



Town of Barnstable  
Town Council  
James H. Crocker Jr. Hearing Room  
367 Main Street, 2<sup>nd</sup> floor,  
Hyannis, MA 02601  
Office 508.862.4738 • Fax 508.862.4770  
E-mail : [council@barnstable.gov](mailto:council@barnstable.gov)  
**TOWN COUNCIL MEETING**  
**November 5, 2026**  
**6:00pm**

Councilors:

Craig Tamash  
President  
Precinct 4

Kris Clark  
Vice President  
Precinct 11

VACANT  
Precinct 1

Thomas Keane  
Precinct 2

Betty Ludtke  
Precinct 3

VACANT  
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

Alan Feltham  
Precinct 13

Administrator:  
Cynthia A. Lovell  
[Cynthia.lovell@barnstable.gov](mailto:Cynthia.lovell@barnstable.gov)

The November 5, 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. **The elevator at Barnstable Town Hall is currently out of service through the end of December (timeline subject to change).** If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the American with Disabilities Act or state law, please contact **Tammy Cunningham, Deputy Director of Human Resources, at (508) 862-4692, or at [Tammy.Cunningham@barnstable.gov](mailto:Tammy.Cunningham@barnstable.gov)**

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: <https://barnstable.cablecast.tv/internetchannel/watch-now>

2. Written Comments that will be distributed to the entire Town Council may be submitted to: [council@barnstable.gov](mailto:council@barnstable.gov)

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/88047164090> Meeting ID: 880 4716 4090  
US Toll-free 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: October 1, 2026 and October 15, 2026**

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

- **Update from Cheryl Powell, Chair, Hyannis Main Street Waterfront Historic District Commission**
- **Update from Janet Milkman, Retired Executive Director, and Mike Molnar, Executive Director, Barnstable Land Trust**

## **WORKSHOP**

- **Presentation on proposed Town Council fees for Inspectional Services and Licensing:**  
**Gareth Markwell, Assistant Director, Finance; Brian Florence, Building Commissioner;**  
**Erin Logan, Director, Licensing**

## **9. ORDERS OF THE DAY**

- A. Old Business**
- B. New Business**

## **10. ADJOURNMENT**

**NEXT REGULAR MEETING: November 19, 2026**

| ITEM NO.                                                                                                                                                                                                                           | INDEX TITLE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | PAGE  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>A.</b>                                                                                                                                                                                                                          | <b>OLD BUSINESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |       |
| 2027-007                                                                                                                                                                                                                           | Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III District Regulations, to revise the definition of building height for the Downtown Hyannis Zoning Districts and create building height standards for the Downtown Neighborhood Zoning District <b>(Public Hearing) (Roll Call 2/3 Vote Full Council)</b> .....                                                                                                                          | 5-7   |
| 2027-008                                                                                                                                                                                                                           | Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III district regulations, to revise primary and secondary front setback requirements in the Downtown Main Street and Downtown Village Zoning Districts <b>(Public Hearing) (Roll Call 2/3 Vote Full Council)</b> .....                                                                                                                                                                      | 8-10  |
| 2027-009                                                                                                                                                                                                                           | Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 to amend the zoning map to revise the boundaries of the Downtown Main Street and Downtown Neighborhood Zoning Districts <b>(Public Hearing) (Roll Call 2/3 Vote Full Council)</b> .....                                                                                                                                                                                                                     | 11-14 |
| 2027-044                                                                                                                                                                                                                           | Appropriation Order in the amount of <b>\$10,000</b> for the purpose of the Town acquiring an easement for sewer purposes on land located at 153 Huckins Neck Road in Centerville <b>(Public Hearing) (Roll Call Majority Full Council or Two-Thirds Present and Voting, whichever is greater)</b> .....                                                                                                                                                                                        | 15-18 |
| <b>B.</b>                                                                                                                                                                                                                          | <b>NEW BUSINESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |       |
| <b>Consent Agenda Proposed Vote:</b> To refer <b>Items 2027-047 through 2027-051, and 2027-054 and 2027-055</b> as written, to individual public hearings to be held on each item at the Town Council meeting on November 19, 2026 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |       |
| 2027-046                                                                                                                                                                                                                           | Reappointments to a Board/Committee/Commission: <b>Mid Cape Cultural Council:</b> Mary Bianco, as a regular member, to a term expiring 06/30/2029; <b>Planning Board:</b> Mary Barry, as a regular member to a term expiring 06/30/2029; <b>Waterways Committee:</b> Paul Everson, as a regular member, to a term expiring 06/30/2029 <b>(First Reading) (Refer to Second Reading 11/19/2026)</b> .....                                                                                         | 19    |
| 2027-047                                                                                                                                                                                                                           | Appropriation and Loan Order in the amount of <b>\$4,932,925</b> for final design and construction for the roof replacement project at Barnstable Intermediate School <b>(Refer to Public Hearing 11/19/2026)</b> .....                                                                                                                                                                                                                                                                         | 20-21 |
| 2027-048                                                                                                                                                                                                                           | Appropriation Order in the amount of <b>\$80,000</b> for the purpose of replacing the existing grease trap tank with a new 4,500-gallon tank to accommodate the required capacity for the restaurant and bar concession at the Hyannis Golf Course Clubhouse <b>(Refer to Public Hearing 11/19/2026)</b> .....                                                                                                                                                                                  | 22-23 |
| 2027-049                                                                                                                                                                                                                           | Appropriation Order in the amount of <b>\$72,000</b> for the purpose of funding unused sick time payouts for retiring Golf Course Enterprise Fund Employees <b>(Refer to Public Hearing 11/19/2026)</b> ..                                                                                                                                                                                                                                                                                      | 24-25 |
| 2027-050                                                                                                                                                                                                                           | Appropriation Order in the amount of <b>\$578,681.75</b> to reimburse the Cape Cod Gateway Airport for monies expended on the Cape Air Hanger Fire Restoration Project <b>(Refer to Public Hearing 11/19/2026)</b> .....                                                                                                                                                                                                                                                                        | 26-27 |
| 2027-051                                                                                                                                                                                                                           | Appropriation Order in the amount of <b>\$1,135,000</b> , authorization to contract for and expend a Fiscal Year 2027-2028 Grant from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs in the amount of <b>\$2,765,000</b> for the Marstons Mills Cranberry Bog Wetland Restoration Project, and authorizing the Town Manager to take or acquire property interests necessary to implement the project <b>(Refer to Public Hearing 11/19/2026)</b> ..... | 28-30 |

|                 |                                                                                                                                                                                                                                           |       |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>2027-052</b> | Resolve declaring the land at 310 Main Street in Centerville available for disposition and directing the Town Manager to solicit proposals to dispose of the land <b>(May be acted upon) (Majority Vote)</b> .....                        | 31-33 |
| <b>2027-053</b> | Resolve declaring a parcel of land at the rear of 1456 Falmouth Road in Centerville available for disposition and directing the Town Manager to solicit proposals to dispose of the land <b>(May be acted upon) (Majority Vote)</b> ..... | 34-36 |
| <b>2027-054</b> | Amending the Code of the Town of Barnstable, Part I General Ordinances, to insert a new Chapter 58 Cryptocurrency Kiosks <b>(Refer to a Public Hearing 11/19/2026)</b> .....                                                              | 37-39 |
| <b>2027-055</b> | Appropriation Order in the amount of <b>\$5,000</b> for the costs of audio requirements for an upcoming Special Town Council Meeting/Open Meeting of the Voters <b>(Refer to Public Hearing 11/19/2026)</b> .....                         | 40-41 |

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**Please Note:** The listed 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 Vote Full Council)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-007**

**INTRO: 07/16/2026, 11/05/2026**

**2027-007 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III DISTRICT REGULATIONS, TO REVISE THE DEFINITION OF BUILDING HEIGHT FOR THE DOWNTOWN HYANNIS ZONING DISTRICTS AND CREATE BUILDING HEIGHT STANDARDS FOR THE DOWNTOWN NEIGHBORHOOD ZONING 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 240-24-1.5.A(4) by striking subsections (a) and (b) and inserting in place thereof the following subsection (a):

- (a) Building height shall be defined as 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.

**SECTION 2**

By amending Section 240-24.1.8 by deleting from subsection C(2)(a) the word “third” and replacing it with the words “half story”.

**SECTION 3**

By amending Section 240-24.1.8 by striking the following from Table 5 under the heading “Building Form”:

|                        |                        |
|------------------------|------------------------|
| E-Number of Stories    | 3 maximum <sup>1</sup> |
| F- Ground Story Height | 10 feet minimum        |
| G - Upper Story Height | 10 feet minimum        |

<sup>1</sup>See 240-24.1.8.C.2(a)

**SECTION 4**

By further amending Section 240-24.1.8 by inserting into Table 5 a new heading entitled “Building Height” containing the following rows:

|                      |                          |
|----------------------|--------------------------|
| E. Number of Stories | 2.5 maximum <sup>1</sup> |
| F. Building Height   | 40’ maximum              |

<sup>1</sup>See 240-24.1.8.C.2(a)

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

| DATE              | ACTION TAKEN                   |
|-------------------|--------------------------------|
| <u>07/16/2026</u> | <u>Refer to Planning Board</u> |

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|                          |                               |
|--------------------------|-------------------------------|
| <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# 2027-007

INTRO: 07/16/2026, 11/05/2026

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** James Kupfer, Director, Planning & Development Department  
**DATE:** July 16, 2026  
**SUBJECT:** Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III district regulations, to revise the definition of building height for the Downtown Hyannis zoning districts and to create building height standards for the Downtown Neighborhood zoning district.

**BACKGROUND:** The proposed zoning amendments were identified during the recent Downtown Hyannis zoning amendment process at both the Planning Board and Town Council. The Town Council Zoning & Regulatory Subcommittee reviewed and refined the following amendments. The Committee has recommended establishing a consistent definition for the measurement by which building height is calculated across all of the Downtown Hyannis zoning districts. Additionally, the Committee has recommended revising building height restrictions specifically within the Downtown Neighborhood zoning district by reducing the maximum building stories from 3 stories to 2 and a half stories and by establishing a maximum building height of 40 feet.

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 establish a consistent definition for building height applicable to all of the Downtown Hyannis zoning districts and will reduce the maximum allowable building stories within the Downtown Neighborhood zoning district to ensure development remains compatible with existing structures and neighborhood character.

**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

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-008**  
**INTRO: 07/16/2026, 11/05/2026**

**2027-008 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I  
GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III DISTRICT  
REGULATIONS, TO REVISE PRIMARY AND SECONDARY FRONT SETBACK  
REQUIREMENTS IN THE DOWNTOWN MAIN STREET AND DOWNTOWN  
VILLAGE ZONING DISTRICTS**

**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 by striking the following from Table 3 under the heading “Setbacks – Principal Buildings”

|                             |                                |
|-----------------------------|--------------------------------|
| A – Primary Front Setback   | 0 foot minimum 15 feet maximum |
| B – Secondary Front Setback | 0 foot minimum 15 feet maximum |

**SECTION 2**

By amending Section 240-24.1.6 by inserting the following into Table 3 under the heading “Setbacks – Principal Buildings”

|                                        |                                  |
|----------------------------------------|----------------------------------|
| A – Primary Front Setback              |                                  |
| i. Buildings not exceeding two stories | 5 feet minimum; 15 feet maximum  |
| ii. Buildings exceeding two stories    | 10 feet minimum; 15 feet maximum |
| B – Secondary Front Setback            |                                  |
| i. Buildings not exceeding two stories | 5 feet minimum; 15 feet maximum  |
| ii. Buildings exceeding two stories    | 10 feet minimum; 15 feet maximum |

**SECTION 3**

By amending Section 240-24.1.7 by striking from Table 4 the following under the heading “Setbacks – Principal Buildings”

|                             |                                |
|-----------------------------|--------------------------------|
| A – Primary Front Setback   | 0 foot minimum 15 feet maximum |
| B – Secondary Front Setback | 0 foot minimum 15 feet maximum |

**SECTION 4**

By amending Section 240-24.1.7 by inserting the following into Table 4 under the heading “Setbacks – Principal Buildings”

|                             |                                     |                                  |
|-----------------------------|-------------------------------------|----------------------------------|
| A – Primary Front Setback   |                                     |                                  |
| i.                          | Buildings not exceeding two stories | 5 feet minimum; 15 feet maximum  |
| ii.                         | Buildings exceeding two stories     | 10 feet minimum; 15 feet maximum |
| B – Secondary Front Setback |                                     |                                  |
| i.                          | Buildings not exceeding two stories | 5 feet minimum; 15 feet maximum  |
| ii.                         | Buildings exceeding two stories     | 10 feet minimum; 15 feet maximum |

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

| DATE              | ACTION TAKEN                   |
|-------------------|--------------------------------|
| <u>07/16/2026</u> | <u>Refer to Planning Board</u> |
| _____             | _____                          |

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

# **BARNSTABLE TOWN COUNCIL**

## **SUMMARY**

**ITEM# 2027-008**

**INTRO: 07/16/2026, 11/05/2026**

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** James Kupfer, Director, Planning & Development Department  
**DATE:** July 17, 2026  
**SUBJECT:** Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article III district regulations, to revise primary and secondary front setback requirements in the Downtown Main Street and Downtown Village Zoning Districts

**BACKGROUND:** The proposed zoning amendments were identified by the Town Council Zoning & Regulatory Subcommittee in response to recent developments in Downtown Hyannis with the intent of increasing building setbacks in the Downtown Main Street and Downtown Village zoning districts.

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 primary and secondary front setback for buildings within the Downtown Main Street and Downtown Village zoning districts. The proposed setbacks vary in relation to the total number of building stories with an increased setback requirement for buildings with a greater number of stories. Buildings that are less than or equal to two stories are proposed to provide a front setback of 5 feet minimum and 10 feet maximum. Buildings that are two or more stories are proposed to provide a front setback of 10 feet minimum and 15 feet maximum. The front setback, which includes the area between the building facade and the property line, could be improved with one of the frontage types currently defined in the Downtown Hyannis zoning such as a front garden or dining patio to improve the design connecting the building to the 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

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-009**  
**INTRO: 07/16/2026, 11/05/2026**

**2027-009 AMENDING THE CODE OF TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 TO AMEND THE ZONING MAP TO REVISE THE BOUNDARIES OF THE DOWNTOWN MAIN STREET AND DOWNTOWN NEIGHBORHOOD ZONING DISTRICTS**

**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 amend the “Downtown Main Street District” and “Downtown Neighborhood District” as shown on the draft map dated June 03, 2026, prepared by the Town of Barnstable Geographical Information System Unit, entitled “Downtown Hyannis Zoning Districts - Proposed Map Amendment Downtown Main Street to Downtown Neighborhood”.

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

| DATE              | ACTION TAKEN                   |
|-------------------|--------------------------------|
| <u>07/16/2026</u> | <u>Refer to Planning Board</u> |

\_\_\_\_\_

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2027-009

INTRO: 07/16/2026, 11/05/2026

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** James Kupfer, Director, Planning & Development Department  
**DATE:** July 16, 2026  
**SUBJECT:** Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 to amend the zoning map to revise the boundaries of the Downtown Main Street and Downtown Neighborhood Zoning Districts

**BACKGROUND:** The Town Council Zoning & Regulatory Subcommittee reviewed the recent amendments to the Downtown Hyannis map through which parcels were converted from Downtown Village to Downtown Neighborhood reducing the allowable housing density. The Downtown Neighborhood limits the number of dwellings units to a maximum of four dwelling units in any one building per lot whereas the Downtown Village district does not have a limit for the maximum number of dwelling units. The maximum number of dwelling units permitted in the Downtown Village district is determined by meeting building dimension requirements and providing the required parking spaces.

As a subsequent effort, the Town Council Zoning & Regulatory Subcommittee reviewed the Downtown Main Street zoning district and identified several parcels recommended to be converted to Downtown Neighborhood. The enclosed map highlights the parcels identified to be converted to Downtown Neighborhood which would reduce the allowable housing density and allowed uses for the specified parcels.

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 to the Downtown Hyannis zoning map will reduce the allowable housing density and allowed uses to ensure development remains compatible with existing structures and neighborhood character.

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

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

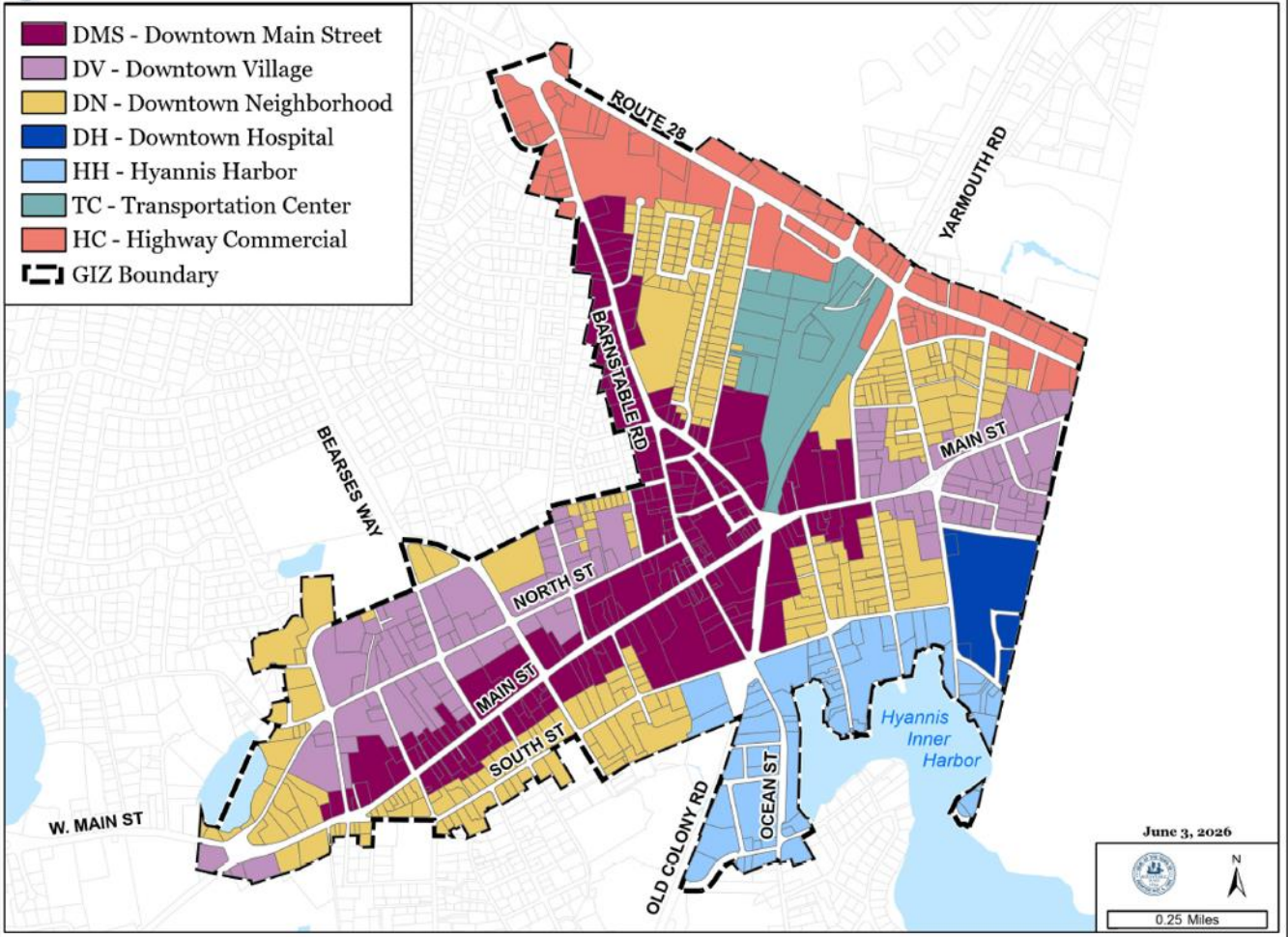
**STAFF SUPPORT:** James Kupfer, Director, Planning & Development Department

| LIST OF PARCELS IMPACTED |                           |
|--------------------------|---------------------------|
| PARCEL ID                | ADDRESS                   |
| 308141                   | 488 SOUTH STREET          |
| 308153                   | 539 SOUTH STREET          |
| 327131                   | 24 PLEASANT STREET        |
| 308161CND                | 17 NEWTON STREET          |
| 308136                   | 659 MAIN STREET (HYANNIS) |
| 308164                   | 535 SOUTH STREET          |
| 308142                   | 478 SOUTH STREET          |
| 308133                   | 645 MAIN STREET (HYANNIS) |
| 308131001                | 627 MAIN STREET (HYANNIS) |
| 308090                   | 31 PEARL STREET           |
| 308198                   | 50 SEA STREET             |
| 308137                   | 667 MAIN STREET (HYANNIS) |
| 308162                   | 525 SOUTH STREET          |
| 308151                   | 701 MAIN STREET (HYANNIS) |
| 308132                   | 641 MAIN STREET (HYANNIS) |
| 308089                   | 39 PEARL STREET           |
| 308121                   | 20 SEA STREET             |
| 326015                   | 20 PEARL STREET           |
| 308145                   | 707 MAIN STREET (HYANNIS) |
| 326019                   | 46 PEARL STREET           |
| 308003                   | 720 MAIN STREET (HYANNIS) |
| 308131002                | 631 MAIN STREET (HYANNIS) |
| 326017                   | 32 PEARL STREET           |
| 308138                   | 675 MAIN STREET (HYANNIS) |
| 308135                   | 655 MAIN STREET (HYANNIS) |
| 308134                   | 649 MAIN STREET (HYANNIS) |
| 308122                   | 450 SOUTH STREET          |
| 308152                   | 705 MAIN STREET (HYANNIS) |
| 326018                   | 38 PEARL STREET           |



## Proposed Map Amendment Downtown Main Street to Downtown Neighborhood

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



**A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-044**  
**INTRO: 10/15/2026, 11/05/2026**

**2027-044 APPROPRIATION ORDER IN THE AMOUNT OF \$10,000 FOR THE PURPOSE OF THE TOWN ACQUIRING AN EASEMENT FOR SEWER PURPOSES ON LAND LOCATED AT 153 HUCKINS NECK ROAD IN CENTERVILLE**

**ORDERED:** That the amount of **\$10,000** be appropriated from the Sewer Construction and Private Way Maintenance and Improvement Fund for the purpose of the Town, acting by and through the Town Manager, purchasing or taking by eminent domain pursuant to Chapter 79 of the General Laws, as part of a negotiated transaction, for sewer purposes, including the construction and operation of sewer lines, infrastructure and a sewer pump station, a perpetual, exclusive easement under, across and on a portion of the land located at 153 Huckins Neck Road in Centerville and being a portion of Assessor Parcel 252-019. The easement area consists of 1,091± square feet as shown on a “Sewer Easement Exhibit Plan”, dated August 14, 2026, prepared by JC Engineering Inc, and attached hereto as Exhibit A. The Town Manager may make minor changes to the easement area, as shown on the plan, to effectuate this Order.

It is further ordered that, following the Town’s purchase or taking of the above-referenced easement, the Town Manager, on behalf of the Town, for nominal or no monetary consideration, is hereby authorized to grant easements to and otherwise authorize utility providers to access and install services in the easement area, as determined necessary by the Town for the exercise of the rights acquired or taken for sewer purposes, including connections for water, gas, electric, telephone and intelligence services. The Town Manager is hereby further authorized, on behalf of the Town, to negotiate, accept, sign, deliver and record any instruments or plans as necessary to effectuate this Order and complete the transactions authorized herein.

**SPONSOR:** Mark S. Ells, Town Manager

| DATE              | ACTION TAKEN                              |
|-------------------|-------------------------------------------|
| <u>10/15/2026</u> | <u>Refer to Public Hearing 11/05/2026</u> |

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

**Exhibit A**

**Sewer Easement Exhibit Plan**

|                                                       |                                   |
|-------------------------------------------------------|-----------------------------------|
| <b>SEWER EASEMENT EXHIBIT PLAN</b>                    |                                   |
| PREPARED BY: JC ENGINEERING INC.                      | DATE: AUGUST 14, 2026             |
| CLIENT FILE NO. 8970                                  | DEED REFERENCE: L.C. CERT. 83335  |
| OWNER: HOLLY POINT BEACH AND TENNIS ASSOCIATION, INC. | PLAN REFERENCE: L.C. PLAN 20239-C |
| ADDRESS: 153 HUCKINS NECK ROAD, BARNSTABLE, MA        | ASSESSOR'S MAP: 252 LOT: 019      |

This plan illustrates the sewer easement for Lot 019, owned by the Holly Point Beach and Tennis Association, Inc. The easement is located along Huckins Neck Road, which is 40 feet wide. The easement area is 1,091 square feet and is bounded by a tie line to the north and a tie line to the south. The plan also shows the approximate limit of Lake Wequaquet and the location of Cottonwood Lane. The sewer easement is shown as a dashed line with a width of 10 feet. The plan includes bearings and distances for all boundaries and easements.

**Property Details:**

- Lot 020 (N/F):** #183, MAP 252, LOT 020 N/F, SUZANNE T. WELCH, L.C. CERT. 171195, LOT 216 ON L.C. PLAN 20239-E. Boundary: N55° 48' 07" W 107.67' (TO B.R.B. HELD).
- Lot 019 (N/F):** #153, MAP 252, LOT 019 N/F, HOLLY POINT BEACH AND TENNIS ASSOCIATION, INC., L.C. CERT. 83335, LOT 209 ON L.C. PLAN 20239-C. Boundary: S55° 48' 07" E 60.35'.
- Lot 018 (N/F):** #133, MAP 252, LOT 018 N/F, THE JILL L. RICH TRUST, JEFFREY G. LATIMER, & HOLLY NOSEK, L.C. CERT. 240390, LOT 208 ON L.C. PLAN 20239-C. Boundary: N73° 47' 33" E 40.00' (TIE).

**Easements and Features:**

- 15' Wide (Private Way):** N20° 56' 53" E 56±, 56.00' TO TIE LINE.
- SEWER EASEMENT:** 1,091 S.F., bounded by a tie line to the north and a tie line to the south.
- Approximate Limit of Lake:** Indicated by a dashed line.
- Cottonwood Lane:** Located to the east of the easement.
- Mass. State Plane (NAD. 83):** Indicated by a north arrow.

**Scale:** 1 INCH = 30 FT.

# BARNSTABLE TOWN COUNCIL

ITEM# 2027-044

INTRO: 10/15/2026, 11/05/2026

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Thomas J. LaRosa, First Assistant Town Attorney  
**DATE:** October 15, 2026  
**SUBJECT:** Appropriation order in the amount of **\$10,000** for the purpose of the Town acquiring an easement for sewer purposes on land located at 153 Huckins Neck Road in Centerville

**BACKGROUND:** The Department of Public Works (DPW) continues to advance implementation of the Comprehensive Wastewater Management Plan and, in particular, the Huckins Neck Sewer Expansion Project. As part of this work, the Town needs to site a sewer pump station. DPW vetted possible properties where a sewer pump station would be technically achievable and desirable. This review identified a location at 153 Huckins Neck Road in Centerville as the preferred location for a sewer pump station. The land is owned by the Holly Point Beach and Tennis Association, Inc.

The vote would authorize the Town Manager, on behalf of the Town, to purchase or take by eminent domain, as part of a negotiated transaction, a perpetual, exclusive easement for the sewer pump station and related purposes on a portion of this land located at 153 Huckins Neck Road and being part of Assessor Parcel 252-019. The easement area consists of 1,091± square feet as shown on a “Sewer Easement Exhibit Plan”, dated August 14, 2026, prepared by JC Engineering Inc, and attached hereto as Exhibit A. The Town would purchase the easement for \$10,000, which is somewhat over the \$6,700 appraised value of the easement but which will allow for the necessary siting of the sewer pump station at the preferred location, as part of a negotiated transaction.

The Town Manager would be authorized to make minor changes to the easement area as shown on the plan, as may be necessary to effectuate the Order. The vote would also authorize the Town Manager, for nominal (\$1.00) or no monetary consideration, to grant easements and other rights to public utility providers, such as NSTAR Electric Company (doing business as Eversource Energy) and National Grid (doing business as Boston Gas Company) to install utility services to serve the sewer uses on the easement. These utility services are necessary, for example, because the pump station would require electricity to function and the station’s backup generator would rely on natural gas. The Order would authorize the Town Manager to negotiate, accept, sign, deliver and record any instruments or plans as necessary to effectuate this Order and complete the transactions authorized therein.

**FISCAL IMPACT:** Funding for this easement will be provided from the Special Revenue Fund the Town created with special legislation (Chapter 248 of the Acts of 2012, as amended by Chapter 355 of the Acts of 2014 and Chapter 32 of the Acts of 2018) for sewer construction and maintenance and improvements for certain private ways. The balance in the fund is \$15,575,529.

**STAFF ASSISTANCE:** Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; Shane Brenner, Town Surveyor

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends acceptance of this easement.

**B. NEW BUSINESS (First Reading) (Refer to Second Reading 11/19/2026))**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-046**  
**INTRO: 11/05/2026**

**2027-046 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION**

**RESOLVED:** That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Mid Cape Cultural Council:** Mary Bianco, as a regular member, to a term expiring 06/30/2029; **Planning Board:** Mary Barry, as a regular member to a term expiring 06/30/2029; **Waterways Committee:** Paul Everson, as a regular member, to a term expiring 06/30/2029

**SPONSOR:** Appointments Committee Members: Councilor Seth Burdick, (Chair); Councilor Thomas Keane; Councilor Charles Bloom

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\_\_\_\_ Read Item  
\_\_\_\_ Rationale  
\_\_\_\_ Council Discussion  
\_\_\_\_ Vote

**B. NEW BUSINESS (Refer to Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-047  
INTRO: 11/05/2026**

**2027-047 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,923,925 FOR  
FINAL DESIGN AND CONSTRUCTION FOR THE ROOF REPLACEMENT  
PROJECT AT BARNSTABLE INTERMEDIATE SCHOOL**

**ORDERED:** That the amount of **\$4,923,925**, which does not include the **\$197,614** previously appropriated for feasibility study and schematic design costs on May 14, 2026, be appropriated for the purpose of paying final design and construction costs of the roof replacement project at the Barnstable Intermediate School, located at 895 Falmouth Road, Hyannis, MA, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town of Barnstable, through the Barnstable School Committee, has applied and may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Barnstable School Committee. To meet this appropriation the Town Treasurer is hereby authorized to borrow **\$4,923,925** under and pursuant to M.G.L. Chapter 44, section 7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The Town of Barnstable acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Barnstable incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town of Barnstable; provided that any grant that the Town of Barnstable may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and twelve hundredths percent (55.12%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and, provided further, that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Barnstable, through the Barnstable School Committee, and the MSBA.

**SPONSOR:** Mark S. Ells, Town Manager at the request of the School Committee

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| _____ | Motion to Open Public Hearing |
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| _____ | Close Public Hearing          |
| _____ | Council Discussion            |
| _____ | Vote                          |

## BARNSTABLE TOWN COUNCIL

ITEM# 2027-047  
INTRO: 11/05/2026

### SUMMARY

**TO:** Town Council  
**FROM:** School Committee  
**THROUGH:** Town Manager Mark Ells and Superintendent Sara Ahern  
**DATE:** November 5, 2026  
**SUBJECT:** Appropriation and Loan Order in the amount of **\$4,923,925** for final design and construction for the roof replacement project at Barnstable Intermediate School

**BACKGROUND:** The Town Council voted in May of 2026 to fund the Feasibility Study and Schematic Design of the roof replacement of the Barnstable Intermediate School. Since that time, our MSBA-assigned Owner's Project Manager (OPM) AECOM, and Architect, Habeeb & Associates have finalized the feasibility study and schematic design portion of this project.

We would like to proceed with the construction phase of the project and are seeking an appropriation of \$4,923,925 to complete this project. Factoring in the MSBA's reimbursement rate of 55.12%, the total cost to the district for construction is \$2,209,858.

The schematic design, construction budget and schedule, draft appropriation language, and MSBA check-list items were submitted, as required, to the MSBA on October 22, 2026. They will review the materials at their Board of Directors meeting on December 9, 2026, where we anticipate a favorable vote to advance the project to the final construction phase. Should the MSBA Board of Director's not advance the project, this appropriation and loan order request will be rescinded.

The roof on the Barnstable Intermediate school is over 20 years old and is showing signs of failure. Despite countless attempts to repair it, the roof continues to leak and cause damage to the interior of the building. Repairs have become costly and issues are disruptive to the learning environment.

**FINANCIAL IMPACT:** The Town's cost share of this project after MSBA reimbursement is expected to be \$2,209,858 and will be financed by a General Obligation Bond. Future General Fund Operating Budgets will include the annual loan payments which are expected to last 20 years and average \$151,000 per year.

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

**STAFF ASSISTANCE:** Chris Dwelley, Deputy Finance Director for School Operations, Doug Boulanger, Director of School Facilities, Alex Petkova, School Facilities Project Manager

**B. NEW BUSINESS (Refer to a Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-048**  
**INTRO: 11/05/2026**

**2027-048 APPROPRIATION ORDER IN THE AMOUNT OF \$80,000 FOR THE PURPOSE OF REPLACING THE EXISTING GREASE TRAP TANK WITH A NEW 4,500 - GALLON TANK TO ACCOMMODATE THE REQUIRED CAPACITY FOR THE RESTAURANT AND BAR CONCESSION AT THE HYANNIS GOLF COURSE CLUBHOUSE**

**ORDERED:** That the amount of **\$80,000** be appropriated from the Golf Course Enterprise Fund reserves for the purpose of replacing the existing undersized grease trap tank at the Hyannis Golf Course Clubhouse with a new 4,500-gallon tank to accommodate the required capacity for the restaurant and bar concession; and for the payment of any costs incidental or related thereto, and that the Town Manager be authorized to contract for these services.

**SPONSOR:** Mark S. Ells, Town Manager

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| _____ | Rationale                     |
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| _____ | Close Public Hearing          |
| _____ | Council Discussion            |
| _____ | Vote                          |

# BARNSTABLE TOWN COUNCIL

**ITEM# 2027-048**  
**INTRO: 11/05/2026**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Chris Gonnella, Community Services Director  
**DATE:** November 5, 2026  
**SUBJECT:** Appropriation Order in the amount of **\$80,000** for the purpose of replacing the existing grease trap tank with a new 4,500-gallon tank to accommodate the required capacity for the restaurant and bar concession at the Hyannis Golf Course Clubhouse

**BACKGROUND:** The current grease trap tank is undersized for the current 240 seating capacity that is licensed at the Hyannis Golf Course. The Town has contracted out concession services for the last 20 years and tenants previously obtained variances from the Board of Health, subject to additional inspections and pumping. With the completion of the restoration project to the clubhouse, increased growth in golf and use of the facility year-round, now is the time to upgrade the grease trap. Installation of the properly sized tank would make the facility compliant with the Board of Health. Additionally, the increased capacity will be a safeguard in preserving the current septic system and extending its useful life.

We are requesting these funds outside of the normal Capital Improvement Budget cycle to complete the project during the offseason to limit disruption of golfers.

**FISCAL IMPACT:** Funding for this appropriation is being provided from the Golf Course Enterprise Fund reserves. The Golf Course Enterprise Fund Reserves were recently certified by the state at \$2,256,970.

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

**STAFF ASSISTANCE:** Chris Gonnella, Director of Community Services; Griffin Beaudoin, Town Engineer

**B. NEW BUSINESS (Refer to Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-049**  
**INTRO: 11/05/2026**

**2027-049 APPROPRIATION ORDER IN THE AMOUNT OF \$72,000 FOR THE PURPOSE OF FUNDING UNUSED SICK TIME PAYOUTS FOR RETIRING GOLF COURSE ENTERPRISE FUND EMPLOYEES**

**ORDERED:** That the amount of **\$72,000** be appropriated from the Golf Course Enterprise Fund reserves for the purpose of paying unused sick leave to four retiring employees in accordance with the applicable collective bargaining agreement.

**SPONSOR:** Mark S. Ells, Town Manager

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\_\_\_\_ Motion to Open Public Hearing  
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\_\_\_\_ Public Hearing  
\_\_\_\_ Close Public Hearing  
\_\_\_\_ Council Discussion  
\_\_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2027-049  
INTRO: 11/05/2026

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Chris Gonnella, Community Services Director  
**DATE:** November 5, 2026  
**SUBJECT:** Appropriation Order in the amount of **\$72,000** for the purpose of funding unused sick time payouts for retiring Golf Course Enterprise Fund Employees

**BACKGROUND:** The Golf Division has three long-tenured employees who are retiring in fiscal year 2027. In addition, the Budget/Financial Manager for Community Services Department is retiring, and a portion of their sick time payout is the Golf Division's responsibility. At the time of the Fiscal Year 2027 budget development the retirements were unknown, and this cost was not included in the approved 2027 operating budget.

**ANALYSIS:** The collective bargaining agreement under which these employees fall provides for a payment to each employee, upon retirement, of \$150 per day for any unused sick leave up to a maximum of \$22,500. All four employees have accumulated 150 days of unused time. The \$72,000 request includes \$22,500 for each of three Golf Division retirees and an additional \$4,500 to cover the Golf Division's share of the Budget/Financial Managers sick time payout where 20% of their salary is allocated.

**FISCAL IMPACT:** Funding for this appropriation is being provided from the Golf Course Enterprise Fund reserves. The Golf Course Enterprise Fund Reserves were recently certified by the state at \$2,256,970.

**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, Brenda Evans, Budget/Financial Community Services

**B. NEW BUSINESS (Refer to a Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-050**  
**INTRO: 11/05/2026**

**2027-050 APPROPRIATION ORDER IN THE AMOUNT OF \$578,681.75 TO REIMBURSE THE CAPE COD GATEWAY AIRPORT FOR MONIES EXPENDED ON THE CAPE AIR HANGER FIRE RESTORATION PROJECT**

**ORDERED:** That the insurance proceeds received by the Town in the amount of **\$578,681.75** be appropriated for the purpose of reimbursing the Airport Commission for the monies expended by the Commission on the Cape Air Hanger Fire Restoration Project at the Cape Cod Gateway Airport which was damaged by a fire on February 24, 2026.

**SPONSORS:** Mark S. Ells, Town Manager

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| _____ | Motion to Open Public Hearing |
| _____ | Rationale                     |
| _____ | Public Hearing                |
| _____ | Close Public Hearing          |
| _____ | Council Discussion            |
| _____ | Vote                          |

# BARNSTABLE TOWN COUNCIL

**ITEM# 2027-050**  
**INTRO: 11/05/2026**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark Ells, Town Manager  
**DATE:** November 5, 2026  
**SUBJECT:** Appropriation Order in the amount of **\$578,681.75** to reimburse the Cape Cod Gateway Airport for monies expended on the Cape Air Hanger Fire Restoration Project

**BACKGROUND:** On February 24, 2026 a fire broke out in a section of a leased aviation T Hanger owned by the Town and managed through its Airport Commission. The fire was contained, but excessive smoke and water damage impacted much of the structure. The Airport contracted for repairs under the insurance loss and is seeking to recover those funds through the town's property insurance policy and from the tenant's insurance policy.

As with any significant insurance loss, there is a slow and deliberate investigation and negotiation involving both insurance companies whenever a loss like this occurs. These deliberations center on which pays for certain elements of the loss, the depreciated value of the damaged assets and how that money gets spent. The Town through its Airport Commission will receive the settlement checks as reimbursement to the funds extended to repair and restore the building.

**ANALYSIS:** The town has received insurance payments totaling \$578,681.75 for the loss incurred by a fire that damaged the Cape Air Hanger. In accordance with Massachusetts General Laws Chapter 44, section 53, insurance reimbursements of \$150,000 and greater must be appropriated an additional, not yet negotiated, but much smaller amount is expected as a final settlement including the reimbursement of the deductible.

**FINANCIAL IMPACT:** The total loss is estimated to be approximately \$600,0000

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

**STAFF ASSISTANCE:** Mark A. Milne, Director of Finance, David Anthony, Director of Asset Management.

**B. NEW BUSINESS (Refer to a Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM#2027-051**  
**INTRO: 11/05/26**

**2027-051 APPROPRIATION ORDER IN THE AMOUNT OF \$1,135,000, AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2027-2028 GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS IN THE AMOUNT OF \$2,765,000 FOR THE MARSTONS MILLS CRANBERRY BOG WETLAND RESTORATION PROJECT, AND AUTHORIZING THE TOWN MANAGER TO TAKE OR ACQUIRE PROPERTY INTERESTS NECESSARY TO IMPLEMENT THE PROJECT**

**ORDERED:** That the amount of **\$1,135,000** be appropriated from the Sewer Construction/Private Way Maintenance and Improvement Fund for the purpose of funding the Marstons Mills Cranberry Bog Wetland Restoration Project, including payment of costs incidental or related thereto; and that the Town Manager is hereby authorized to contract for a Fiscal Year 2027-28 Grant from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs in the amount of **\$2,765,000**, and further, that the Town Manager is authorized to expend this appropriation and grant for the purpose of funding the Marstons Mills Cranberry Bod Wetland Restoration Project.

It is further **ORDERED** that the Town Council hereby authorizes the Town Manager, on behalf of the Town, for nominal or no monetary consideration or by gift, to acquire or take by eminent domain pursuant to Chapter 79 of the General Laws, as part of negotiated transactions, lands, permanent easements or other property interests on parcels of land on which the proposed project will be located or upon other nearby parcels shown on the project's plans, as needed for access, construction, operation, maintenance, repair, abandonment, relocation and replacement of the project or any portion thereof. The Town Manager is hereby further authorized, on behalf of the Town, to negotiate, accept, sign, deliver and record any instruments or plans as necessary to effectuate this Order and complete the transactions authorized herein.

**SPONSOR:** Mark S. Ells, Town Manager

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| _____ | Motion to Open Public Hearing |
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| _____ | Close Public Hearing          |
| _____ | Council Discussion            |
| _____ | Vote                          |

# BARNSTABLE TOWN COUNCIL

ITEM#2027-051  
INTRO: 11/05/2026

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Daniel W. Santos, P.E., Director of Public Works  
**DATE:** November 5, 2026  
**SUBJECT:** Appropriation Order in the amount of **\$1,135,000**, authorization to contract for and expend a Fiscal Year 2027-2028 Grant from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs in the amount of **\$2,765,000** for the Marstons Mills Cranberry Bog Wetland Restoration Project, and authorizing the Town Manager to take or acquire property interests necessary to implement the project

**BACKGROUND:** The Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs administers the Municipal Vulnerability Preparedness (MVP) Action Grant to provide funding to designated MVP Communities for planning, design, and implementation of projects that utilize nature-based solutions to build resiliency and engage priority populations. The Town applied for and was awarded a Fiscal Year 2027-2028 Action Grant in the amount of \$2,765,000 to implement the Marstons Mills Cranberry Bog Wetland Restoration Project, which is identified as a non-traditional solution in the Town's Comprehensive Wastewater Management Plan (CWMP).

The proposed project will use retired cranberry bogs to remove nitrogen from the Three Bays Watershed. It will do this by filling in the cranberry bog ditches, removing unnecessary berms and culverts, and creating a macrotopography with some small ponds across the roughly 50-acres of bogs.

**ANALYSIS:** By accepting this grant, the Town must commit to implementing the proposed project, which is estimated to cost \$4,700,000. In addition to the MVP Grant, Barnstable Clean Water Coalition (BCWC) has secured a grant in the amount of \$800,000 that will be gifted to the Town at a future date for the purposes of constructing this project, resulting in a \$1,135,000 funding gap. This appropriation would cover the funding gap.

Further, project partners including BCWC, Massachusetts Division of Ecological Restoration, and Cape Cod Conservation District have also applied for two additional grants to further support this project. Award notices for these grants are anticipated during Winter 2026/27. The project is also listed in the Environmental Bond Bill, which if passed could provide additional funding to the project. If any of these grants are awarded, they would further reduce the Town's obligation to this project. The Town's implementation of the project will require that the Town secure property interests, including easement agreements, for the construction and operation of the project, as well as to ensure the long-term maintenance of the project, whether maintained by the Town or others. The vote would authorize the Town Manager to acquire or take by eminent domain such interests in land on behalf of the Town through negotiated agreements for nominal or no monetary consideration or by gift.

Construction of this project is anticipated to occur from July 2027 – Spring 2028.

**FINANCIAL IMPACT:** The funding for this appropriation is provided from the Sewer Construction/Private Way Maintenance and Improvement Fund, a fund created with special legislation through the state legislative process. The town may appropriate monies in the fund for planning,

designing and construction of sewers *and other means of comprehensive wastewater management* and maintenance and improvement of private ways. The current balance in the fund is \$16,938,705. The grant associated with this project is a reimbursement grant. The Town must incur the project costs upfront and request reimbursement from the state.

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

**STAFF ASSISTANCE:** Daniel W. Santos, P.E., Director of Public Works

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-052**  
**INTRO: 11/05/2026**

**2027-052 RESOLVE DECLARING THE LAND AT 310 MAIN STREET IN  
CENTERVILLE AVAILABLE FOR DISPOSITION AND DIRECTING THE  
TOWN MANAGER TO SOLICIT PROPOSALS TO DISPOSE OF THE LAND**

**RESOLVED:** That the Town Council hereby declares that the Town-owned land at 310 Main Street in Centerville, and any improvements thereon, containing 14,270± sq. ft., and being Assessor Parcel 208-048 (the “Parcel”) is available for disposition pursuant to M.G.L. c. 30B, §16(a), and directs the Town Manager to solicit proposals for the sale of the Parcel in accordance with M.G.L. c. 30B. The Request for Proposals (RFP) shall include an option for the Town to retain an easement for public drainage purposes along the northeast corner of the parcel, as recommended by the Department of Public Works, in a configuration determined by the Town Manager. Following the RFP process, and if an acceptable proposal is received, the Town Manager shall submit a recommendation to the Town Council. The sale and disposal of the Parcel shall be subject to the approval of the Town Council pursuant to M.G.L. c. 40, § 15.

**SPONSOR:** Mark S. Ells, Town Manager

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| _____ | Council Discussion            |
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# BARNSTABLE TOWN COUNCIL

**ITEM# 2027-052**  
**INTRO: 11/05/2026**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THRU:** David Anthony, Director of Asset Management  
**DATE:** November 5, 2026  
**SUBJECT:** Resolve declaring the land at 310 Main Street in Centerville available for disposition and directing the Town Manager to solicit proposals to dispose of the land

**BACKGROUND:** In December 2019, acting under the Town Council's authorization in Item No. 2020-025, passed September 19, 2019, the Town took by eminent domain the property located at 310 Main Street in Centerville, which contains 14,270± sq. ft., and is shown in Assessor records as Assessor Parcel 208-048 (the "Parcel"). The parcel is improved with a single-family dwelling. At that time, the Town paid \$544,000 for the Parcel.

The Town took the property to construct and operate a sewer pump station to support sewer expansion in the area under the state-approved Comprehensive Wastewater Management Plan (CWMP). In response to concerns that were subsequently raised, the Department of Public Works (DPW) reviewed other locations to construct a sewer pump station. DPW identified and designed an alternative pump station on land which was, at that time, still part of Mother's Park. Following a Home Rule Petition approved by the Town Council, the Legislature authorized the Town to reconfigure Mother's Park. This action allowed the DPW to construct the pump station on a former portion of Mother's Park, to enlarge Mother's Park by adding more land to the park than was removed from the park for the pump station, and to reconfigure the associated intersection to improve roadway safety and provide safer public access to Mother's Park. With the construction of a new sewer pump station adjacent to Mother's Park, the Town believes the Parcel is no longer needed for the CWMP or any other public purpose. Accordingly, the Town believes the Parcel should be made available for disposition.

Chapter 30B of the General Laws generally governs the disposition and sale of Town-owned real property. Section 16 of Chapter 30B requires that the Town Council determine that the Parcel is available for disposition and specify the restrictions, if any, that it will place on the subsequent use of the Parcel. This vote would accomplish those requirements. Regarding a restriction on the subsequent use of the Parcel, DPW recommends retaining an easement for public drainage purposes along the northeast corner of the property by Wilton Drive and Main Street in connection with an existing subsurface drainage system adjacent to the Parcel. The drainage system needs to be upgraded, and DPW believes it would be better to put it in the proposed easement area on the Parcel instead of replacing it under the roadway and sidewalk. The vote addresses that the Town's RFP would include the Town retaining such a drainage easement.

The vote would direct the Town Manager to solicit proposals through the issuance of a Request for Proposals (RFP) for the sale of the Parcel in accordance with Chapter 30B. In accordance with Section 16 of Chapter 30B, the Town would prepare an appraisal of the Parcel and then issue an RFP to identify prospective purchasers. Following completion of the RFP process, and if an acceptable proposal is obtained that meets the requirements of the RFP, the Town Manager will submit a recommendation to the Town Council. This vote only authorizes the RFP process and does not authorize the sale of the

Parcel. Any sale and transfer of the Parcel would require the Town Council's authorization pursuant to Section 15 of Chapter 40 of the General Laws.

**FISCAL IMPACT:** The sale of this parcel is expected to generate approximately \$800,000. In accordance with M.G.L. Ch. 44, §63, proceeds from the sale or other disposal of real estate, other than that acquired through tax title foreclosure, that exceed five hundred dollars shall be applied to the payment of indebtedness incurred in acquiring such real estate and, if no such indebtedness is outstanding, may be used for any purpose for which the Town is authorized to incur debt for a period of five years or more or may be applied to the payment of indebtedness to purchase land, or interests in land, or to construct or enlarge buildings, including the cost of original equipment and furnishings of the buildings or enlargements. The Town issued a General Obligation bond to acquire the Parcel, which has an outstanding balance of \$432,406. The proceeds from the sale will first be used to pay off the bond and any excess remaining can be used for any purpose for which the Town could incur debt. The remaining proceeds cannot be used to cover operating expenses.

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

**STAFF ASSISTANCE:** Thomas J. LaRosa, First Assistant Town Attorney; Amber Patterson, Chief Procurement Officer; David Anthony, Director of Asset Management

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-053  
INTRO: 11/05/2026**

**2027-053 RESOLVE DECLARING A PARCEL OF LAND AT THE REAR OF 1456  
FALMOUTH ROAD IN CENTERVILLE AVAILABLE FOR DISPOSITION AND  
DIRECTING THE TOWN MANAGER TO SOLICIT PROPOSALS TO DISPOSE  
OF THE LAND**

**RESOLVED:** That the Town Council hereby declares the Town-owned property at the rear of 1456 Falmouth Road in Centerville, containing 4,256± sq. ft., and being Assessor Parcel 209-019-001 (the “Parcel”) is available for disposition pursuant to M.G.L. c. 30B, §16, and directs the Town Manager to solicit proposals for the sale of the Parcel in accordance with M.G.L. c. 30B. Following the request for proposal process, and if an acceptable proposal is received, the Town Manager shall submit a recommendation to the Town Council. The sale and disposal of the Parcel shall be subject to the approval of the Town Council pursuant to M.G.L. c. 40, §15.

**SPONSOR:** Mark S. Ells, Town Manager

| DATE | ACTION TAKEN |
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| _____ | Read Item          |
| _____ | Rationale          |
| _____ | Council Discussion |
| _____ | Vote               |

# BARNSTABLE TOWN COUNCIL

**ITEM# 2027-053**  
**INTRO: 11/05/2026**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** David Anthony, Director of Asset Management  
**DATE:** November 5, 2026  
**SUBJECT:** Resolve declaring a parcel of land at the rear of 1456 Falmouth Road in Centerville available for disposition and directing the Town Manager to solicit proposals to dispose of the land

**BACKGROUND:** In December 2019, acting under the Town Council's authorization in Item No. 2020-026, passed September 19, 2019, the Town took by eminent domain for sewer purposes the property located at 1456 Falmouth Road in Centerville, which was shown in Assessor records as Assessor Parcel 209-019 (the "Parcel"). The Department of Public Works constructed on the property a sewer pump station to support sewer expansion in the area under the state-approved Comprehensive Wastewater Management Plan. The remaining portion of this property was not needed for the sewer pump station. Accordingly, the Town subdivided the property to create two parcels.

The second parcel, which is not needed for the sewer pump station, is located at the rear of 1456 Falmouth Road in Centerville, contains 4,256± sq. ft., and is now identified as Assessor Parcel 209-019-001 (the "Parcel"). After canvassing Town departments, no department head identified a Town need for the Parcel. Accordingly, the Town believes the Parcel is not needed for any public purpose and could be made available for disposition.

Chapter 30B of the General Laws generally governs the disposition and sale of Town-owned real property. Section 16 of Chapter 30B requires that the Town Council determine that the Parcel is available for disposition and specify the restrictions, if any, that it will place on the subsequent use of the Parcel. This vote would accomplish those requirements. No restrictions on the subsequent use of the Parcel are included in this vote as no restrictions were identified during the internal canvassing process.

The vote would direct the Town Manager to solicit proposals through the issuance of a Request For Proposals (RFP) for the sale of the Parcel in accordance with Chapter 30B. In accordance with Section 16 of Chapter 30B, the Town would prepare an appraisal of the Parcel and then issue an RFP to identify prospective purchasers. Following completion of the RFP process, and if a successful proposal is obtained that meets the requirements of the RFP, the Town Manager will submit a recommendation to the Town Council. This vote only authorizes the RFP process and does not authorize the sale of the Parcel. Any sale and transfer of the Parcel would require the Town Council's authorization pursuant to Section 15 of Chapter 40 of the General Laws.

**FISCAL IMPACT:** The sale of this parcel is expected to generate approximately \$5,200. In accordance with M.G.L. Ch. 44, § 63, proceeds from the sale or other disposal of real estate, other than that acquired through tax title foreclosure, that exceed five hundred dollars shall be applied to the payment of indebtedness incurred in acquiring such real estate and, if no such indebtedness is outstanding, may be used for any purpose or purposes for which the Town is authorized to incur debt for a period of five years or more or may be applied to the payment of indebtedness to purchase land, or interests in land, or to construct or enlarge buildings, including the cost of original equipment and furnishings of the buildings or enlargements. The Parcel was part of a larger parcel acquired to build a sewer pump station.

The Town issued a General Obligation Bond for the acquisition which has an outstanding balance of \$224,063. The proceeds from the sale will be applied to the outstanding loan payments due.

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

**STAFF ASSISTANCE:** Thomas J. LaRosa, First Assistant Town Attorney; Amber Patterson, Chief Procurement Officer; David Anthony, Director of Asset Management

**B. NEW BUSINESS (Refer to Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-054  
INTRO: 11/05/2026**

**2027-054 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I  
GENERAL ORDINANCES, TO INSERT A NEW CHAPTER 58  
CRYPTOCURRENCY KIOSKS**

**ORDERED:** That the Code of the Town of Barnstable, Part I General Ordinances, is hereby amended by inserting after Chapter 57 the following new Chapter 58 Cryptocurrency Kiosks:

**“CHAPTER 58 CRYPTOCURRENCY KIOSKS**

**§ 58-1. Purpose and Intent.**

The Town of Barnstable, acting upon reports of the Barnstable Police Department, finds that cryptocurrency kiosks pose risks to consumers, including financial fraud, money laundering, and lack of recourse for users. The Town further finds that existing federal and state consumer protections and regulatory oversight for such devices are insufficient to adequately address these risks, necessitating a municipal prohibition to safeguard residents and preserve public safety.

**§ 58-2. Definitions.**

For the purpose of this Chapter, the following words shall be considered to have the following meanings:

**Cryptocurrency** – A digital or virtual currency that uses cryptography for security, including but not limited to Bitcoin, Bitcoin Cash, Dash, Litecoin, Ripple, Zcash, Ethereum, and similar blockchain-based tokens.

**Cryptocurrency Kiosk** – Any self-service kiosk, machine, or device installed in a publicly accessible location that enables users to buy, sell, exchange, or transfer cryptocurrency through the machine using cash, debit card, credit card, or other means of payment.

**§ 58-3. Prohibition.**

No person, business, or entity shall install, operate, maintain, or permit the installation or operation of a cryptocurrency kiosk within the geographical boundaries of the Town of Barnstable.

**§ 58-4. Enforcement and Penalties.**

This Chapter shall be enforced by the Barnstable Police Department, the Inspectional Services Department, and any other authorized agent of the Town, as determined by the Town Manager.

Any person or entity found to be in violation of this Chapter shall be subject to a fine of three hundred dollars (\$300.00) per day, per device. Violations of this Chapter may be enforced by noncriminal disposition pursuant to M.G.L. c. 40, § 21D.

Each day during which a violation continues shall constitute a separate offense.

**§ 58-5. Severability.**

If any provision of this Chapter is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

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

DATE

ACTION TAKEN

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- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close Public Hearing
- \_\_\_\_\_ Council Discussion
- \_\_\_\_\_ Vote

## **BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-054**  
**INTRO: 11/05/2026**

### **SUMMARY**

**TO:** Town Council  
**FROM:** Craig A. Tamash, Town Council President  
**THROUGH:** Jean Challies, Chief of Police  
**SUBJECT:** Amending the Code of the Town of Barnstable, Part I General Ordinances, to insert a new Chapter 58 Cryptocurrency Kiosks  
**DATE:** November 5, 2026

**RATIONALE:** This proposed ordinance will prohibit the installation and/or operation of Cryptocurrency Kiosks within the geographical boundaries of the Town of Barnstable. This municipal prohibition is based upon the fact that the unregulated Cryptocurrency Kiosks pose a risk to consumers, including financial fraud, money laundering, and lack of recourse for users. This proposed municipal prohibition will help safeguard residents and preserve public safety in the absence of sufficient federal and state consumer protections and regulatory oversight for such devices.

**FISCAL IMPACT:** There is no impact to the General Fund operating budget with the passage of this proposed ordinance.

**STAFF SUPPORT:** Jean Challies, Chief of Police

**B. NEW BUSINESS (Refer to Public Hearing 11/19/2026)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2027-055**  
**INTRO: 11/05/2026**

**2027-055 APPROPRIATION ORDER IN THE AMOUNT OF \$5,000 FOR THE COSTS OF AUDIO REQUIREMENTS FOR AN UPCOMING SPECIAL TOWN COUNCIL MEETING/OPEN MEETING OF THE VOTERS**

**ORDERED:** That the amount of **\$5,000** be appropriated from the General Fund Reserves for the purpose of funding the costs of audio requirements for an upcoming Special Town Council Meeting/Open Meeting of the Voters at the Barnstable High School Performing Arts Center, 744 West Main Street in Hyannis.

**SPONSOR:** Mark S. Ells, Town Manager

| DATE  | ACTION TAKEN |
|-------|--------------|
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- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close Public Hearing
- \_\_\_\_\_ Council Discussion
- \_\_\_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2027-055**  
**INTRO: 11/05/2026**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Lynne M. Poyant, Director of Communications  
**DATE:** October 30, 2026  
**SUBJECT:** Appropriation order in the amount of **\$5,000** for the costs of audio requirements for an upcoming Special Town Council Meeting/Open Meeting of the Voters

**BACKGROUND:** The Barnstable Town Council has received a petition for a Special Town Council Meeting/Open Meeting of the Voters relating to the two-way Main Street project in Hyannis. Capacity issues require that these meetings be held outside of Barnstable Town Hall. The Barnstable High School Performing Arts Center's audio system does not meet the requirements of a meeting of this size. Due to the equipment specifications for this upcoming Special Town Council Meeting/Open Meeting of the Voters, we need to hire an audio services company.

This meeting will not air live. The meeting will be in person only with no remote participation.

**FISCAL IMPACT:** The Fiscal Year 2027 Operating Budget does not include funding for special Town Council meetings that require contracted audio services. The General Fund Reserves are the proposed funding source which were certified by the state at \$27,868,653.

**STAFF ASSISTANCE:** Lynne M. Poyant, Director of Communications; Sarah Beal-Fletcher, Barnstable Government Access Television Station Manager

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