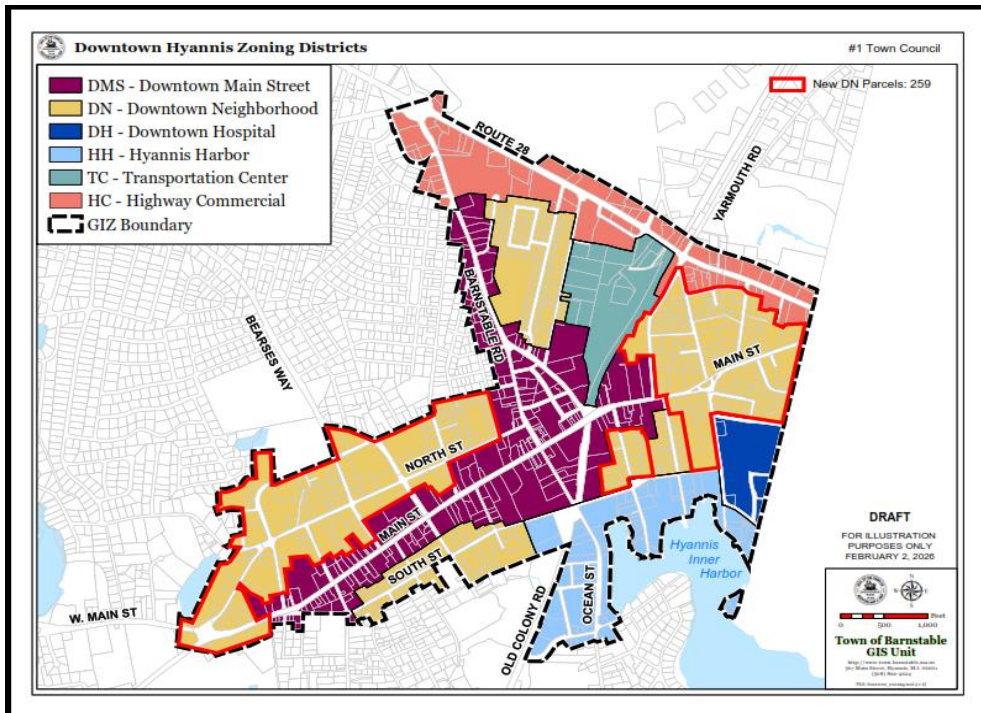
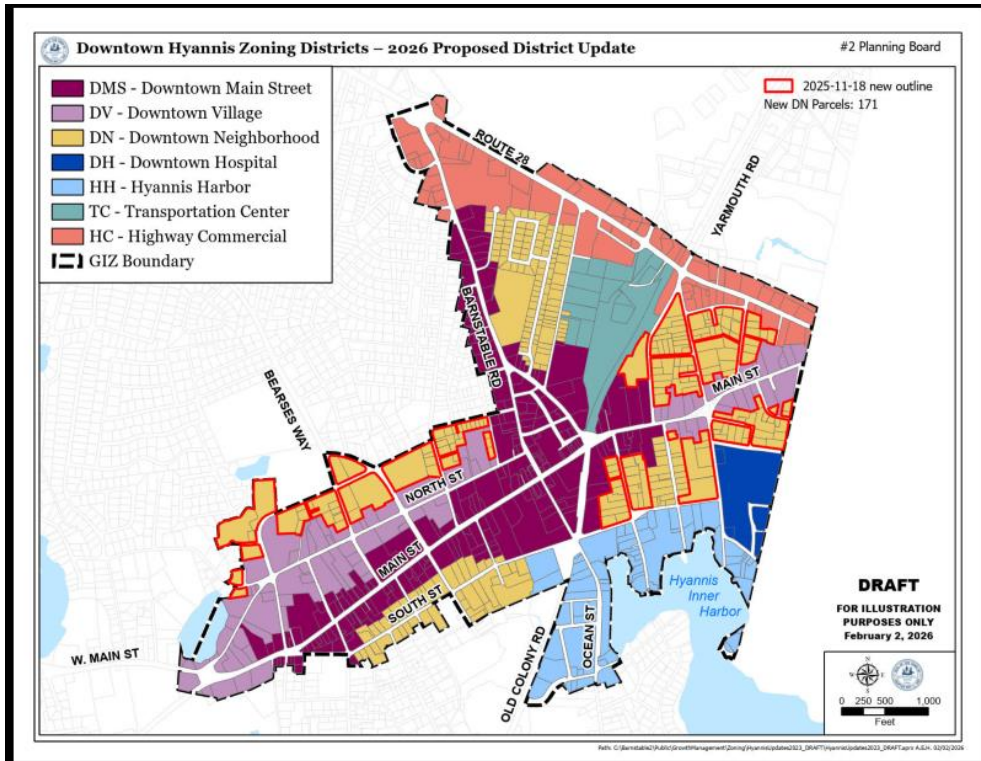
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122	14 EDWARDS ROAD	328170
123	30 TERRY COURT	328171
124	17 EDWARDS ROAD	328172
125	15 EDWARDS ROAD	328173
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127	147 CEDAR STREET	328175
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129	82 CAMP STREET	328177
130	74 CAMP STREET	328178
131	14 TERRY COURT	328179
132	22 TERRY COURT	328181
133	68 CAMP STREET	328184CND
134	80 YARMOUTH ROAD	328185
135	36 CROCKER STREET	328186
136	24 CROCKER STREET	328187
137	65 CAMP STREET	328188001
138	69 CAMP STREET	328188002
139	75 CAMP STREET	328189
140	81 CAMP STREET	328190
141	85 CAMP STREET	328191
142	91 CAMP STREET	328192
143	99 CAMP STREET	328193
144	120 YARMOUTH ROAD	328194
145	140 YARMOUTH ROAD	328195
146	106 YARMOUTH ROAD	328196
147	100 YARMOUTH ROAD	328197
148	88 YARMOUTH ROAD	328198
149	30 CROCKER STREET	328228
150	62 PARK STREET	342002
151	60 PARK STREET	342003CND
152	52 PARK STREET	342004001
153	34 PARK STREET	342005
154	2 PARK STREET	342009
155	79 BAY VIEW STREET	342010

156	110 MAIN STREET (HYANNIS)	327193
157	102 MAIN STREET (HYANNIS)	327194
158	94 MAIN STREET (HYANNIS)	327195
159	15 CEDAR STREET	327196
160	25 CEDAR STREET	327197
161	35 CEDAR STREET	327198
162	47 CEDAR STREET	327199
163	83 MAIN STREET (HYANNIS)	327200
164	97 MAIN STREET (HYANNIS)	327201
165	115 MAIN STREET (HYANNIS)	327202
166	104 PARK STREET	327203
167	84 PARK STREET	327204
168	74 PARK STREET	327205
169	67 PARK STREET	327206
170	26 GLEASON STREET	327207
171	20 GLEASON STREET	327208
172	91 PARK STREET	327209
173	105 PARK STREET	327210
174	16 LEWIS BAY ROAD	327211
175	22 LEWIS BAY ROAD	327212
176	47 PARK STREET	327217
177	89 LEWIS BAY ROAD	327223
178	61 LEWIS BAY ROAD	327224
179	43 LEWIS BAY ROAD	327225
180	29 LEWIS BAY ROAD	327227
181	21 LEWIS BAY ROAD	327228
182	135 MAIN STREET (HYANNIS)	327229
183	149 MAIN STREET (HYANNIS)	327230
184	155 MAIN STREET (HYANNIS)	327231
185	171 MAIN STREET (HYANNIS)	327232
186	16 SCHOOL STREET	327233
187	0 MAIN STREET (HYANNIS)	327237
188	30 PLEASANT STREET	327243
189	0 MAIN STREET (HYANNIS)	327265
190	0 MAIN STREET (HYANNIS)	327266
191	15 CROCKER STREET	327267
192	0 PLEASANT STREET	327268
193	55 CEDAR STREET	328163
194	57 CEDAR STREET	328164
195	65 CEDAR STREET	328165

156	61 PARKWAY PLACE	342011
157	53 PARKWAY PLACE	342012
158	47 PARKWAY PLACE	342013
159	41 PARKWAY PLACE	342014
160	27 PARKWAY PLACE	342016
161	52 CEDAR STREET	342020
162	42 CEDAR STREET	342021
163	30 CEDAR STREET	342022
164	46 PARKWAY PLACE	342034
165	58 PARKWAY PLACE	342036
166	51 BAY VIEW STREET	342040
167	21 MEDERIOS ROAD	343004
168	80 CEDAR STREET	343008
169	74 CEDAR STREET	343009
170	64 CEDAR STREET	343010
171	54 CEDAR STREET	343011

196	75 CEDAR STREET	328166
197	85 CEDAR STREET	328167
198	119 CEDAR STREET	328168
199	131 CEDAR STREET	328169
200	14 EDWARDS ROAD	328170
201	30 TERRY COURT	328171
202	17 EDWARDS ROAD	328172
203	15 EDWARDS ROAD	328173
204	143 CEDAR STREET	328174
205	147 CEDAR STREET	328175
206	100 CAMP STREET	328176
207	82 CAMP STREET	328177
208	74 CAMP STREET	328178
209	14 TERRY COURT	328179
210	22 TERRY COURT	328181
211	68 CAMP STREET	328184
212	80 YARMOUTH ROAD	328185
213	24 CROCKER STREET	328187
214	65 CAMP STREET	328188001
215	69 CAMP STREET	328188002
216	75 CAMP STREET	328189
217	81 CAMP STREET	328190
218	85 CAMP STREET	328191
219	91 CAMP STREET	328192
220	99 CAMP STREET	328193
221	120 YARMOUTH ROAD	328194
222	140 YARMOUTH ROAD	328195
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224	100 YARMOUTH ROAD	328197
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226	30 CROCKER STREET	328228
227	62 PARK STREET	342002
228	60 PARK STREET	342003
229	52 PARK STREET	342004001
230	34 PARK STREET	342005
231	2 PARK STREET	342009
232	79 BAY VIEW STREET	342010
233	61 PARKWAY PLACE	342011
234	53 PARKWAY PLACE	342012
235	47 PARKWAY PLACE	342013

236	41 PARKWAY PLACE	342014
237	27 PARKWAY PLACE	342016
238	63 MAIN STREET (HYANNIS)	342017
239	71 MAIN STREET (HYANNIS)	342019
240	52 CEDAR STREET	342020
241	42 CEDAR STREET	342021
242	30 CEDAR STREET	342022
243	70 MAIN STREET (HYANNIS)	342023
244	54 MAIN STREET (HYANNIS)	342025
245	50 MAIN STREET (HYANNIS)	342026
246	30 MAIN STREET (HYANNIS)	342027
247	22 MAIN STREET (HYANNIS)	342028
248	14 MAIN STREET (HYANNIS)	342029
249	25 MAIN STREET (HYANNIS)	342031
250	51 MAIN STREET (HYANNIS)	342033
251	46 PARKWAY PLACE	342034
252	58 PARKWAY PLACE	342036
253	51 BAY VIEW STREET	342040
254	6 MAIN STREET (HYANNIS)	342041
255	21 MEDERIOS ROAD	343004
256	80 CEDAR STREET	343008
257	74 CEDAR STREET	343009
258	64 CEDAR STREET	343010
259	54 CEDAR STREET	343011



A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-007

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

**2026-007 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING TO AMEND THE AREA IN
THE DOWNTOWN MAIN STREET DISTRICT WHERE GROUND FLOOR
COMMERCIAL SPACE IS REQUIRED**

ORDERED: That the Code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning, Article III District Regulations, Section 240-24.1.6 Downtown Main Street District (DMS) be amended by deleting in subsection C.4. the words “Ocean Street” and inserting the words “Pleasant Street” in their place.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
<u>07/17/2025</u>	<u>No action taken</u>
<u>08/21/2025</u>	<u>First Reading Refer to Planning Board</u>
<u>01/29/2026</u>	<u>Open and continue Public Hearing 02/12/2026</u>

☐ Read Item
☐ Motion to Open Public Hearing
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-007

INTRO: 07/17/2025, 08/21/2025, 01/29/2026, 02/12/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: James Kupfer, Director, Planning & Development Department
DATE: June 30, 2025
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning to revise the Downtown Main Street District by amending the area where ground-floor commercial space is required

BACKGROUND: These proposed zoning amendments follow discussions by the Town Council Ad-Hoc Subcommittee regarding necessary updates to Chapter 240 Zoning Ordinance. The Committee has recommended revising the area where ground-floor commercial space is required along Hyannis Main Street.

Zoning amendments are processed in accordance with Massachusetts General Law (MGL) Chapter 40A, Section 5. Adoption or change of zoning ordinances may be initiated by the submission to the Town Council of a proposed zoning ordinance by different parties, including the Town Council itself.

ANALYSIS: The proposed changes will change the area within the Downtown Main Street (DMS) District where ground-floor commercial space is required from lots fronting Main Street between Ocean Street and Sea Street, to lots fronting on Main Street between Pleasant Street and Sea Street.

FISCAL IMPACT: There is no significant fiscal impact associated with this item.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, supports this item.

STAFF SUPPORT: James Kupfer, Director, Planning & Development Department

§ 240-24.1.6. Downtown Main Street District (DMS).

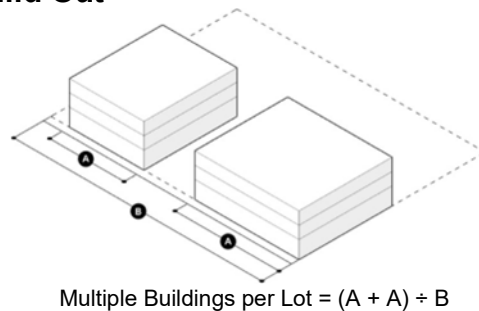
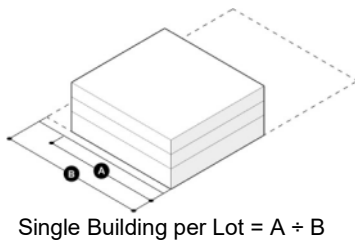
A. Intent.

1. The Downtown Main Street District is intended to promote the continuation of a walkable, pedestrian-oriented downtown environment with continuous active streetscape. Development is characterized by mid-rise (two- to four-story) mixed-use buildings, continuous street walls and variety of materials with parking visually minimized. Land uses are mixed residential and active commercial, including retail, restaurant, office, hospitality, cultural and institutional.

B. Lot standards.

1. Newly platted lots must be dimensioned as specified by Table 3.
2. Building facades must have a minimum width that is equal to a percentage of a lot's width and is specified as the facade buildout by Table 3.
 - (a) Facade buildout is calculated by dividing the total width of all facades by the lot width and may be cumulatively calculated by multiple buildings.
 - (b) The open space of a forecourt is considered part of the building for the purpose of measuring building width and facade buildout.
 - (c) The SPGA may provide relief from the facade buildout requirements; the Board must find the issuance of the special permit is consistent with the design and infrastructure plan.

Facade Build Out

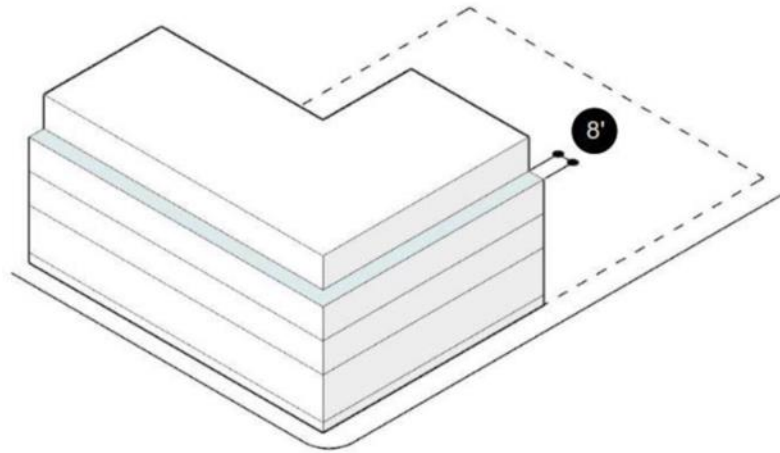


C. Building Standards

1. Multiple principal buildings are permitted per lot.
2. Principal buildings are permitted as specified by Table 3.
 - (a) Additional principal buildings are exempt from the required maximum front setback.
3. Principal building facade(s) must be built parallel to any primary front lot line, at or between the minimum and maximum front setbacks.
4. Any building contributing toward the frontage buildout for any lot fronting Main Street between Pleasant Street and Sea Street must provide ground story commercial space that is at least 20 feet in depth for 100% of the total width of the building, excluding lobby

entrances and other means of egress associated with the use of upper stories.

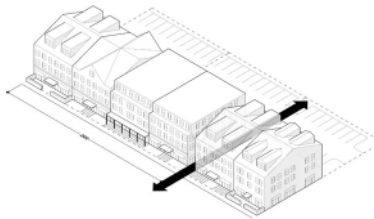
5. Awnings, canopies, signs, balconies, and nonhabitable architectural features of a building may project over the public sidewalk but must provide at least eight feet of clearance and a license from the Town Manager in accordance with Barnstable General Ordinances, Part 1, Chapter 121, § 121-6J is required.
6. The fourth story of any building must be recessed ("stepped back") from the facade of the stories below at least eight feet.



7. Mechanical and stairwell penthouses and building systems equipment must be setback from any exterior wall a distance that is equal to their height.
8. Facades may not have any blank wall areas without fenestration or architectural surface relief greater than 20 feet measured both vertically and horizontally for all stories of a building for any facade.
9. Loading and service areas may not be visible from any public sidewalk of Main Street.

D. Design guidelines.

1. The development of any new principal building should include a pedestrian passage connecting the sidewalk at the front of the property to any parking areas to the rear of the building, to every extent practicable, where no such pedestrian passage exists within 200 linear feet of the building's principal entrance.



2. When provided, pedestrian passages may be designed as an open-air passage between buildings, a covered atrium providing continuous protection from the elements, or as an up to two-story passage through a building.

E. Use provisions.

1. Limitations.

- (a) Occupation of a single commercial space greater than 5,000 square feet by any food and beverage service or retail sales use requires a special permit.

- (b) The maximum number of dwelling units permitted for any multiunit dwelling residential use is determined by the permitted dimensions of the building and the actual motor vehicle parking spaces provided on a lot as required by Table 2.

F. Site standards.

1. Driveways, vehicular entrances to parking lots or structures, and curb cuts may be no wider than 24 feet.

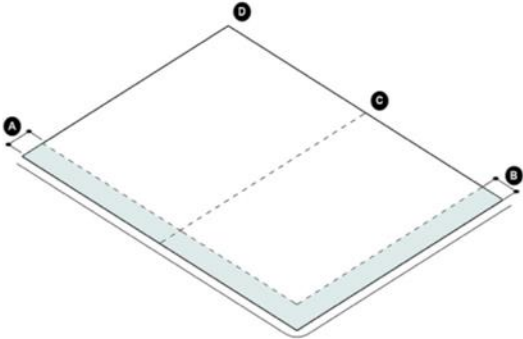
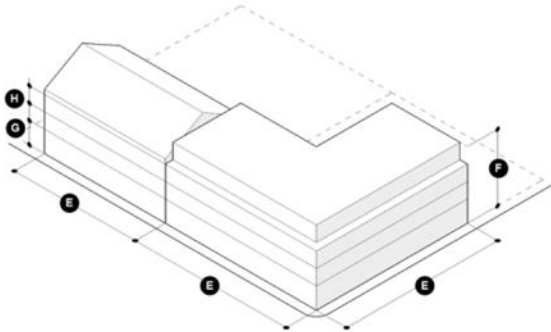
G. Landscape standards.

1. A front landscape area is not required if the front setback is zero. When a setback is greater than zero, those portions of the setback not occupied by pedestrian amenities and public spaces shall be landscaped including one canopy tree to be planted every 30 feet of frontage of the property.
2. A side or rear landscaped area at least six feet wide must be provided along any side or rear lot line abutting a lot in Downtown Neighborhood (DN) district and must include the following features over the span of 50 linear feet:
 - (a) Two understory or evergreen trees.
 - (b) Three medium shrubs and three small shrubs or a fence or wall at least six feet in height.

H. Parking standards.

3. For development on any through lot fronting Main Street, parking access must be provided from the non-Main-Street frontage.

Table 3. DMS Dimensional Standards

			
Lot		Building Form	
Lot width	30 feet minimum	E - Building width	180 feet maximum
Lot coverage	100% maximum	F - Number of stories	3.5 or 4 maximum ¹
Facade buildout (minimum)	—	G - Ground story height	—
Primary frontage	80% minimum	Commercial	14 feet minimum
Secondary frontage	40% minimum	Residential	10 feet minimum
Setbacks - Principal Buildings		H - Upper story height	10 feet minimum

A - Primary front setback	0 foot minimum 15 feet maximum	Building Features	
B - Secondary front setback	0 foot minimum 15 feet maximum	Ground story fenestration	—
C - Side setback	0 foot minimum	Primary frontage	60% minimum
D - Rear setback	0 foot minimum	Secondary frontage	15% minimum
		Upper story fenestration	15% minimum
		Blank wall	20 feet maximum
		Commercial space depth	20 feet minimum

¹ See § 240-24.1.6C6 (fourth story step-back).



Town of Barnstable Planning Board

www.townofbarnstable.us/planningboard

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Vice Chair
Tim O'Neill

Clerk
Matthew Teague

Members
Mary Barry
Michael Meeenas
Raymond Sexton
Catherine Finkenstaedt

Town Council Liaison
Paula Schnepf

Staff
Director
James Kupfer

Assistant Director
Kyle Pedicini

Principal Assistant
Karen Pina

October 28, 2025

Craig Tamash, President
Barnstable Town Council
367 Main Street
Hyannis, MA 02601

23 DEC '25 AM9:56
BARNSTABLE TOWN CLERK

RE: **Report of the Barnstable Planning Board to Town Council on Item No. 2026-007, a proposal to amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning to amend the area in the Downtown Main Street District where ground floor commercial space is required**

Dear President Tamash,

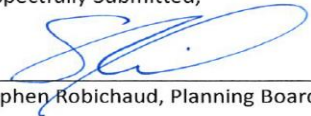
The Planning Board held a duly posted and noticed public hearing on October 27, 2025 on the proposal to amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning to amend the area in the Downtown Main Street District (DMS) where ground floor commercial space is required. This proposed zoning amendment would extend this requirement for properties located along Main Street between Ocean Street and Pleasant Street.

At the close of the public hearing, a motion was duly made and seconded to recommend to Town Council adoption of the proposed zoning amendment, Item No. 2026-007 as written.

The Planning Board further recommended that a provision be added to this amendment to allow for residential use on the first floor via the issuance of a Special Permit from the Planning Board, which would apply only to properties located along Main Street between Ocean Street and Pleasant Street. The Board's reasoning for this recommendation is to keep open the possibility of approving a project with residential on the first floor if the project provided a pronounced community benefit.

The vote approving that motion was a 5-1 vote of members present.

Respectfully Submitted,


Stephen Robichaud, Planning Board Chair

11-18-2025

cc: James Kupfer, Director, Planning & Development
Ann Quirk, Town Clerk

367 Main Street, Hyannis, MA 02601

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-087

INTRO: 01/29/2026, 02/12/2026

2026-087 AUTHORIZING THE GRANT OF AN EASEMENT FOR GAS FACILITIES ON TOWN-OWNED LAND AT 790 IYANNOUGH ROAD IN HYANNIS

ORDERED: That the Town Council hereby authorizes the Airport Commission, on behalf of the Town, as part of a negotiated transaction and for nominal monetary consideration, to grant a perpetual easement to National Grid or one of its related entities, including the Boston Gas Company, for the installation and operation of natural gas facilities to serve the Town-owned land located at 790 Iyannough Road in Hyannis and described in an Order of Taking recorded at the Barnstable County Registry of Deeds in Book 587, Page 271. The easement area consists of 3,245± square feet located on the Town-owned land and is shown as “10’ Wide Gas Utility Easement to Building Face for the Benefit of National Grid” on a plan captioned “Easement Plan, Assessors Map 311 Lot 92, 790 Iyannough Road, Hyannis (Barnstable), MA”, prepared by Greenman-Pedersen, Inc., dated January 16, 2026, and attached hereto. The Airport Commission is authorized to negotiate, accept, sign, deliver and record any documents, and may make minor modifications to the easement area and the plan as necessary to effectuate this Order and complete this transaction.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

01/29/2026

Refer to Second Reading 02/12/2026

___ Read Item
___ Rationale
___ Council Discussion
___ Vote



BARNSTABLE TOWN COUNCIL

ITEM# 2026-087

INTRO: 01/29/2026, 02/12/2026

SUMMARY

TO: Town Council
FROM: Thomas J. LaRosa, First Assistant Town Attorney
THROUGH: Mark S. Ells, Town Manager
DATE: January 29, 2026
SUBJECT: Authorizing the grant of an easement for gas facilities on Town-owned land at 790 Iyannough Road in Hyannis

BACKGROUND: As part of the development of “The Landing at Hyannis” located at 790 Iyannough Road in Hyannis, the Airport Commission’s ground lessee, WS Development / WS Landing at Hyannis, has constructed two buildings and related infrastructure. The development will require gas service from National Grid to one of the buildings, which is the proposed relocation of Panera Bread. Before agreeing to install gas service to a property, National Grid requires the grant of an easement to National Grid or one of its related entities, which would provide them with the right to install and maintain their gas service on the property. The authorization requested from the Town Council would allow the Airport Commission, on behalf of the Town, to grant such an easement to National Grid or one of its related entities, including the Boston Gas Company.

The proposed easement would allow National Grid to extend a gas service line from an existing underground gas line on the east edge of the property, which would run underground in a westerly direction to the future Panera Bread restaurant. National Grid will install both the new underground gas line and provide metered gas service for the restaurant.

The easement area consists of 3,245± square feet located on the Town’s airport property and is shown as “10’ Wide Gas Utility Easement to Building Face for the Benefit of National Grid” on a plan captioned “Easement Plan, Assessors Map 311 Lot 92, 790 Iyannough Road, Hyannis (Barnstable), MA.” The vote would authorize the Airport Commission to make minor changes to easement area, which could be needed based on the final requirements of National Grid.

FINANCIAL IMPACT: The Town would receive nominal monetary consideration (\$1.00) for granting the easement.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval.

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Michael Nelson, Manager, Cape Cod Gateway Airport

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-089

INTRO: 01/29/2026, 02/12/2026

2026-089 ORDER APPROVING AMENDMENTS TO THE TOWN COUNCIL RULES

ORDERED: That the Town Council does hereby amend the Town Council Rules, as most recently amended by Item No. 2025-143, as approved on July 17, 2025, by inserting at the end of Section B a new second paragraph as follows:

Official Town Council stationery, listing all of the members of the Town Council, shall only be used for correspondence that sets forth the position of the Town Council as a body, as approved by vote of the Town Council, and which is signed on behalf of the Town Council by the Council President or, in his or her absence, the Council Vice President. In addition, such stationery may be used by the Town Council President for communications on ministerial matters involving the Town Council, such as, for example, inviting an individual or an organization to make a presentation at a Town Council meeting. Individual Town Councilor stationery may be used by a Councilor for their official communications but may not be used to speak on behalf of, or to represent the views of, the Town Council as a body. The Council President shall set a uniform format for Individual Town Councilor stationery.

and by further amending t said Section B by striking the heading of said section and inserting in place thereof the following new heading: **“USE OF TOWN PHONES, EMAIL AND OFFICIAL LETTERHEAD”**.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
<u>01/29/2026</u>	<u>Refer to Second Reading 02/12/2026</u>

_____	_____
___	Read Item
___	Rationale
___	Council Discussion
___	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-089

INTRO: 01/29/2026, 02/12/2026

SUMMARY

TO: Town Council
FROM: Craig A. Tamash, Town Council President, Precinct 4
DATE: January 29, 2026
SUBJECT: Order Approving Amendments to the Town Council Rules

BACKGROUND: The Town Council Rules currently do not address the use of official Town Council stationery. It is important to differentiate between communications that are made on behalf of the Town Council as a body and communications that represent the views and positions of individual Councilors.

The proposed amendments to the Rules prescribe the use of official Town Council stationery in two ways. First, official Town Council stationery, with letterhead listing all of the members of the Town Council, would be used for correspondence that sets forth the position of the Town Council as a body, as approved by vote of the Town Council, and which is signed on behalf of the Town Council by the Council President or, in his or her absence, the Council Vice President. Such stationery may be used by the Town Council President for communications on ministerial matters involving the Town Council.

Second, because each Town Councilor needs to be able to use official stationery for correspondence in his or her individual official capacity, the proposed amendments to the rules would authorize and require the use of separate official stationery for individual Councilors to use for their official communications. Such stationery could not be used to speak on behalf of, or to represent the views of, the Town Council as a body. The Town Council President would set a uniform format for this stationery.

To assist you in your review, below please find a red-lined version of Section B showing the changes made from the current version to the proposed version:

B. USE OF TOWN PHONES, ~~AND~~ EMAIL AND OFFICIAL LETTERHEAD

Upon election, all Town Councilors shall be assigned a Town cellphone and provided with a Town email account, and Councilors shall use the Town cellphone and Town email to conduct Town business to facilitate compliance with the state public records law. No Town resources shall be used for political purposes. Councilors shall return all Town equipment upon the completion of their terms.

Official Town Council stationery, listing all of the members of the Town Council, shall only be used for correspondence that sets forth the position of the Town Council as a body, as approved by vote of the Town Council, and which is signed on behalf of the Town Council by the Council President or, in his or her absence, the Council Vice President. In addition, such stationery may be used by the Town Council President for communications on ministerial matters involving the Town Council, such as, for example, inviting an individual or an organization to make a presentation at a Town Council meeting. Individual Town Councilor stationery may be used by a Councilor for their official communications but may not be used to speak on behalf of, or to represent the views of, the Town Council as a body. The Council President shall set a uniform format for Individual Town Councilor stationery.

FISCAL IMPACT: None

STAFF ASSISTANCE: Karen L. Nober, Town Attorney; Thomas J. LaRosa, First Assistant Town Attorney; Allison Cogliano, Assistant Town Attorney

B. NEW BUSINESS (Refer to a Public Hearing 02/26/2026)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-090
INTRO: 02/12/2026

**2026-090 APPROPRIATION ORDER IN THE AMOUNT OF \$105,000 FOR THE
PURPOSE OF FUNDING ADDITIONAL FISCAL YEAR 2026
OPERATING EXPENSES AT THE TOWN'S MUNICIPAL GOLF
COURSES**

ORDERED: That the amount of **\$105,000** be appropriated from the Golf Course Enterprise Fund reserves for the purpose of paying additional Fiscal Year 2026 operating expenses, including credit card fees, replacement equipment and custodial services, and costs associated with the completion of the improvement and safety projects at both Olde Barnstable Fairgrounds and Hyannis Golf Course.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

_____	Read Item
_____	Motion to Open Public Hearing
_____	Rationale
_____	Public Hearing
_____	Close Public Hearing
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-090
INTRO: 02/12/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Chris Gonnella, Community Services Director
DATE: February 12, 2026
SUBJECT: Appropriation Order in the amount of **\$105,000** for the purpose of funding additional Fiscal Year 2026 operating expenses at the Town's Municipal Golf Courses

BACKGROUND: The use of credit cards and processing fees associated with their use continue to increase. Golf also experienced several critical failures of equipment that are detrimental to cultural practices and seasonal maintenance that needed to be replaced immediately. Golf also utilized FY26 Operating Funds to make additional improvements to the Hyannis Golf Course clubhouse and adjacent areas during the construction project.

ANALYSIS: The \$105,000 request includes: \$15,000 to cover credit card fees, \$30,000 for unanticipated equipment replacement purchases, \$10,000 to cover custodial services, \$15,000 for a large-scale safety and drainage project around the perimeter of the practice putting green at Hyannis Golf Course, \$10,000 for new fencing to be installed along the upper parking areas at Hyannis Golf Course, and lastly \$25,000 for new driving range mats and equipment at both the Hyannis Golf Course and Olde Barnstable Fairgrounds Golf Course facilities.

FISCAL IMPACT: Funding for this appropriation is being provided from the Golf Course Enterprise Fund reserves. The Golf Course Enterprise Fund Reserves currently stand at \$1,917,132.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this appropriation request.

STAFF ASSISTANCE: Chris Gonnella, Director of Community Services; Jesse Schechtman, Director of Golf; James Bentley, Director of Golf Maintenance

B. NEW BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-145
INTRO: 02/12/2026

2026-145 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2026 GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF \$137,719 FOR THE PURPOSE OF FUNDING NITROGEN SCENARIO MODELING AND HYDROGEOLOGIC EVALUATIONS

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2026 Grant from the Commonwealth of Massachusetts, Department of Environmental Protection in the amount of **\$137,719** for the purpose of funding nitrogen scenario modeling and hydrogeologic evaluations.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

☐ Read Item
☐ Rational
☐ Council Discussion
☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-145
INTRO: 02/12/2026

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, Director, Department of Public Works
DATE: February 12, 2026
SUBJECT: Authorization to contract for and expend a Fiscal Year 2026 Grant from the Commonwealth of Massachusetts, Department of Environmental Protection in the amount of **\$137,719** for the purpose of funding nitrogen scenario modeling and hydrogeologic evaluations

BACKGROUND: The Massachusetts Department of Environmental Protection (MassDEP) is providing a grant opportunity for municipalities with a watershed that has been designated as a Natural Resource Nitrogen Sensitive Area. The purpose of this grant program is to assist municipalities in a variety of activities that contribute to, or come from, a Comprehensive Wastewater Management Plan, which facilitates the compliance of a Watershed Permit to address solutions to cultural eutrophication caused by nitrogen pollution from wastewater and other sources.

ANALYSIS: The Town of Barnstable has been awarded a **\$137,719** grant to support nitrogen scenario modeling and hydrogeologic evaluations necessary to evaluate effluent disposal options for implementing the CWMP. The project will be completed by June 30, 2026.

FISCAL IMPACT: This grant is a reimbursement grant in the amount of **\$137,719**. The Town must upfront project expenditures and request reimbursement of the costs. All costs associated with this grant must be expended prior to June 30, 2026.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this item.

STAFF ASSISTANCE: Daniel W. Santos, Director, Department of Public Works

B. NEW BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-146
INTRO: 02/12/2026

2026-146 TRANSFER ORDER IN THE AMOUNT OF \$57,450 FOR THE PURPOSE OF BUYING INFORMATION TECHNOLOGY EQUIPMENT FOR THE BARNSTABLE POLICE DEPARTMENT IN LIEU OF EXTENDING THE LEASE

ORDERED: That the amount of **\$57,450** be transferred from the remaining funds in Town Council Order 2025-083 for conducting the due diligence on 177 Pleasant St. Hyannis to the Barnstable Police Department's Fiscal Year 2026 Operating Expense Budget for the buyout of information technology equipment in lieu of extending the department's current operating lease.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

☐ Read Item
☐ Rational
☐ Council Discussion
☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-146
INTRO: 02/12/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Jean B. Challies, Chief of Police
DATE: February 12, 2026
SUBJECT: Transfer Order in the amount of **\$57,450** for the purpose of buying information technology equipment for the Barnstable Police Department in lieu of extending the lease

BACKGROUND: In Fiscal Year 2023 the Barnstable Police Department entered into a 3-year operating lease for a refresh of their out-of-date information technology equipment including desktop and laptop computers, switches, servers, firewalls and various other accompanying equipment. The operating lease is up for renewal, and the town can extend the lease or buy the equipment for its residual value. The equipment's life expectancy is 5 to 7 years before it is recommended to update the technology. The purchase price of the equipment is \$66,896 and the monthly renewal lease amount is \$3,392 for 24 months for a total of \$81,408. If the town were to purchase the equipment it would save \$14,512.

FISCAL IMPACT: There is \$57,450 remaining in the appropriation for due diligence on the 177 Pleasant St. property authorized under Town Council order 2025-083. It is proposed to transfer the remaining funds to purchase this equipment with the balance of the funding needed provided from the Fiscal Year 2026 Police Department Operating Budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this Transfer Order.

STAFF ASSISTANCE: Jean B. Challies, Chief of Police, Anne Spillane, Finance and Support Services Director