



Town Council Meeting  
February 12, 2026

A quorum being duly present, President Craig Tamash called the February 12, 2026, Town Council meeting to order at 6:01 P.M.

An announcement was made by President Tamash regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 8 or Channel 1072.

**PRESENT:** Charles Bloom, Seth Burdick, Kristine Clark, William Crocker, Jr., John Crow, Lisa DaLuz, Thomas Keane, Matthew Levesque, Betty Ludtke, Barry Sheingold, Gordon Starr, Craig Tamash  
**ZOOM:** Felicia Penn

Councilor Ludtke introduced and welcomed, veteran Bob Stolte to lead the pledge of allegiance followed by President Tamash who asked all to remain standing for a Moment of Silence for Mel Pauze and all that have served our country and those near and dear to us.

Councilor Daluz stated in response to a letter that was given to her by the Town Attorney, she was advised to contact the State Ethics Commission. After speaking with the State Ethics Commission, Councilor Daluz stated, "there are no grounds that justify me to recuse myself from any of the zoning ordinances." I will not be recusing myself from any of the items on the agenda.

**PUBLIC COMMENT:**

President Tamash asked all who would like to comment, to sign in, wait to be recognized by the presiding officer, and direct your three-minute comments to the Town Council. Written comments are always welcome please email at [Council@barnstable.gov](mailto:Council@barnstable.gov).

Karen McGuire spoke about 2026-089 the Greater Hyannis Civic Association, submitted a letter which stated concern of the use of official letter head by the Town Council. Urged the Councilors to be knowledgeable of how the letter is going to be used before you write a letter on the Town of Barnstable letterhead. Please be very knowledgeable about how the letter is going to be presented.

Richard Brigham is advocating for all our neighbors. The topic has been difficult, the information from St. Josephs indicated that 40 people using this facility were from other towns. Is the program also creating vagrancy. A pilot has been done on a town-based home solution. Has the Housing Assistance Corporation (HAC) been raising funds; has it changed the program. We need a public forum to answer these questions.

Eric Schwaab attended the meeting in Brewster, when the letter that we have been discussing is circulating throughout the Cape. This has become a fiasco; you need to issue a statement to clarify the situation.

John Julius here tonight referred to the MGL that it is illegal for any town to use Community Preservation Committee (CPC) funds for any other purpose than the following: acquiring open space, preserving historic resources, supporting community housing, or developing land for recreational use (Exhibit A).

Larry Morin mentioned Item 2026-145 a grant for Hydrological Evaluations this should be a public hearing urged the Council to move this to the next meeting. If this is a grant it should be handled by knowledgeable people.

Cathy Ledec served as a member of the Ad hoc Zoning Committee. We worked on these zoning amendments; we need to improve our zoning. More details and more specificity. Let's show we learned from our experiences. I would say to vote yes 2026-003, 2026-006 and 2026-007. How do we move forward now with Cape Cod Healthcare. They own multiple properties, provide valuable services, these amendments are for the greater community.

Maryann Barboza noted all the apartments that are going up, the people think these are all affordable, they are not it is on a percentage. As of today, you have more rich people. These committees are full of it; people need to live. Not going anywhere, put people in homes. She wishes these committees would protect and care for the people. One department in this town works with the community, the Police Department. You are representing us!

Nathan Hershler spoke about the downtown zoning on the agenda. His point is process, and record integrity. The concern is that the ad hoc committees would be used to steer the results, not study the problem. In Barnstable Unofficial Eric Schwaab said this package is settled; this is not true. The Council is the decision maker. The documentary record is incomplete. A substantial body of Town Council communications has not been available to the public. Agenda shaping outside the public lane. Continue the zoning items.

Jeffrey Daluz said part of the zoning problem is 23 Pleasant Hill Lane, which has been changed from residential to commercial to neighborhood. Mess started with the pump station, by using old signs so people can build illegally. Councilor Clark told us we routinely use old signs. Four story building right next to a residential home. Now converting to a commercial zone when it is residential. You drained a wetland and made it dry.

Kim Norton urged the Council to rethink the zoning especially in the medical zoning area. Look at the negative impact and find a solution.

#### **ZOOM:**

Sandy Fitzgerald watched the Assembly of Delegates meeting, "why can't we have that posted on the Town of Barnstable calendar?" Regarding the public records request and the ad hoc committees, I do not believe anyone was doing anything unethical. Look at the members and the history of the Zoning Ad hoc committee, it needs to be heard tonight, this is just a way to delay the vote.

Cat Stewart transparency in government is very important, the more that you can do to push out the agendas you will get more response from the public. No criticism, more space put towards parking the more we are taking away from pedestrians for walking. Encourage a dialogue.

#### **COUNCIL RESPONSE TO PUBLIC COMMENT:**

President Tamash stated emails/letters sent to the Council, were shared with all Council members and will be posted by Council date, on the Council website page, under Letters to the Town Council. (Penn) regarding Cape Cod Healthcare letter, the care is fabulous, but they don't pay one single penny toward taxes in this town. That must change. To Mr. DaLuz you need to speak to your sister about other options. (Ludtke) overall themes about trust, integrity, process and transparency. We do have agreements with the Steamship Authority, and with Avangard, Cape Cod Hospital did not give any money towards the new fire truck, we are all neighbors in need. We need to do a better job bringing everyone together. (Bloom) Some aspersions were cast, it was insinuated that I used an email address that was personal, we didn't have a town email at that time. You can have all the emails. (Crow) We used Precinct emails until the town could provide us with new town email addresses. We were pushing for town phones, and we used our own emails until the town could provide (Tamash) mentioned one additional letter.

**TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded)** The Town Manager's report has been

pre-recorded and is available to the Town Council and the public. The report will be prepared in written form and posted on the Town Manager's website. The Town Manager and staff will be available to answer any questions regarding the report as presented. **(Exhibit B)**

- Budget Action Calendar for Fiscal Year (FY) 2027
- S&P global rating assigned AAA rating
- Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award
- Board of Health holding public hearings regarding proposed Tobacco and Nicotine Control Regulations
- Cape Light Compact has selected a new Chief Administrative Officer
- Cape Cod Gateway Airport is transitioning from Aqueous film-forming foam to BIOEX Fluorine-Free Foam.

**MINUTES:**

Upon a motion duly made and seconded, it was voted to accept the minutes of January 29, 2026, as presented.

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

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

President Tamash asked to move two items forward 2026-145 and 2026-146

**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 INTRO: 02/12/2026**

Dan Santos, Director of Public Works (DPW) gave the rationale

**Discussion:**

(Starr) Work will be done by June, who is doing the work, (Santos) Yes, by a Consultant, (Starr) are they looking at drilling (Santos) yes, at a variety of town owned sites mostly north of Route 6, (Starr) Will they look at the mounding at the plant (Santos) Yes (Daluz) are you looking at areas in Hyannis (Santos) No

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorizes 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.

**VOTE: PASSES 12 YES, 1 NO (DALUZ)**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

**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 INTRO: 02/12/2026**

Deputy Chief Mark Mellyn gave the rationale

Upon a motion duly made and seconded it was

**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.

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

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

Jim Kupfer, Director of Planning and Development, gave the power point presentation and the rationale Open Public Hearing

Bob Schulte parking requirements, ad hoc committee recommended 1.5 and it was decided upon. As of 2023 the average car ownership in Barnstable is 2. When the planning board reviewed this they recommended 2 spaces per unit. Reality is we need enough parking for both residents and businesses in downtown Hyannis. Asked the Council to vote for this recommendation.

Ken Alsman defining a density under this code, it does not define the number of units. It is how many cars you can fit on the property. If we do increase the number of parking spaces, it will reduce the number of units. Reducing the overall density changes the developers' view. My primary concern is the feel and look of downtown Hyannis.

Larry Morin stated the battle is between the builders and the people that are going to live there. There is a need to have setbacks and sidewalks.

John Julius said the more the merrier, every single business and homeowner in Hyannis should be here tonight, asking for the same thing we are. The development in this entire town should come to a standstill, because the resources can't handle it. If you make this mistake they will park in front of someone's business, this is common sense. It should be a minimum of two spaces for cars.

Chris Kuhn this is the blueprint that the developers must live with, create it so developers will succeed. Come up with regulations that the developer can make their project work. If two parking spaces are available, the units will sell because they need parking spaces. Whatever is done here guarantees success down the road.

Seth Etienne is against the increase in parking as it forces a developer to create large-scale buildings to make up for the loss. When you have multiple cars at a house it indicates the number of people needed to share the rent.

John Richmond stated that one and a half is the best deal. My opinion people will avoid downtown Hyannis. Ultimately when all is said and done what will be created will be the "new" New Bedford. Trying to make this a little less bad.

Ken Barron this is late in the game but 670 more additional units in Barnstable is crazy. This has to stop; we do not have the resources to handle this density. Way out of control.  
Close public hearing

**Councilor discussion:**

(Penn) did not hear the word landscaping in the presentation. It is sorely missing in some of our current projects on Main Street. This is closer to the intent of the Growth Incentive Zone. We had a recession in 2008 which slowed things to a halt. (Keane) the 1.5 is a mandated minimum, if as a developer could I

go beyond the parking spaces (Kupfer) Yes, (Keane) how much more does it cost to build an additional parking space,(Kupfer) I don't have those costs with me (Keane) how can we make this decision without knowing the cost that is involved. (Ludtke) I am in favor of the 1.5; we passed an overlay in the mall, to do multifamily dwelling, no one has taken that step. We need to use our own eyes and look at the Cascade Motor Lodge building. I like all of this, but this one is a compromise. Not all hope has to be lost. (Daluz) needs to be two parking spaces, rents are high, two people living in an apartment, both need to work to get to work. Public transportation that didn't work here. I'm for two. Not having a place to park your car after work is not good quality of life. By the time you pay for your rent and car payment, insurance and buy the toilet paper to wipe your butt, who can afford it? No more cabs, I'm for 2. (Sheingold) to Mr. Kupfer, you feel the more parking spaces will increase the rent. (Kupfer) Yes (Sheingold) Could you have a maximum percentage for compact cars, thus less expensive to build (Kupfer) we did have some research on compact cars, if a developer wanted to go beyond the minimum standard there could be a special permit. (Sheingold) In the cities, maximum percentages for compact vehicles, is this something you could provide (Kupfer) Absolutely (Sheingold) available town off street parking, could you comment on that to optimize parking (Kupfer) point of concern for the business community members is parking on the street. We do allow for incentivizing, permits for public spaces those that live above businesses. (Starr) what is the rationale to go to 1.0 (Kupfer) opportunity for a minimum standard, if they needed additional parking they could look to their neighbors. After a lot of discussion, the increase is a compromise to bring to a minimum (Starr) looking 10 to 20 years down the road (Kupfer) can't predict that, there are car sharing vehicles in Barnstable (Clark) too many variables with the cost for parking spaces, need to give it serious consideration (Keane) the direction of my comments was to go to less than 1.5. There is an element of this that makes me think people won't own their own cars, people will rely on transportation for hire. These rules are going to guide for generations, in five or ten years, how crazy is that? (Levesque) just to clarify when would this take effect? (Kupfer) as of the first hearing notice. (Levesque) if someone is planning a development is that in effect (Kupfer) there are a lot a variables; such as if you have pulled the building permit. (Levesque) What about the Hibel building do they lose their permit (Kupfer) couldn't speak to that at this time. (Levesque) this area is very special and could be walkable.

Upon a motion duly made and seconded to amend this item to change it from 1.5 to 1.25, parking spaces.

### **Discussion**

(Daluz) it is not enough (Sheingold) it was originally proposed as 1.25 it has merit, but the compromise was 1.5 (Levesque) not concerned about the builder, I care about the people (Daluz) if we had a good transportation system it would be different. So maybe this can come up in three years or so. Nothing has been plowed, it's dangerous and sad.

**VOTE: ON THE AMENDMENT FAILS 9 NO, YES 4 (Keane, Levesque, Sheingold, Starr)**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, LUDTKE, PENN, TAMASH**

Upon a motion duly made and seconded it was

### **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.

**VOTE: PASSES 9 YES, 4 NO (Daluz, Keane, Levesque, Sheingold)**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, LUDTKE, PENN, STARR, TAMASH**

**Break back at 9 PM**

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

Jim Kupfer, Director of Planning and Development, gave the presentation and the rationale  
Open Public Hearing

Bob Schulte on Item 2026-005 shared a presentation (Exhibit C), the Ad hoc committee was concerned about the maximum building heights are too high. Priority objective to align the character of downtown Hyannis. The number of stories was to be reduced to 3.5, to the building ridge. Forty-two feet for a residential area is still too high. The decision you make tonight will have lasting impact on downtown Hyannis.

Eric Schwaab who else filed forms for an appearance of conflict of interest. There are conflicts on this Council, form-based zoning some Councilors had to step aside, why was Councilor Daluz approached by the Town Attorney? Metropolitan guides were mentioned, you should be allowed to own and park two cars in front of the condo. Heights of the buildings must come down. Try to be reasonable and vote yes one more time.

Chris Kuhn probably two things that any village town could do to create the most impact, complete demolition, and the second would be the height. Height changes the character of a town. Predominate buildings on Main Street are one to two stories. The old Howard Johnsons is 3 stories. Who is walking up 3 stories? We are not a city! Remember this is Hyannis.

John Julius said Chris Kuhn was a tough act to follow, don't make the mistake. The lower the better, would you want your family to live in that old Cascade building? All the building should stop right now, because of the water and sewer. The Conservation Law Foundation has a lawsuit against this town. Stop the nonsense, the water and sewer cannot handle any more building.

Seth Etienne if you limit building heights, you are going to have less floor space for people to have a place to live. Difficult for families to live here, the parents will have to work more; the kids will suffer. In relation to parking, the stilts are a solution to parking.

Ken Barron we keep hearing how expensive it is to live on Cape Cod; taxes are much higher in the Boston Suburbs. To keep adding to the housing stock, the more housing stock you have then you need to meet the 10% rule. Everyone wants to have a car on Cape Cod.

John Richmond this is the same old debate; big buildings should go anywhere from the rotary to Route 6, not in downtown Hyannis. What is most important is livability.

Tim O'Neil talked about the height restrictions around zoning is the most difficult. The building height in Barnstable is to the gutter line which allows flexibility to the roof lines. With all the work of the ococ committee was to bring the height down. You don't want to see a lot of flat roofed buildings. If there is intention to go back to 2.5 or 3 stories, you could have a lot of flat roofs.

Jim Kupfer after speaking with Town Attorneys, 30 days from the vote it will become in effect.

Close public hearing

**Discussion:**

(Sheingold) gave the Town Clerk the disclosure out of an abundance of caution, as we know the attorneys on another upcoming item #2026-006, this will not have any effect on my ability to be fair and impartial (Keane) new buildings do they require an elevator for ADA? (Kupfer) I would need to ask the Building Inspector (Keane) if we amend this item would it have to go back to the planning board. (Kupfer) it would depend on the amendment.

(Keane) Upon a motion duly made and seconded it was to amend this item to make the height to the ridge line in place of the gutter line.

(Kupfer) changing the definition, the number of stories and the building height

(Kendrick) suggested further discussion, how we can then reflect that in a motion,

(Tamash) would you be amenable to withdraw the motion

(Keane) Withdrawn and second withdrawn

**Discussion:**

(Ludtke) Orleans came up with 2.5 on Main Street, up to 44 feet with a setback. Have been working with Jim Kupfer on this, at 191 Barnstable Road they are right up against old homes in Hyannis, they are 35 feet. They don't look like boxes; they are very attractive. 3 stories and 40 feet on Main Street. The 49 feet height are too high; we need to look with our eyes. (Penn) clarify we are not using gutter, plate or ridge line height, (Kupfer) recommendation is to the ridge line from the natural mean grade (Starr) First floor for commercial is minimum of 14 feet (Kupfer) we would remove the minimum/maximum heights at the discretion of the builder (Starr) going up 40 feet, could you end up with a flat roof (Kupfer) yes (Starr) what is the knee wall on the fourth floor (page 50) (Kupfer) designed as four feet there. (Starr) does 199 have an elevator? (Burdick) have we made an amendment yet. (Tamash) not yet (Burdick) If we are going to amend this, is it all on one piece? (Tamash) for simplicity's sake, we should figure out what we are doing (Burdick) as it pertains to the altering of the dimensions of the building, it may be complex for us to do this in one shot. What is the appetite for sending this to the new Zoning Sub-Committee. (Clark) I think we can polish it up at the Sub-Committee level. (Tamash) can we keep this alive (Kendrick) asked for a brief pause in the meeting to discuss this, when you do vote, if it is no, be aware of the fact that you will have a two year ban before you can bring it back (Kupfer) Bi-furcation may be problematic, so it would then be going to ridge line and back to the stories (Crow) consensus on the definition of height to the ridge (Kendrick) if you do want to kick it to the Sub-Committee for further discussion (Kupfer) continuation to a date certain to further digest this information as opposed to sending it to the Sub-Committee. (Sheingold) suggesting to get input from the Planning Board (Tamash) you need to have a specific proposal to the Planning Board as we already have their input and thoughts on it (Sheingold) if we are going to make changes (Tamash) I don't want to get into a circular conversation (Kendrick) another issue we have closed the public hearing we are now on a 90 day clock. (Burdick) can we just continue and Betty can make her amendment (Ludtke) third option was Councilor Keane's suggestion to do the height first (Keane) the problem with decoupling these the existing code is height and the stories, it would not match up, kick it back to the Zoning Committee to come back with a recommendation (Tamash) Could we make this to a date certain then within the 90 days and having a discussion at a committee level (Kendrick) can we take a break to make sure we are doing this right

Break for 5 minutes for a discussion with Legal Counsel

Upon a motion duly made and seconded to move this agenda item to March 12, 2026.

**Discussion:**

(Ludtke) are we going to come up with the verbiage?

Upon a motion duly made and seconded it was

**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.

**VOTE: CONTINUE to March 12, 2026-passes 13 yes**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

Jump to 2026-087

<b>2026-087      AUTHORIZING THE GRANT OF AN EASEMENT FOR GAS FACILITIES ON TOWN-OWNED LAND AT 790 IYANNOUGH ROAD IN HYANNIS INTRO: 01/29/2026, 02/12/2026</b>
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First Town Attorney, Tom LaRosa gave the rationale

Upon a motion duly made and seconded it was

**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.

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

**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 INTRO: 02/12/2026**

Upon a motion duly made and seconded it was

**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.

**VOTE: TO A PUBLIC HEARING ON Feb 26, 2026-passes 13 yes**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

Back to 2026-089

**2026-089 ORDER APPROVING AMENDMENTS TO THE TOWN COUNCIL RULES INTRO: 01/29/2026, 02/12/2026**

Upon a motion duly made and seconded it was

**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"**.

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

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

Upon a motion duly made and seconded it was

**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.

**VOTE: OPEN and CONTINUE TO FEB 26, 2026-PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

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

Jim Kupfer, Director of Planning and Development, gave the rationale.  
A motion was made to open and continue this item to February 26<sup>th</sup>  
(Keane) Motion withdrawn  
Open Public Hearing

Bob Schulte, recommended that you reject the special permit, a regulatory agreement anyone can apply for it. By limiting the area, that sets the town up for litigation. They can go through the regulatory agreement.

**Discussion:**

(Crocker) the people left that were here for hours, not sure how this is going to look for this item.  
(Tamash) we are going forward  
Close public hearing

**Discussion:**

Upon a motion duly made and seconded to Move the question

**VOTE: FAILS 10 NO, 3 YES (Burdick, Ludtke, Penn)**

**ROLL CALL: BLOOM, CLARK, CROCKER, CROW, DALUZ, LEVESQUE, SHEINGOLD, STARR, TAMASH**

**Discussion:**

(Crow) if voting yes on this does it have a special permit permission (Kupfer) As of right now it does not include that (Sheingold) can you speak to the special permit pros and cons (Kupfer) if you are expanding and mandating a use that as a town we may not want to see, they can apply a special permit permission, recently we had an allowance the onus was on the town to defend not giving the special permit. Gives an allowance for a residential area on the first floor. (Kendrick) this special permit is not going to subject the town to liability.

Upon a motion duly made and seconded it was

**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.

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

**VOTED TO ADJOURN:**

**VOTE: PASSES 13 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH**

**Adjourn at 11:08 PM**

Respectfully submitted,

Ann M. Quirk  
Town Clerk

**NEXT MEETING: February 26, 2026**

**Exhibits:**

- A John Julius
- B Town Manager
- C Town Council Item 2026-005