

**Town Council Zoning and Regulatory Committee**  
Selectmen's Conference Room 2<sup>nd</sup> Floor Town Hall Building  
367 Main Street Hyannis, MA 02601

Councilor Betty Ludtke Chair  
Councilor William Crocker Jr.  
Councilor John Crow  
Councilor Charles Bloom  
Vice President Kris Clark  
Jake Dewey, Chair, Zoning Board of Appeals  
Stephen Robichaud, Chair Planning Board

April 23, 2026  
5:30pm

**MEETING MINUTES**

Chair of Committee opened the meeting by announcing the following:

Good afternoon, it's 5:30 on April 23rd, 2026. This meeting is being recorded and will be rebroadcast on the Town of Barnstable Government Access Channel in accordance with Massachusetts General Laws, Chapter 30A, Section 20. The chair must inquire whether anyone else is recording this meeting, and if so, please make their presence known. This meeting will be replayed via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Government Access Channel live video-on-demand archives on the Town of Barnstable website. Let's begin with the roll call, please.

Administrator to the Town Council took Roll Call: Committee members

Stephen Robichaud	here
Jake Dewey	here (Zoom)
Councilor Crow	here (Zoom)
Councilor Ludtke	here
Councilor Bloom	here
Councilor Clark	here
Councilor Crocker	absent

Committee has a quorum of members to meet. Chair of Committee read into record the topics to be discussed today

- Potential amendments to Chapter 240 Zoning Article 5 Accessory Uses

Section 240-46 Home Occupation that may add certain definitions, licensing requirements and make other proposed revisions.

- Chapter 240 Zoning Article 5 Accessory Uses Section 240-45 off-street storage of trailers that may consider the storage of commercial vehicles trailers and mobile homes.



Chair of Committee introduced James Kupfer, Director of Planning and Development for a presentation on the topics.

Mr. Kupfer started the presentation with a discussion of the first two priorities for this committee were the Home Occupation and Commercial Vehicle Parking. There was also a request to invite the building commissioner here to discuss any concerns on the topic and things he sees out in the field.

Mr. Kupfer thanked the Commissioner, Mr. Florence, for attending and added he can certainly answer any questions posted online on the committee's meeting materials. Mr. Kupfer explained the following document that the committee members viewed which is a simple one pager that reviewed the

Building Department's complaints received over a period of one year dating back to 2024, and some simple analysis of what has been received by the Building Department and specifically some of the complaints that are directly related to both of these topics here tonight.

We begin to kind of introduce the topic and the complaints that were received.



**Town of Barnstable**  
**Department of Planning & Development**  
<https://www.townofbarnstable.us/Departments/planninganddevelopment/>

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**MEMORANDUM**

**Date:** April 17, 2026  
**To:** Town Council Zoning and Regulatory Subcommittee  
**From:** Planning & Development Staff  
**Re:** Commercial Vehicle and Home Occupation Related Complaints

Town staff have reviewed the list of zoning related complaints received by the Town of Barnstable Building Department in the 2024 calendar year. This was done with an emphasis on examining complaints related to the town's commercial vehicle parking and home occupation ordinances to glean context on the scale of the issue.

The statistics for complaints are below:

- The Building Departments fielded 750 complaints in 2024, 432 of which were zoning related (58% of complaints)
- 63 complaints were related to commercial activity in a residential area, accounting for 8% of all complaints
- 49 complaints were made regarding vehicles in residential areas (7% of complaints)
- 41 complaints were made that included both commercial activity and commercial parking issues, 5% of all complaints

Typical complaints in these categories included unregistered businesses operating out of residences, excessive number of commercial vehicles parked on residential properties, and noise complaints related to commercial activities in residential zones.

Upon further analysis the data reveals that many of these complaints are centered on a few properties that have multiple complaints against them:

- One property had 7 complaints made
- Another property had 4 complaints made
- Six different properties had 3 complaints made against them
- 14 separate properties each had 2 complaints made against them

The data also shows that there are a disproportionate number of complaints made by select individuals, including an instance where one resident submitted 11 separate complaints.

Overall this data would indicate that, while there were complaints made around Town in 2024 related to these issues, they do not seem to be widespread throughout town but rather focused on select parcels located primarily in the village of Hyannis.

307 Main Street, Hyannis, MA 02601 (a) 508-862-4678

Mr. Kupfer also included in the meeting materials was the home occupation, which was that first early red line that this committee called the Quality-of-Life Committee, which was simply administrative. Mr. Kupfer explained the process as the following:

Departments got together and met, we heard from our Town Councilors that this was of concern; so, for this working Administrative Committee, it began to offer red lines for how we could potentially discuss both Home Occupation and discuss how to improve the concerns about Commercial Vehicle parking. In your package and online, you have, again, the red line that was produced.

**§ 240-46. Home occupation.** [Added 8-17-1995 by Order No. 95-195; amended 9-15-2022 by Order No. 2023-011]

A. Intent. It is the intent of this section to allow the residents of the Town of Barnstable to operate a home occupation within a dwelling, subject to the provisions of this section, provided that, the ~~activity~~ Home Occupation shall not be discernible from outside the dwelling except as provided herein; ~~there the Home Occupation shall be no increase must create any noise or odor; there shall be no visible alteration to the premises which would suggest anything other than a residential use; there shall be no increase in traffic above normal residential volumes; and there shall be no increase in air or groundwater pollution.~~

**B. Definitions.**

~~Building Commissioner – Duly appointed building commissioner or his designee acting as the zoning enforcement officer.~~

~~Commercial Vehicle – Any vehicle that meets the definition of “Commercial Plates Required Vehicle” as set forth in 540 CMR 2.05(3).~~

~~Contractor’s Storage Yard – Keeping of materials in trade outdoors, such as: lumber, granite, windows and other such bulk materials, including, but not limited to, stone, gravel, mulch, and firewood beyond the limits of personal use.~~

~~Home Occupation – A business with a primary business address located within a residence or on a residential property.~~

~~Home Occupation License – A license issued to a Responsible Party permitting that individual to have a Home Occupation within their residence or on their residential property.~~

~~kennel – Premises used for the harboring and/or care of more than six dogs or other domestic non-farm animals six months old or over.~~

~~Park-and-Ride – a location at which drivers leave their vehicles to get into another vehicle to go to another location.~~

~~Responsible Party – Any individual in possession of a Home Occupation License issued by the Town of Barnstable.~~

~~Trailer – any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in combination with, a motor vehicle.~~

C. A home occupation shall be permitted in all zoning districts as of right, subject to the following conditions:

(1) The Home Occupation activity is conducted by a permanent resident of a dwelling unit, located within that dwelling unit, or within an accessory structure located on the same lot, subject to the limitations herein.

~~(2) Such use is clearly incidental to and subordinate to the principal use of the premises or occupants for residential purposes.~~

~~(3) A Home Occupation shall require a Home Occupation License issue by the Building Commissioner or his designee.~~

~~(2)(4) Any vehicle associated with the Home Occupation and which meets the definition of Commercial Vehicle shall display a commercial registration number plate as required by 540 CMR 2.05.~~

~~(3)(5) Such use occupies no more than 20% of the gross square footage of the dwelling unit, including office and storage areas combined, unless relief is granted by special permit as provided by Subsection C-E(1)(a) below. Such use within an accessory structure shall occupy no more than 200 square feet unless relief is granted by special permit as provided by Subsection C-E(1)(e) below.~~

~~(4)(6) There are no external alterations to the dwelling which are not customary in residential buildings, and there is no outside evidence of such use except as provided herein.~~

~~(5)(7) The use is not objectionable or detrimental to the neighborhood and its residential character.~~

~~(6)(8) Traffic generated shall not be more disruptive to the neighborhood than traffic normally resulting from a residential use, considering volume, hours, vehicle types and other traffic characteristics, including, but not limited to, an increase of traffic and/or presence of vehicles due to frequent pick-up or drop-off of equipment, materials, or supplies.~~

~~(7)(9) The use shall not involve the production of offensive noise, vibration, smoke, dust or other particulate matter, odors, electrical disturbance, heat, glare, humidity or other objectionable effects.~~

~~(8)(10) There is no storage or use of toxic or hazardous materials, or flammable or explosive materials, in excess of normal household quantities.~~

~~(9)(11) Any need for parking generated by such use shall be met on the same lot/premises containing the customary home occupation/the Home Occupation, but not on grass,~~

~~lawn, or landscaping, and not within the front yard. Parking associated with the Home Occupation shall not displace resident vehicles into the roadway.~~

~~(10)(12) There is no exterior storage or display of materials or equipment. All supplies, materials and equipment associated with the Home Occupation shall be kept in a garage, shed or other enclosed structure or in or on a Commercial Vehicle or trailer allowed on the premises under this Section.~~

~~(11)(13) There are no commercial vehicles related to the home occupation, other than one van or one pickup truck. Commercial Vehicle and/or trailer not to exceed one-ton capacity, and one trailer not to exceed 20 feet in length and not to exceed four tires, parked on the same lot containing the home premises containing the Home Occupation.~~

(14) If more than one Home Occupation is licensed, any additional Commercial Vehicle and/or trailer associated with the second Home Occupation may be parked on the premises only by special permit as set forth in Subsection E(1). Except as authorized under Subsections C(13) and E(1), any Commercial Vehicles or trailers associated with the Home Occupation(s) must be located off-premises at a storage facility or other private property.

~~occupation. This section does not apply to residents of a dwelling who park take-home work vehicles that are not registered to them and that do not have a home occupation on premises.~~

(15) No sign shall be displayed indicating the home occupation.

(16) If the home occupation is listed or advertised as a business, the street address shall not be included.

(17) No more than one nonresident employee may be employed on the premises of a home occupation, except pursuant to a special permit in accordance with Subsection E(1)(c) below.

~~(18) The property on which the Home Occupation is located shall not serve as a Park and Ride.~~

~~(19) There shall be no more than two (2) Home Occupations licensed on the premises.~~

(20) Home occupations shall not include such uses similar to, and including the following:

- (a) Barber and beauty shops.
- (b) Commercial stables or kennels.
- (c) Offices which provide public access, provided that offices that are used only for administrative purposes shall be permitted.
- (d) The sale of retail or wholesale merchandise from the premises, with the exception of online or mail order sales. The storage of merchandise is included in the total area limits of the home occupation subject to Subsection C(13) above.
- (e) The sale of antique or secondhand goods, with the exception of online or mail order sales. The storage of merchandise is included in the total area limits of the home occupation subject to Subsection C(13) above.
- (f) Service or repair of vehicles, and gasoline- or diesel-powered machinery.
- (g) Contractor's storage yards. Contractor's storage yard includes the keeping of materials in trade outdoors, such as: lumber, granite, windows and other such bulk materials, including but not limited to stone, gravel, mulch, firewood, etc., beyond the limits of personal use.
- (h) Veterinary services.
- (i) The manufacture of goods using heavy machinery.
- (j) Medical or dental practice.
- (k) Fortune-telling or palm reading.

D. Home Occupation License. Applicants shall be required to receive a Home Occupation License from the Building Commissioner or his designee for each Home Occupation located within a residence or on a residential property.

a. All Responsible Parties shall make application to renew their Home Occupation

Licenses annually. Renewals are subject to approval and may be withheld for violations of the Barnstable Town Code, including, but not limited to, the requirements set forth in this Section.

b. A Home Occupation License shall be for a term of one (1) calendar year, beginning on January 1. License fees shall not be pro-rated when obtained after January 1.

c. Home Occupation Licenses shall include, at a minimum, the following information: A license number, name and photo of the Responsible Party; the location of the Home Occupation; license plate numbers of all commercial vehicles associated with the Home Occupation; telephone number of the Responsible Party; email address of the Responsible Party; and location of off-premises parking associated with the Home Occupation.

d. A Home Occupation License may be revoked by the Building Commissioner or his designee for cause, including, but not limited to:

- i. Violation of any of the provisions of this Section.
- ii. Providing false information in any application associated with the Home Occupation.
- iii. Parking business-associated vehicles in violation of what is allowed by this Section.
- iv. Failing to register vehicles associated with the Home Occupation as required by Subsection (C)(4).
- v. Failure to timely communicate with the Building Commissioner or his or her designee during any enforcement action.

e. A Responsible Party aggrieved by a decision by the Building Commissioner pursuant to this Subsection D may appeal to the Zoning Board of Appeals within thirty (30) days of the decision. Appeals to the Zoning Board of Appeals shall be delivered in accordance with Massachusetts General Laws c. 40A § 15.

E. Home occupation by special permit. The Zoning Board of Appeals may allow by special permit, subject to the provisions of § 240-125C herein, a home occupation subject to the specific standards for such conditional uses as required in this section:

(1) Home occupations shall comply with all of the requirements of Subsection BC(1) through


C(20) above, except the Zoning Board of Appeals may allow by special permit the following waivers from the requirements of Subsection B above.

- (a) The Zoning Board of Appeals may allow an activity to exceed 20% of a dwelling's gross floor area by special permit but at no time shall allow a home occupation to occupy more than 40% of a dwelling's gross floor area.
- (b) The Zoning Board of Appeals may allow one nonilluminated wall sign not exceeding two square feet in area by special permit.
- (c) The Zoning Board of Appeals may allow more than one nonresident employee to be employed on the premises of a home occupation but at no time shall a home occupation allow for greater than two nonresidents of the household to be employed on the premises at the same time.
- ~~(d) The Zoning Board of Appeals may allow the parking of one work vehicle capable of being operated under a Massachusetts Class B license related to the home occupation by special permit. All parking generated by the use by special permit shall be accommodated off-street, screened by a physical or natural barrier so not to be seen from a public way.~~
- ~~(e)(d) Home occupations shall not include the uses listed in Subsection B(C)(2)(15) above. However, The Zoning Board of Appeals may allow activities that may not be customary within a dwelling, provided that the activity meets the intent as specified herein.~~
- ~~(c) The Zoning Board of Appeals may allow a home occupation use to be located within an accessory structure which may occupy greater than 200 square feet of the accessory structure, on the same lot as the primary residential dwelling unit occupied by the applicant, provided that: Such use within an accessory structure may occupy greater than 200 square feet by special permit but at no time shall the use within the accessory structure occupy an area within an accessory structure that is greater than 25% of the square footage of the primary residential dwelling unit occupied by the applicant.~~
- ~~(f) An additional commercial vehicle and/or trailer associated with a second Home Occupation.~~

(2) Home occupations requiring a special permit shall require Article IX, Site Plan Review.

(3) Any special permit granted by the Zoning Board of Appeals shall be issued solely to the applicant at his or her residence, and shall not be transferable to another person, or to another location.

And this is the same red line that was provided to the planning board, who then, and I know a member of this committee, Mr. Robichaud, can certainly speak to this, but the Planning Board went page by page in reviewing this.



**Town of Barnstable  
Planning Board**  
www.townofbarnstable.us/planningboard

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**Staff**  
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Janet Kiefer

**Assistant Director**  
Kyla Pickett

**Principal Assistant**  
Kara Pitts

December 23, 2025

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

23 DEC 25 4:05:56  
BARNSTABLE TOWN CLERK

RE: Report of the Barnstable Planning Board to Town Council on Item No. 2025-001, a Proposal to Amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article V Accessory Uses, by repealing and replacing Section 240-46 Home Occupation, with a new Section 240-46 Home Occupation that adds definitions, licensing requirements and makes certain other revisions

Dear President Tamash,

The Planning Board held duly posted and noticed public hearings on September 22, 2025, November 10, 2025, December 8, 2025, and December 22, 2025 on the proposal to amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article V Accessory Uses, by repealing and replacing Section 240-46 Home Occupation that adds definitions, licensing requirements and makes certain other revisions.

At the close of the public hearing, a motion was duly made and seconded to NOT recommend to Town Council adoption of the proposed zoning amendment, Item No. 2025-008 as written. The vote approving that motion was a 6-0 vote of members present.

During Planning Board discussions on this topic, the following issues were identified as reasons for not recommending the amendment:

- Board members expressed concern regarding the enforceability of the ordinance as written. The Board stated that additional resources, staff time, and cost would be necessary if adopted as amended.
- There were questions regarding the need for, and feasibility of enforcing, a home occupation license requirement. Members stated that any licenses should be at a low or no cost to encourage compliance and mitigate small business impacts.
- Board members considered inclusion of a license requirement may be better suited as a general ordinance.
- The proposed limit on commercial vehicles associated with a Home Occupation is too restrictive and needs to consider flexible regulations potentially based on lot area and other mechanisms to properly screen commercial vehicles and other home occupation vehicles and equipment from abutting properties. Members stated that a small lot in Hyannis should not be treated the same as a large lot in Marston's Mills.
- The Board questioned whether two commercial vehicles was the appropriate amount on a residential lot.

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- The definitions should be reviewed further, and certain terms should be clarified such as "limits of personal use" should be defined.
- The proposed ordinance should have a more public process prior to finalizing a draft for consideration.
- Light mitigation regulations should be considered to ensure no adverse lighting impacts. These regulations should dictate that lighting shall not trespass beyond property lines in residential neighborhoods.

Respectfully Submitted,  
  
Stephen Robichaud, Planning Board Chair

cc: Janet Kiefer, Director, Planning & Development  
Aria Clark, Town Clerk



**COMMERCIAL PARKING AMENDMENTS**

*Existing Ordinance:*

**§ 240-45. Off-street storage of trailers. [Amended 2-22-1996 by Order No. 95-194]**

A mobile home may be stored in a garage or other accessory building or on the rear half of a lot owned or occupied by the owner of the mobile home. The location of the mobile home shall comply with the yard requirements of the zoning district in which it is located.

*Proposed Ordinance:*

**§ 240-45 Off-street parking and storage of commercial vehicles, trailers and mobile homes**

**A. Purpose and Intent**

The purpose of this section is to limit the number of commercial vehicles, trailers and mobile homes, as defined herein, which are allowed to be parked and/or stored on residential properties to reduce safety hazards, prevent the disruption of traffic and maintain the character and appearance of residential neighborhoods.

**B. Definitions**

For purposes of this Section, the following terms shall have the following meanings:

**a. Residential Lot**

Any parcel or lot that contains a single-family dwelling unit as the primary use of the property.

**b. Mobile Home or Recreational Vehicle**

A self-propelled or towable vehicle regulated by the Massachusetts Department of Transportation with self-contained amenities for eating, sleeping, living, cooking and sanitation on a temporary basis, intended for travel, recreation, leisure and vacation purposes, excluding allowed uses under Section 240-9.

**c. Trailer**

Any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in combination with, a motor vehicle, provided that Trailer shall not include Mobile or Recreational Vehicle.

**d. Commercial Vehicle**

Solely for purposes of this ordinance, any vehicle that falls within subsections (a), (d), and (e) of the definition of Commercial Plates Required Vehicle as set forth in 540 CMR 2.05(3), regardless of whether the vehicle has commercial plates.

**f. Driveway**

A means of vehicular access to a parcel of land abutting a highway or street.

**g. Prohibited Vehicles**

Trailers that are more than twenty (20) feet in length or have more than four (4) tires; and Commercial Vehicles that exceed one-ton capacity.

**C. Parking and storage of vehicles on a residential lot.**

**a. Permitted uses as of right in all zoning districts**

i. Mobile Homes – mobile homes may be stored in a driveway, garage or other accessory building or on the rear half of a lot owned or occupied by the owner of the mobile home; provided that if the mobile home is parked on the rear half of a lot, it shall not encroach upon the minimum yard setback requirements of the zoning district in which it is located.

ii. Trailers - one trailer that does not exceed twenty (20) feet in length and does not have more than four (4) tires may be parked on a residential lot at any given time.

iii. Commercial Vehicles – a maximum of two Commercial Vehicles may be parked at any given time on a residential property. If any Commercial Vehicles are authorized in connection with a duly licensed Home Occupation under Section 240-46, such Commercial Vehicles shall count towards the maximum of two allowed hereunder.

iv. Unregistered Vehicles – a maximum of one unregistered motor vehicle may be parked or stored on a residential lot at any given time; provided that such vehicle is parked or stored in an enclosed structure or is otherwise screened so that it is not visible from the street.

v. Notwithstanding any provisions herein to the contrary, vehicles temporarily on the premises due to ongoing permitted building or site work at the premises are allowed.

**b. Permitted uses requiring a special permit**

i. Any Commercial Vehicle in excess of two shall require a special permit granted by the Zoning Board of Appeals. The Zoning Board of Appeals shall not authorize more than three commercial vehicles on one residential property.

**c. Prohibited uses**

i. Trailers of twenty (20) feet or more in length or having more than four (4) tires and construction vehicles, including, but not limited to, backhoes, bulldozers and dump trucks, are prohibited from being parked or stored on a residential lot, provided that such vehicles temporarily on the premises due to ongoing permitted building or site work at the premises are allowed.

ii. Commercial Vehicles and Trailers shall not be parked on grass, lawn or landscaping, except that a Mobile Home may be parked on grass on the rear half of a lot, subject to the provisions of subsection C(a)(i) above.

iii. Prohibited Vehicles shall not be parked on a residential property.



Town of Barnstable  
**Planning Board**  
 www.townofbarnstable.us/planningboard

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 Assistant Clerk  
 Planning Assistant  
 Receptionist

December 23, 2025

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

29 DEC 25 04:56  
 BARNSTABLE TOWN CLERK

RE: Report of the Barnstable Planning Board to Town Council on Item No. 2026-012, a Proposal to Amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article V Accessory Uses, by repealing Section 240-45 off-street storage of trailers and replacing with a new section 240-45 off-street parking and storage of commercial vehicles, trailers and mobile homes.

Dear President Tamash,

The Planning Board held duly posted and noticed public hearings on September 22, 2025, November 10, 2025, and December 8, 2025, and December 22, 2025 on the proposal to amend the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning, Article V Accessory Uses, by repealing Section 240-45 off-street storage of trailers and replacing with a new section 240-45 off street parking and storage of commercial vehicles, trailers and mobile homes.

At the close of the public hearing, a motion was duly made and seconded to NOT recommend to Town Council adoption of the proposed zoning amendment, Item No. 2026-012 as written. The vote approving that motion was a 6-0 vote of members present.

During Planning Board discussions on this topic, the following issues were identified as reasons for not recommending the amendment:

- While there was agreement that a limit should be established on off-street parking of commercial vehicles within residential neighborhoods, board members were unsure what the appropriate limit would be. The Board suggested that Town Council consider more than one commercial vehicle may be considered by special permit.
- The ordinance should be clarified throughout to state that it is not applicable to boat trailers and recreational vehicles and specifically applicable to trailers and equipment related to commercial entities. Also the ordinance should clarify that qualifying aquaculture uses are exempt.
- The proposed limits need to consider flexible regulations potentially based on lot area and other mechanisms to properly screen commercial vehicles and equipment from abutting properties. Members stated that a small lot in Hyannis should not be treated the same as a large lot in Warences Mills.
- Concerns were expressed with prohibiting commercial vehicles from parking on grass or lawn areas, as it was stated that not all lawns are equal and there may be situations where it would be appropriate to park vehicles on grass.
- The proposed ordinance should have a more public process prior to finalizing a draft for consideration.

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Overall the Planning Board felt that examining this topic was a worthy endeavor, but additional research into how other communities have regulated this issue and input from the public is needed before presenting a revised draft for consideration.

Respectfully Submitted,

  
 Stephen J. Kufner, Planning Board Chair

cc: James Kupfer, Director, Planning & Development  
 Assistant Clerk, Town Clerk

Mr. Kupfer mentioned that this committee has a two-page staff or a Planning Board memo that kind of outlines on a high level what are some of the concerns they had about the red line; with those two documents it really will be able to assist this committee as you move forward looking at the red line versions. That's the starting product, as well as some of the Planning Board's comments and recommendations that the committee members could begin to touch on and discuss further and then go back through that red line to see how the committee would like to proceed.

The second subject Mr. Kupfer explained was the commercial vehicle parking.

First on the agenda was the Home Occupation (HOMOC), but then you will have on the agenda Commercial Vehicle Parking. In that section again, in your meeting package and online, you have the Commercial Parking proposed amendment, as well as the Planning Board's suggestions, comments and recommendations. Mr. Kupfer mentioned that both of these were not recommended. It was however recommended to the Council as they, and the Planning Board recommended a public process to proceed, as well as further engagement with committees so that we could maybe better the product that is before you.

Mr. Kupfer recommended ad stated to the committee members that the red line is where he would certainly recommend starting the discussion, and if the committee wanted to maybe welcome Commissioner Florence up to, give some insight as to, what are some concerns with the current Home Occupation Ordinance and what he's seeing from complaints, in a little bit more detail. Mr. Kupfer

mentioned “I've obviously given you kind of an outline of what we've been given from the Building Department in terms of complaints, and we can go from there.”

Chair of Committee stated “Yes, I think that would be helpful if Director Florence would like to come up and give us a summary, and I know I've talked to him about this, and, you know, he's the enforcer, so to speak, and we ought to be sure that what we write can be enforced and if it can't be enforced, then we probably shouldn't write it. We have to work, certainly, within the bounds of what's legal and what is enforceable, so, you know, you can have any program, but if you can't enforce it, then it's really not of any value.”

Building Commissioner Brian Florence began by thanking this Committee and its members as well as the Councilors and its members for taking this on and having him here to clarify his role on enforcement.

“Members of this committee, thank you for your time and your volunteering work here. I really appreciate it. It's very helpful to all of us. I don't really have a whole lot to say other than the work that we did, I think that it was very thoughtful, very cerebral. We put a lot of effort into trying to do what the Town Council had asked us to do as a group, and I think we came up with some good ideas and some good regulations for you to consider. I will say that...you know, a lot of that was derived from much to do about nothing, to be perfectly honest with you. If you look at the statistics that you were given from our office, and it's right out of our database, it's nothing that we had the chance to do anything with. It's just printed right out.

What you'll find is that there are about 8% of the complaints that we get are related to these issues and if you look at the 8% and you drill down, what you'll see is it's really only about 3% or 4% of our complaints, because a lot of the things that you saw in the data that we gave you, it's repeat complaints, and mainly from one or two people.

So, you know, you take that 8% of 750 or 800 complaints, and you drill it down, it really turns out to be 2% or 3%, and it's not unusual to get that in any level of enforcement stuff; so, for example, home occupations, another one is construction without permits; so, you'll probably get another 10% construction without permits, and there's a whole series of different types of complaints we receive, but we did get the request from the Council to look at it; we looked at it, I think we gave you a great product. There are a couple things that the Planning Board wasn't too thrilled with, and I get it, but I'm happy to answer any questions, and if there's any specifics that you have for me, I would be glad to walk you through them. I know that one of your members, Chairman Dewey, was looking for some details on some of that information that we had, I didn't have a chance to put that together, but I'm happy to do that for you if that would be helpful. I also would like to throw out there, for the Ad Hoc Committee on Home Occupations, I put together a PowerPoint presentation, and I'd like to offer that to you as well for your committee to review if you would like.”

Chair of Committee asked the members if anyone have any questions.

Mr. Robichaud stated “Well, the only thing I just wanted to lead off with is, if you remember back to our first meeting when we first got together, we kind of talked about how we conduct ourselves and what kind of process we'd use and for me, the most important thing when looking at something like this is first identifying, is there a problem? Is there something here that needs to be solved? And we've heard that. We've heard that from members of the public. We've heard that from each other. You know, Jake, you wrote a great letter once to Planning Board, which brought up this very issue. Is there a problem? Is there actually something here that needs to be solved? so that's kind of where I think that we need to begin.”

Mr. Robichaud stated “at the Planning Board, we looked very, very carefully at this in a very detailed, thoughtful manner and the result of that was that the Planning Board decided, it was not something that was, there was not a problem that needed to be solved. We also had that backed up passionately by a

room full of members of the public that agreed that it was not the will of the community to make a change, that's just my experience, and I think that we should lead with identifying, is there a problem here that needs to be solved? and if I may, just one last thing; so when we looked at it as a committee, as a group, there were some enforcement stuff that was very specific that would help with enforcement that over what we have now, there were a few minor changes. I'm happy to go through the red line and point those out maybe at the next meeting or one after that.”

Chair of Committee thought and mentioned “I think I'd like to go through the red line, you know, put it up on the screen and go through it. Anybody else have comments? and thank you, Commissioner Florence.”

Councilor Clark asked Mr. Florence “I know that the Town Council approved an increase in the fee for annual rental inspections to enable you to hire more staff. Has that been able to occur or are you in the process?”

Mr. Florence answered: “Thank you, Vice President Clark, so that's not related to the Home ops or the cars or vehicles; that is a separate item completely. We are in the process of getting staff for rental registration stuff. It's an enforcement issue, but it's not related to these items.”

Chair of Committee recognized Mr. Robichaud: “The 2024 data shared on the April 17th memo from the Planning Department, you know, just looking at that data, I will state just from eye level, the data does not support the conclusion that there is a problem based on what you just said. It's clear you see a lot of complaints; you see a lot of properties specifically with multiple complaints made against them again, what we're discussing accounts for 8% of all complaints, which to me is not something that's identifying a specific problem that needs to be solved, so I do second the comments that you made there. Would you, in your experience and opinion, state that these 2024 numbers are drastically higher or in line with 23, 22, 21? and can you also talk about how COVID might have impacted that?”

Mr. Florence answered, “You know the numbers may be up because more folks were here, but when you look at the percentages, are we staying flat?”

Mr. Robichaud: “Are we rising rapidly? or are we declining? Can you just give a high-level view of that since we're just specifically looking at 2024 numbers?”

Mr. Florence answered: “Don't quote me on this. I'd have to go back and pull those details for you, but my, as I recall from previous years, it's about 750 to a thousand, generally for the Building Division and the same numbers for our Health Department, so we get a couple thousand complaints a year under, under 2000, but they're pretty consistent numbers.

Mr. Robichaud: “And do you have any sense of that, again, that percentage related to commercial activity in a residential zone? Do you have any sense of how the data has been trending?”

Mr. Florence: “I would say it's static.”

Mr. Robichaud: “Static.” Okay, yeah that was my thought as well. Thank you.

Jake Dewey: “Commissioner Florence thanks for being here, just sort of what I had put in that email was just can you quickly just sort of bullet point through what the process is just for for everyone here in the members of the public when a complaint comes in based on our current ordinance and bylaw just so we can understand you know how it's received the inspection or whatever that happens and then the result and follow-up etc. if there is a violation to this in our current ordinance.”

Mr. Florence: Councilor Ludke had to sit through a presentation with me and my staff at our office at that one time; we have a permitting software called OpenGov where our staff as they didn't have a complaint or code compliance module to that, so we worked with OpenGov to create that and we have

what I think is a pretty good functional code compliance program within our permitting software; when somebody calls a unique identifier and gets assigned to this the complaint it gets entered into our system and there it gets assigned by our code compliance officer who is Robin Anderson and she will assign it to the appropriate inspector. It may be a health regulation that's getting enforced or building division regulation or zoning and so she'll assign it to the right person that individual will go out and do an investigation; when after those investigation when the investigation is done they document their findings in our system sometimes it takes more than one investigation sometimes it takes many, many investigations depending on the situation. Once it gets entered into our system and we generally get compliance I would say the vast majority we get compliance there are a few outliers where we have issues where we might have to take somebody to court or refer somebody to legal for court action.

Mr. Dewey: "Okay so do you feel that the existing ordinance is enforceable to cover some of the issues that we have or are you often getting a complaint going back doing the research and then determining that they're within their rights based on the current bylaw ordinance."

Mr. Florence: I think the ordinance is enforceable, could it be better, always, can we do things to improve it, sure and we've recommended that some of those in the red line version that you see

Chair of Committee asked if anyone else had any questions: Councilor Bloom: How did we get this here before us today? The Town Council thought that there was a problem is that is that correct?

Mr. Florence: The way it got here sir, Councilor Bloom, was there were a series of complaints particularly from a couple of individuals that made it to the Ad Hoc subcommittee on Zoning and that subcommittee recommended that we look at it, we had a group of folks from administration such as Director Kupfer and others who asked us to look at it and that group came up with the red line version. It then went to the Planning Board and was supposed to make its way back to the Town Council for legislation and the legislative process and the Town Council decided that it would be best after hearing the Planning Board's recommendations to move it to a subcommittee and that's why we're here now;

Councilor Bloom: One little nuance to that if that's okay to explain, a couple of Councilors recommended this to go back to the Town Council Ad Hoc Zoning Committee, but it ended up going to the Administrative group that was the Assistant Town Manager, Andy Clyburn who established a group of department heads as Brian mentioned to put forward some recommendations so ultimately it started with residents requesting from the Council, then Councilors asking the Town Manager to address this; the Town Manager asked department heads to come up with a red line red line version and that came to Town Council and ultimately went to the Planning Board where that was the first opportunity for a public hearing.

Mr. Florence: The Planning Board spent several nights on these topics and the public commenting, ultimately it did not recommend this. It then went to the Council and the Council said we agree it probably needs more thought and needs more public process and provide it to you all. I should have been clear that there were some complaints brought to the ad hoc subcommittee but the ad hoc subcommittee at the time apparently wasn't charged with looking at zoning enforcement so that subcommittee brought their concerns to the Town Council. Mr. Schulte is here, I'm sure he'll be able to tell you more about it, they did a really good job on their committee, so I'm sure he can enlighten you on how that process went and how it ended up at this ad hoc subcommittee.

Councilor Bloom: I'm just uncomfortable I guess saying that there is no problem, I'd like to find out what problems there have been and if there's a problem we need to address it in this committee; 4% is still a problem, so you know I'm not comfortable right now just saying there is no problem you know what I mean?"

Mr. Florence: Understood and all I want to add is you know I also agree Mr. Schulte did a great job with his committee he heard those complaints and for that reason entertained them ultimately your Legal Department reminded the committee that that wasn't part of the purview, but I don't think Mr. Schulte

wanted to shut those folks down, which is why that was brought to Town Council, and Town Council saw a path of sending that to Administration to work on it. I will say that it is my opinion that at Mr. Schulte's ad hoc committee, there were the same individuals at each meeting. There were five to ten individuals at each meeting. That might even be a little bit high. I personally wouldn't consider that group to be representing the will of the entire community. What we saw in this room before the Planning Board, where the room was full, that's what I consider to be the will of the community, so I do agree with Councilor Bloom's comments, and I just, based on my experience, I don't see something here that really needs to be solved, but happy to look through it as much as possible, or as the Chair sees fit.

Councilor Ludtke stated "I'm not sure, you know, that the will of the community is something that we can accurately measure, and, you know, sometimes they say you get ten people constantly complaining about something. Well, maybe, you know, there's a significant number of others who are also feeling the same way, but they're just not saying it I'm not sure how to make a definitive judgment that this is or isn't the will of the community. That was a great comment for everybody. I'll make a comment, then I'd like to go to public comment, and then we can return.

I absolutely think there is a problem. A lot of it's in my precinct, and I think it depends on where you live, what you see. In Hyannis, you see things you don't see anywhere else. I've been in the living room of several of my constituents, and the stress level is palpable because of this, and I think that there's two issues.

"One is, you know, I'm looking at it in front of us here. I don't know if it's up on the screen, but we have kind of this vision that maybe is hard to capture of what a residential property is and we're trying to ensure our residents are afforded that opportunity to live kind of in peace and tranquility because this is probably the biggest investment of their lives, their home. We also have a system that is complaint-based. That's been verified many times so it's upon people to complain, you know, rat out their neighbors, if you will. It makes very awkward situations, and I've talked to several people, and it creates really uncomfortable situations neighbor to neighbor and then further, if you really want to take this to the nth degree, which I'm talking about a court case, you have to be an abutter, and I think a direct abutter perhaps, I think Commissioner Florence has said so; it really is an awkward situation, and I don't like to put our residents in it that's why I say it's a serious problem and the situation is a home occupation in a residential neighborhood, which we have an ordinance; I think it's incumbent upon us to look at that ordinance and figure out, because we did this to ourselves. We put home occupations in our residential areas for whatever reason maybe we need to think about that, why we did that and think about how we could minimize and not put, we always in this town put the burden on our residents. Then I saw some of the responses to, in particular, I won't give the name of the administration, but I saw the response from the town, and it took eons. First, it was, well, I've got to submit for overtime, because during the day we don't see this and then we finally submitted for overtime, perhaps we can write this to be more streamlined, maybe perhaps clearer. Just enforcement and not force people to keep complaining. I think we have a problem. Although, I understand, Steve, it's not a huge problem, because it's very isolated in certain neighborhoods. I will give you that. So that's why some people are saying, "I don't see anything, but I will say, I see a lot, and I hear a lot."

Chair of Committee asked for public comment.

Councilor Crow mentioned that "It is a problem, and because it isolates only a certain small group of people who are next to these things, it doesn't seem, it's easy to say it's not and are we continuing to enforce the laws that are on the books right now, saying that if you're outside the boundaries of a home occupation, that, you know, you've got to quit it?"

Councilor Crow asked if on the town website, is there a form to request enforcement prominently displayed?

Mr. Florence stated: “Councilor Crowe, thank you for your question. That's an important one; so when we created the code compliance module in our software, there were some problems with it in that it would expose sensitive information, people's birthdates and social security numbers we don't make that as a public forward module, but we have been working actively and have had instructions from the Town Council and during the quality of life committee. We've been working with our software company to make that happen and trying to put together a way for citizens to go online and enter those complaints and also for them to be able to track them and understand what's going on with them during the life of the complaint. It's not something we have at the moment, but we are absolutely doing that.”

Councilor Crow stated: “Yeah, I think that's what we need to do that.” I understand other towns do this right now, so they have it available. I think it's easier for to go flipping through everything, have it prominently displayed. If you're having problems with some occupation, here's a form to fill out, and we will respond to it.

Mr. Florence answered “Yeah, I think that's important.” One of our residents asked us for that, and so we're actively working on that.

Councilor Crow “Yeah, okay, that's good. I like to see that, but I, you know, it just because, say, there's eight people, if this person runs a business for indefinite amount of years, that's that's really taking advantage of this person's quality of life, and I think that's a saying that there's not a problem, there is a problem for those people, and it's a major, major problem. I think we need to fix those few problems, and I think that will cover it if we have the strong enforcement of those few.

Chair of Committee thanked Councilor Crow for his comments and asked for public comment and just state your name is all.

Bob Schulte from Centerville: “Just one of the clarifications of this since my name was mentioned earlier on a couple of things. I think Jim was probably the most accurate in describing the process, while generally there was a discussion of enforcement, it was not focused on home occupation and parking, as part of the ad hoc, and it was because of those discussions that there should be for the discussion it was not specific to this while there were comments made. Mr. Robichaud's comment that there were only four or five people that showed up at the meetings all the time, there were a lot more people who wrote emails and commented beyond the maybe the three or four that you happen to see, so I think it was much broader than that. I don't have the same access to the information that Mr Florence has, and I'm not here to comment on how big the problem is, but it was larger than four or five people. I think that's a misrepresentation of the amount of people. And finally, I think a couple of the things that Mr. Florence's commented on, I would agree with Councilor Crowe's comment, It was over a year ago that I was part of a group that met with Mr Florence and some of his team, we looked at the system and there was talk then about having a way for people to go online and enter that information, so I would hope now that we're a year long, we're still working on it. I'd like to see that type of thing put in place as well, so just wanted to make those comments, thank you.”

Chair of Committee welcomed Eric Schwaab who lives in Precinct 3 in Hyannis. “So first of all, I think that Planning Board Chair Robichaud owes the community an apology for dismissing the concerns of neighbors about commercial vehicles parked on the front lawns. Just last night, I was speaking with a significant property owner in town who was complaining to me that his neighbor had parked a honey wagon on his front lawn. This is not a pickup truck; this is not a boat trailer. It was a honey wagon, okay? Just parked it right on his front lawn, left it there overnight. The lack of enforcement of basic decency is severely lacking again and again and again.

This process started two and a half years ago during COVID when neighborhoods were overrun by unlicensed home businesses the lack of enforcement of basic decency is severely lacking again and again, I'll say it again, the lack of enforcement of basic decency is severely lacking again and again. There are unregistered rental properties, and just phenomenal amounts of just vehicles of every kind,

whether they have stickers on them or not; and to this day, you can drive around Hyannis on a Sunday morning and without even trying, you can find 15 homes that are completely overrun with vehicles and trucks and equipment by just driving 10 blocks; So the idea that this is not a problem is really unfathomable; I just don't even understand. You must not get out of bed before 11 o'clock on a Sunday because those of us who do drive around on a Sunday morning see it all the time.

Now, there was a substantial effort made by citizens to address this problem. We even wrote code that we thought would be appropriate to be considered. That code was buried by the Quality-of-Life Committee who threw it in the trash. It was ignored by the Planning Board and the documents you have before you now are defective because they do not represent the wishes of the community. They are so bad, in fact, that they are so bad that they are so bad, that I think 140 shellfish men came here to complain about them. They weren't expressing the will of the community. They were expressing outrage at the unbelievably poor quality of product that we put before them. They were outraged. I mean, the amount of comments that came off of that were astonishing. I mean, these people were mad. And so, yes, they were given a certain exemption, but the underlying problem, the problem that started this process, has not been addressed; so, what is the problem? The problem is that when you call the Building Inspector, he will tell you, oh, we can't enforce that. I said, "What do you mean you can't enforce this?" Right here in the code, he goes, well, that's unenforceable." Well, you know, I read the code. It's in plain. "English, and you're telling me that it can't be enforced. Explain to me how that works. He goes, well, we don't have the staff to enforce that. Okay, so you don't have the staff to enforce it, but you admit that it's a problem. Well, it's not really a problem, okay? The runaround that the average citizen gets on a basic complaint of three vans with 12 ladders each parked next to the living room, it doesn't get addressed. You get a runaround, right? I mean, I once called 340 times on one property. 340 times. Why did I call 340 times because it was never addressed, okay; Lately, it has been very good because I started taking pictures of it and posting them on the internet and the friends and neighbors called them and said,

your house is on the internet. He goes, well, you know, it's on the internet because you're breaking the code and it's not because of anything Mr. Florence did. It's like the neighborhood got together and said, hey, look, you've got to move the trucks. It's just not right. We're policing ourselves because of a complete lack of enforcement by Mr. Florence. I mean, it's just a complete lack of enforcement; now, here's the problem. He says he wants more money, right? He needs money to do enforcement, so he built into that quality of life plan an enormous fee increase. Enormous. 200-something dollars per home occupation so that means if you're painting at home in your living room, and you sell one once a year, if you make shell bracelets, right, and you sell them occasionally at a craft fair, that's technically a home occupation and you need to register that, and you need to pay \$200, \$300 for that, because he wants that revenue to pay for the enforcement officers. Instead of coming to the town and saying, look, you know, we have an enforcement problem we need to allocate funds appropriately, right? He's trying to extract this, and that's a huge fee out of the public there's more than enough revenue going to this town from property taxes to enforce zoning. Every other community on the planet enforces zoning from property taxes. There is no need for an additional fee. It's absolutely, absolutely insane and I could go on, and I will. Let me say this. I have a huge amount of documents available on this topic, including coherent zoning that was reviewed by attorneys off-cape who think that our zoning needs a complete ground-up rewrite, right? I suggest that you roll all this back and go back to the starting line and look at the zoning we have now and have the Director explain to you what it is, and what isn't unenforceable. You should not have a line of code on the internet that is unenforceable. You shouldn't. The first thing you should do is just going through it line by line, not the red line. Go back to what's on the internet, what's in E-code 360.

Look at what you have there and have the Director identify those portions that he feels are unenforceable. Then look at the problems you have and then see what amendments you need to make to the stripped-down code to fix the problem. That's what we did. We spent nine months reviewing all the code line by line, stripping out everything that Director Florence claimed was unenforceable and adding back everything that we thought should be enforceable. All that work was done by citizens, on a volunteer basis, was thrown in the trash. Why? Why would you throw a citizen effort in the trash and then claim that there's no problem? That's outrageous. Thank you very much.

Chair of Committee: Before we go to our next speaker, I just want to make one comment to Mr. Eric Schwaab. Although, legally, you can say whatever you want up here, I wish you would not attack one of our members here. Steve Robichaud is the head of the Planning Board, he was stating his opinion, which I value, because that's why he's on here. You can have a disagreement with him, but you have no right to demand an apology for him stating his opinion, because that's his value here and I need his opinion.

Mr. Schwaab answered: I'm sorry I misspoke. I apologize.

Chair of Committee: Yeah, no, thank you. It just, it doesn't help. I've been in a situation here on the Town Council where someone demanded that I apologize. So, you know, it doesn't, anyone can say anything they want. There's been a grand jury law in Massachusetts where you can come up here and say every profane word you want, but I'm just trying to keep the committee moving forward in a positive way.

Chair of Committee welcomed Kathy Strudwick. "I actually live in Hyannis. My query is this. Lincoln Road, it's becoming a commercial road. There's one particular house with lots and lots of heavy vehicles on the lawns and that type of thing. Now, also there's like a little toilet situation on the front garden as well. I don't know if anyone's aware of that, the commercial part. It's an ordinary house becoming a commercial property. I just wondered whether anyone else could take a look at that situation, please. That's all I have to say"

Chair of Committee asked: "That's Lincoln Road, correct, you said?"

Kathy Strudwick: "Lincoln Road, yes. It's becoming commercial. In one particular house, they've got all of these Cazeault trucks and things like that and they've gone way into the garden. They've put an ablation there, or toilet, whatever you might call it here. It's at the end by RT 28 The house is close to 28.

It's got lots of trucks there. It's got a yellow kind of, or green toilet right at the entrance to it and then they've got all this garden at the back made into a commercial property, parking, and that type of thing. I actually saw 15 vehicles there."

Chair of Committee asked: I wondered if anyone could look at that. I'm not quite sure of the number of that particular house, but you can't possibly miss it on the right-hand side going up towards RT 28

Chair of Committee: Okay, thank you.

Mr. Schwaab: I can give you clarification on that. That's the tree-cutting operation that has multiple vehicles there. There were some resolutions to the issue probably two years ago, and some of the vehicles were cleared out, and one by one, they came back. That's how it works. They bring one in, test the waters, bring in another one, test the waters and then 18 months later, the neighbors are right back to where they were before, because there is no enforcement.

Chair of Committee: Okay

Mr. Schwaab: Now, we asked for a separation of enforcement from building. This is the modern way of doing things. Other communities that support enforcement from property tax dollars have done this quite effectively. It takes one, at most two, inspection officers. Sometimes it's a retired police officer.

Someone just wants to pick up a few hours. There are other ways of doing this and not placing the entire burden on the Building Department, but there are other ways of doing this but there is a government department who is clearly busy, given all the apartments we're building. Okay? with all the apartments

needing to be inspected, enforcement has fallen into the wayside. I understand, because the building brings revenue. The building brings taxes. Enforcement is a cost. There's no money in enforcement. Okay? by not enforcing, by not separating these functions, it's quality of life, especially in Hyannis, which continues to be hammered. We're getting hammered with everything.

Chair of Committee asked for any other public comment:

Chris Gregory from Centerville. I'd like to challenge one thing I've been hearing over and over again, and it's the word enforcement, and that that's the only course of action here. Councilwoman, Ludtke you mentioned, and this is a sensitive or awkward thing for neighbors to have to bring up because it creates a sense of tension, essentially because if our only recourse is enforcement, then the only end result they are looking for in calling about an issue is that they're looking for their neighbor to be punished and I think, there should be a question of, do we have a service to mediate between a home occupant and a neighbor who is having problems? And again, to identify, what are the negative externalities of the presence of the home occupation that are causing an issue? If it's light, if it's noise, if it's hours of business, if it's someone leaving a portage on their lawn, having odor, leaving materials that are unsafe, I think that those are things that someone can address and mediate between the two parties, and then set a level of accountability for the home occupant and there can be passive monitoring. You can put up a trail camera or something to keep an eye on what's going on with the property and have some verification on what's going on. But I think that there's, there doesn't seem like a function to de-escalate in these issues and to me, I do agree, I don't think that this should be a fee that home occupants pay. This is a service to the people in our town, and I think that when people ask for new services, they should be aware of what they're doing. They should be aware of what it costs, and aware that they're paying for it. I think that even goes back to when we were talking about snow plowing, Councilwoman Ludtke, we were talking about whether they were plowing the road clean or leaving hard pack, and there was the answer given oh, well, the people asked for us to plow the road, so we don't do hard pack anymore and that costs money. So, there's, that is a new service that was kind of crept into, what we're providing, but the cost of it wasn't actually surfaced to the Town Council. It wasn't vetted so we need to be aware of the costs that are associated with getting the results that we might be asking for. When we're talking about costs, we also need to consider the ramifications of making changes because there might be a discomfort in, like, it sounds like there are some, I don't want to say bad actors, but some extreme cases in the town, in general, there are people that, you know, you move here, you have a romance about what the idea of the Cape is you left your old home behind, you don't want to feel like you're in a suburb or anything anymore. You want to be in retirement or be in this space that feels special but that doesn't mean that you don't need services. That doesn't mean that the people that provide those services aren't going to exist among you and so if all of a sudden, you're saying, "Well, I want to see these things anymore, and they go away, what then happens if your boiler explodes or a tree falls on your roof? How much more does it cost when we're pushing, if the changes we make push services out of the town or reduce the number of crews that people can afford? Do we even have bays available in the town or in the area, in the county, that we can relocate this equipment into? What cost does that bring on the people running these businesses? Does that result in them reducing headcount? Does that result in them increasing prices? So those are downstream effects on the people living here that you don't think of when you're saying, oh, I don't like the three trucks next to my house.

I don't want to see them anymore. It's easy to get to see a thing every day and zero in on that on the problem and then not completely look at the complex system of our town and understand what downstream effects we're going to see from making a change. I think that that was highlighted a lot with the building height coming out of the Ad Hoc Zoning where I think when they actually put up the building heights that were recommended were way taller. What ended up being recommended was way taller than what you intended to recommend. And there needed to be some discussion with people in, with subject matter expertise about what would work and so this is all to say, I would like to, I would love to see a map of Barnstable and where these complaints are. If we have a map of our registered home occupants and see where they are and kind of understand what, like, are there hotspots?

Are there consistent problem individuals? What we can do to deescalate the tensions in those areas and reduce, reduce negative externalities because I think if you do all this right, a lot of the people that are coming and talking at this committee, including me, aren't going to be 100% happy. I'm probably a little bit looser on this than, than I should be. There are probably people that want things to be a lot tighter; But that's not your job. Your job is to, to find the sweet spot and I think that it's a slippery slope when we focus on just the number of vehicles, the number of trailers, the number of pieces of equipment that you can see because at that Planning Committee meeting, you had people coming up and saying, well, I don't like seeing my neighbor's camper. I don't like; I don't like seeing my neighbor's storage unit on their site; My neighbors had a pile of mulch on their driveway for two months. Where, where does that stop? What, what, there, there's always going to be a next thing to have to deal with and you can't zone neighbors having to get along with each other; so, I think that there is a question to look at in terms of process and how we're addressing complaints and making people feel heard, but at the same time, delivering a solution that is sustainable to all parties, and it might even be worth bringing in animal control because they must do this type of thing all the time. You know, people complain, people are home all the time they don't like hearing dogs barking. We put up the hearings on YouTube of people, you know, having to mediate the dog, the dog noise with people that have had enough complaints. They might be able to help understand how we're navigating those issues but, you know, this is the first time you're talking about this issue you're, not even beginning to scratch the surface. I look forward to a lot more sessions of you coming to understand the space more and figure out what needs to be solved, and it doesn't just have to be zoning. Thank you very much.

Chair of Committee thanked all the speakers who came in tonight to speak about the issues. Chair of Committee recognized Councilor John Crow. The last gentleman that spoke was basically asking why do we have to enforce anything code wise? We'll just work it out some way and, you know, the intransigent are these eight people or whatever we're talking about. It's not a lot of people. It's not a lot of enforcement and so I don't see that as a major cost like I said, you could, and again, back to what Eric Schwab said, this is the way you can put a form on page one of the town, town website. so people can get that form, post it tomorrow and there's no reason it triggers a duty to enforce. It is courteous to residents. Period. So if you're lucky enough not to be parked or live next to one of these things, well, good for you. It doesn't matter to you. The other people, it does and to a very, very extremely aggravating degree and if we have, from what I understand, those ordinances are on the books right now. Am I wrong about that, Brian?

Mr. Florence answered: You're correct Councilor Crow Most of those are on the books already the problem we run into though is when a citizen comes to me and says, can you stop somebody from parking in a road? I can't. I don't have the authority to do that. That's something that belongs to another agency within our government more specifically the police department. When somebody calls me and says, can you enforce somebody who's driving into the conservation areas? I can't. We have very specific lanes that we're supposed to stand in and we're supposed to work in and when citizens that don't understand our work and don't understand those lanes don't get the satisfaction they're looking for, they get really ticked off at us. There's a false narrative that we're not enforcing and it's really starting to irritate me because we enforce very well. We do a good job and I said earlier this evening to this committee that we get 700 complaints a year. The vast majority of those are corrected. There's a gentleman here tonight that's been up a couple of times who wants somebody to go over and tell his neighbor he can't park in the road. I can't do that. I've given him the path to get that done. He doesn't agree with it. I can't help people that disagree with the rules or how to enforce them, especially when I'm doing it the right way. It's a false narrative you're getting that's why I said in the very beginning this has a lot to do about nothing. I'd be happy to take and look at every single instance that the gentleman that was up here asked me to enforce and I will show you each and every single case I wrote him of 36 charges that he brought to me and of the 36, two of them were enforceable by my office. I did the enforcement but he's not happy because the other 34 irritated him. I don't blame him. He's upset about the conditions of his neighborhood and that's fine but don't point the finger at me and say he's the reason. It's not good. I do my job. We do a darn good job, and my staff work their tails off, so, yes,

they're on the books, Councilor Crowe, and we enforce the rules on the books. If I had insulted you in any way, I didn't mean so. I just wanted an answer to the question.

Councilor Crow: No, sir, you did not insult me at all. I just think, you know, I keep bringing up this form. It would be a way to us to have a timeline and us to have, you know, get out and get these, you know, recalcitrant, a small amount and I think that's not much to ask. and it may not be the major because it's only 8%, but still it's somebody's nightmare and believe me, if you get in that situation, everybody will be singing a different tune that's why I appreciate it, Brian.

Mr. Florence answered: We fully agree about the form, sir, and we are going to make that happen and much more. I don't really want to tell the person's name who gave the committee a series of suggestions, but they were very good suggestions. They came out of Osterville, I will say that and the woman that brought them forward was very thoughtful in what she said to us those are all being worked on, and the town is paying money out of the tax base to get that work done.

Councilor Crow: Okay, thank you. Do you have a timeline on that?

Mr. Florence: I don't. We had an issue with the software company. We're trying to work through ITs, working with them now but as soon as we can get it done, we will get it done we are motivated to get it done.

Councilor Crow: You must have put out an RFP or something. Could that be presented so we could understand it?

Mr. Florence: I would ask you to, you know, let's talk to the IT department. I don't really have those details. It's being run by the IT department? It's the software.

Councilor Crow: Okay, but the form...

Mr. Florence: It's a component of the software, we'd have to have Mr. Benoit come in here and explain what you're asking about is where we are in the process Director Benoit, I'm sure, would be able to answer that question. Maybe even Mr. Kupfer knows.

Mr. Kupfer: I don't know. I don't know where it's at right now. I know that there was an issue with the workings of the work process they were going through, and so we're trying to fix that; but IT... just to understand, IT would do the technical aspects, but the body of the work, what you're filling out, wouldn't that fall under your purview too; I mean, they're just doing the technical piece. They're not trying to figure out what needs Are going to be for the form or the information that needs to be on there, are they?

Mr. Florence: They're developing software. The building commissioner does not develop software.  
Councilor Crow: But you gave them requirements. No?

Mr. Florence: Yes. We have a whole series of things we're looking for. We want to put a document forward that people can fill out. We want people to be able to go into the system and track the complaints that they've made to see where they're going. The building commissioner doesn't write code.

Mr. Kupfer: Madam Chair, if I may just expand on that just a moment. So yes, Brian's team has been working with IT to establish that form. There's no RFP because we don't have it so there's no RFP to establish that form. There's no RFP because we're hopeful that we can integrate it into our system that is OpenGov; they're working with that vendor at this time to try and create that to expand the current platforms that we must allow for exactly what you're saying in terms of forward-facing forms that would then work into our already existing system where all of Brian's team's building permits and others. It

would just hopefully work seamlessly with the existing platform that we have, so that's where it's at at the moment.

Councilor Crow: Okay, thank you.

Chair of Committee asked: Does anyone have any response to the public comment?

Mr. Robichaud: Yeah, I'll offer some, I appreciate that. You know, I just wanted to state that, certainly, I think, from Brian's standpoint, any tools that we can offer Brian to improve his process related to enforcement, I think, is a worthy conversation to have. My concern and my prior comments are simply related to changing the zoning that affects the entire town. If you actually look at the numbers, close to 29,000 parcels in the town. If you look at the complaints listed on the memorandum, April 17th, there's 153 parcels that were affected by complaints related to commercial activity or vehicles in residential areas. It's less than half of 1% of all parcels in town. What I worry about and what we heard from the public was let's not let these bad actors limit what we can and can't do on our private property to change the rules for everybody. There's a lot of folks in town doing things the right way and following all the rules, and what I would hate to see happening is for additional restrictions, limitations to be placed on their lives and their livelihood. I love the conversation about enforcement. I think that that's a worthy conversation to have. Interested in hearing more from Brian, what we can do to maybe make some tweaks, but when we went through this draft, when we went through this red line, what stuck out to us was the significant changes and limitations to zoning for what people can do on their private property and that's what was our biggest concern. Then I also just wanted to thank Mr. Gregory, I think he took off, but every time he'd come in, he'd say, I'm sorry, I'm sorry, I'm sorry. Every time he comes to speak, he always has such wonderful comments and really did appreciate those. I loved the progressive approach related to potentially de-escalation and mediation. Inputting that into the process, I think, would be a wonderful endeavor. I really appreciated those comments.

Councilor Clark: In response to Mr. Gregory's comment, Mr. Gregory's suggestion about mediation. When we write regulations for our town, people are either in compliance or not. I don't think that we want to put staff in a position of let's make a deal or something to assuage, even though I understand his comment. I worked alongside the dog officer, animal control, and I understand that dealing with complaints all day and contentious, situations isn't easy; but I think that we wouldn't want to put staff in the position of being able to, his words, mediate and excuse a violator or not based on keeping the peace. I think that either someone's in compliance or not. I do think that, although it's a good idea, I do, like his line, I wrote it down, you can't zone neighbors to get along; I understand that sometimes people just don't get along. On the other hand, we don't want to put staff in the position of having to judge. I'm sure every day they have to understand the difference between what is a hard line and what is justified in some of these complaints and what is not justified in some of these accused violations. But I don't think we want to put staff in a position of being mediators and modify the regulations that we work so hard to establish.

Chair of Committee mentioned: I think really good comments. I too appreciated Mr. Gregory, what he had to say, because it does get to be an emotional level. As I say, I've spent time in people's living rooms and it's very emotional. It's very worrying for those who are suffering from this, it's a unique kind of suffering and it's, I like the idea of this form that would get us out of this; and again, our town, maybe we need to rethink this complaint driven, you know, and then further saying, well, I can't take a complaint from, like Kathy. Kathy doesn't live on Lincoln Road, but yes, she's seen this. So why can't she complain? And they said, oh, no, you have to be in an abutter situation in case we go to court. Well, oh, wait a second. You know, so I think maybe this, this form might help us get out of this. You know, he said, she said, and this neighbor on neighbor, which is incredibly unpleasant for people. Kathy, I will say we did just have a, Mr. Kupfer hosted it. Lincoln Road has been identified as problematic. I think I know the exact property. I think I spoke to the woman. In fact, she was at the meeting, who lives in Lincoln Road. I think she was right across from that property, so we've addressed that. It was a very good meeting. It was well attended by the residents there and some really good comments. Jim had an entire aerial picture of all of Lincoln Road laid out and people were to put

comments on there; so my kudos to Jim for putting that together. Then I understand a sign is already put up, a speed sign, because I heard from one of the residents that is in my precinct. I heard from one of the folks there who attended it he said, it was kind of cute. He said, "I don't always want to complain. but you know, here's a positive thing. They put up a speed sign." And I said, "well, I said, I don't mind your complaints, but it's also good to get good news."

So that's good and I think we're going to really stay on that. So that's an example cause you brought it up and I think if I'm correct, Commissioner Florence, that was, Lincoln Road that was also where you had an individual with a business that became very successful and a good business and it became so successful. I think Chris Gregory mentioned contractor bays for vehicles storage, this individual couldn't find a place and he had to leave. I mean, that's horrible. I think that happened and that's again what Chris Gregory talked about. There are unintended consequences. That's a whole fabric that gets impacted we all know there's not enough contractor bays. There's not enough Thornton Drive to go around it's being forced into the neighborhoods, this is very complicated. It's very difficult; that's why I think we see some people that say, not a problem and other people say it's a huge problem because it's very, it's isolated and it's, in the neighborhood and not everybody's; Kathy's a good example again Lincoln Road gets a heck of a lot of traffic which is why we studied it but some of these other roads like in my precinct nobody goes down there except the residents and the people at these home occupations so you say what's going on well there's a lot going on, on those roads so maybe am I correct on that business.

Mr. Florence answered: "Councilor Ludtke the fact of the matter is we issued thousands of dollars of fines to that individual and a previous speaker was correct they stopped doing what they're doing and apparently they're back doing it we have four people that go set have to address 76 square miles of town we are not all-knowing and all-seeing it's not possible for us to go beyond complaint-based unless you get a police force and even our police force is largely complaint-based so it's possible that Lincoln Road is back at it and I would invite the woman it was up earlier I forgot her name to please call my office I'm the building inspector my name is Brian Florence you can reach me and we'll be happy to get back over there and get to work on that but we issued thousands of dollars in fines to that property."

Councilor Ludtke stated: Okay just one thing when we go back to the complaint base and you said earlier you know people complained to you about things you can't enforce but I don't think that's really our residents' problem, I wouldn't know who to call for every little thing.

Mr. Florence answered: That's fair and I had a lady call me today and I'm sorry to interrupt you I didn't mean to do that, I had a lady call me today one of Councilors constituents I think he probably could even guess who it is and we had a great conversation she had and she apologized for calling me but she didn't know who else to call and she had an issue with the roadway and she had an issue with something else I forget what it was now, I gave her the numbers for the directors and told her who she can contact and how to reach them. We do that all the time. We're happy to provide that information. It's not reasonable to expect us to get it done, though, to enforce parking on a street. We can't do that.

Chair of Committee recognized Mr. Schwaab for an additional comment.

I just want to explain some of the nuance that haven't been addressed, that were addressed by the citizens. When you say, well, I can't enforce them parking trucks on the road, it's a private road, and he can't enforce it, the director can't enforce it, and the police won't enforce it. They'll just laugh at you if you call them, okay? but the code for home occupations clearly states, in plain English, that all the vehicles associated with the home occupation need to be on the owner's property. That's what it says there, plain English, right? The guy's parking a work truck on the street in front of his house. Yes, the police won't respond, and yes, it's not the director's responsibility, but the code clearly states that the home occupation needs to put all the trucks on the property. It has to be contained on the property. It can't be on the front lawn. There's a number of different variants there; so this is, the enforcement isn't just a guy driving around in a truck, you know, or issuing tickets.

The enforcement is, look, we're not going to renew your business license if you don't get those trucks off the street, because I got five complaints about them, right?

The way you have to address these problems is to go directly to the license, okay, which the town does have control over.

If you have an illegal boarding house, and it's not registered, and you've got 16 cars spilling out of the property, then what you would do is challenge the owner's right to rent that property, right? That's how, that's a very, very severe penalty for a reoccurring problem. I wouldn't do it on the first, you know, go, but if you have a chronic problem that's related to a rental, go after the owner.

If you have a chronic problem associated with a home occupation license, go after the license, and just forbid the business from doing business.

If you can't be nice to your neighbors and keep them happy, maybe you shouldn't be operating that business in these small cul-de-sacs, right?

Thank you very much.

Chair of Committee thanked everyone for all the comments, and stated "We've heard a lot of really good conversation, and again, I really appreciate our Zoning Board of Appeals and our Planning Board members for bringing your perspectives to this. That's why we're all together on this committee and for the public comment. We have the red line in front of us. We can proceed as the Planning Board did and go through it. I might prefer to gather some data. I think we had some good suggestions from Mr. Gregory, and I think, actually, Mr. Schwartz. Mr. Schulte had worked on this, and I don't know if Director Florence has this; the map, so we can see where, do we have a map because maps are a nice visual reference versus a list of streets where nobody can quite place those. Do we have something plotted on a map that we can see where we've had most of the issues?"

Mr. Florence answered: We do not currently have that tool. We don't use that. We can develop something, but we don't currently have that for our purposes.

Mr. Kupfer: So as long as it's acceptable to share locations, Planning Department can work with the Building Department to create that map. That's not an issue, as long as it's allowable to share locations.

Chair of Committee wanted to clarify her request; "I mean, you could take the list of addresses and just tell AI to put it on a map with no roads, and then no one would know what address it was. I'm not particularly interested in the address. I just want to see kind of, in general, where it is, where it's popping throughout the town of Barnstable. If we could do that, can we do that? I'm not, again, I am absolutely not out to nail anybody. I'm not here to do that. I'm just trying to get some information so we can make informed decisions.

Councilor Clark asked: "I'm wondering if the Legal Department needs to weigh in on that to protect privacy. Can you follow up on that, Jim, and see what the art of the impossible.

Mr. Kupfer: "Yes, absolutely. I can check with Legal, and if we need to be a little less obvious about locations, we can make that happen, too, on a map. Mr. Kupfer explained that today is about kind of forming that base, so any additional information you want, it's a night to really just lay it on us, and we'll get to work and provide that for you."

Chair of Committee stated it's her belief that so much of this comes from this complaint-driven enforcement piece, can we hear from Mr. Benoit on where we are in that? That seems to be a significant piece of this. I mean, as I say, we can write this ordinance, you know, in a bubble, or we can try to find all the tentacles that it attaches to, and maybe address it in a more coherent way, and see what tools we have available to help formulate this.

Mr. Florence mentioned to Councilor Ludtke, "I can save you some time. I'll contact Director Benoit tomorrow, and we'll find out where we are with negotiations on the process."

Chair of Committee requested that she would like to see the data fields you're looking at.

Jake Dewey: I mean, I guess, like, I just want to go back to, we kind of have two things before us, and what the Planning Department provided us is sort of vague on where the issue is; so, are we having a lot of home occupations that are exceeding what our current home occupation ordinance states? Is that the issue? Is that sort of what we're focusing on as part one? I just want to bring us back to that. I think we should have a discussion on what we want to allow as a home occupation, what we want it to look like. Does the current home occupation need updating because what it allows is more than our town and our lot sizes can, you know, can handle? I think that's really what's before the community here right now is making that decision and if what's written, if parts of it are unenforceable, then we need to, you know, update that to decide. I think we could very easily have some generic photos of different businesses, maybe from not even this community, of how they're operating from homes and say, this is acceptable, this is not acceptable and then try to craft something that keeps us within those bounds of what we feel is acceptable in our community.

Chair of Committee agreed: Yeah, I think you're exactly accurate in that comment, Jake. I think that was fantastic. That is what I'm thinking we're doing right now is really focusing on home occupation. I'm kind of putting the trailers aside. That's kind of maybe a symptom of the home occupation and there's a whole other subset, which were the folks that came to the Planning Board meeting, our fishermen by and large but I think Jake has hit it exactly. Do we have consensus here that Jake has accurately said what maybe we should be focusing on right now? Because I'm looking, I don't know if people can read the screen. It says right there, a home occupation within a dwelling. That shall not be discernible from the outside of the dwelling, and these are so discernible. So right there is our first opening paragraph and it's just, we're kind of in violation right there. But I think you're right. I think that we need to step back and that might help and to also include some of Mr. Robichaud's question What is the problem? Maybe before we start going to the red line, which is exactly what, I don't want to duplicate efforts.

Jake Dewey mentioned the issue with enforcement is what is currently in the ordinance too vague for him to enforce? Is that part of the issue before us? because it puts a lot of discretion on him and his staff to decide what is too much or not enough. You know where the limit is and when someone's crossing a limit. Do we need to define that?

Mr. Robichaud: The problem is that people don't finish reading the sentence, it says, it shall not be discernible from the outside of the dwelling, except as here and provided; and then you get the whole rest of the code that talks about the exceptions to that statement. People don't understand how to read these ordinances. It's part of the problem. Got to finish the sentence in this case. Then that's where we need to focus on the rest of the sentence; so, we do have two very distinct issues here. You have home occupations and the second item is commercial vehicle parking. They do have an interrelation though. For this one that's in front of you right now, home occupation. The, the initial paragraph, the intent paragraph is very vague and as the Commissioner just mentioned, as you go through the next, I think 13 pages or so, it spells out very distinct ways in which you can, have a home occupation, both by right and both by, and by special permit the red lines that are before you are those ways in which the Building Commissioner, through this process and with legal assistance and myself and others have, have begun to state ways in which the, it can become enforceable. The original ordinance, the black verbiage there is what we're operating on right now. What we operate today on the red line is what through the mandate from the Council, is to spell out how we feel, this could be better enforced and one of those is through a license. So, we heard from the public that removing a license is important because it keeps people accountable. We don't have that right now. Through the Building Commissioner, he has recommended that it be the case. Mr. Dewey's point, we certainly could take a step back if, if the committee wants and look at, again, back on the books today and say, what do we truly want our home occupations to look

like? and we can start drilling down on that and maybe we can begin to incorporate some of the red lines that would make it more enforceable, but that first initial step could be to look at it and say, okay, what do we truly want to do, do we truly want all trailers to be behind a dwelling, for instance, or, you know, that's just as an example, we could very well start with that and include all that, all the data that we're talking about here and maps perhaps, to inform you on that. I do also want to note the second part, being the commercial vehicle parking, because that's important. You heard a lot of concerns about trucks in driveways. That's not necessarily a home occupation. That could be someone bringing home a truck from their business elsewhere, and that's enforced completely differently than a home occupation. We could write home occupation to death, but if they don't have a home occupation at their house, if they're just bringing home their, their truck, then that's, that's a whole different ball game and that's why that secondary subject matter of the commercial vehicle parking is before you is we said, well, this, that's some of the complaints is, is just a number of trucks in a driveway and it might be three people that live there, and three people have commercial trucks that are coming home from their job. That's enforced completely differently. That section of the ordinance, Council, like it, it used to be in the home occupation, the commercial vehicle part when the, Quality of Life Committee looked at it, there were other issues that would be helpful for enforcing for situations like director Kupfer was just talking about by moving it out of the two 40, 46 and into the section that it's proposed to 40, 45, I think it is so they are integral.

Chair of Committee: Yeah, we're definitely going to address everything. It's just a point of where to start, because this is a massive undertaking with a lot of tentacles. So, I kind of like what Chairman Dewey said, just let's start maybe at the deviate. Does anybody disagree with starting at the deviations that that might get us no deviations. I'm talking about the rest of the sentence that Commissioner Florence pointed out. I'd like to start at, cause you know, maybe in our mind's eye, all of us have an idea of what a residential area looks like, you know, and it's really hard when you just put that sentence up there, you know, we all have different visions of what that could be or should be, but maybe if we skip down to the deviations and also I'm mindful of time, we have, you know, been here an hour and a half. Do people want to stop at this point and regroup, or would you like to keep going? It is 7pm right now. Maybe it's time to, to call it a day and, and start out fresh and we can all think about this and, you know, we can come and hear what Mr. Benoit is doing and some other things, what's the consensus here.

Mr. Robichaud: Yeah. I mean, I'll start off and say, I do agree that it, it seems like a decent place to stop. You know, I think everyone should work through this red line version. It was a painful experience for me, but entering the meeting, having gone through it multiple times was very helpful for me, also a couple of things just that I'm going to think about is how every parcel, not every parcel in town is made the same, there's so many different shapes and sizes. There are so many different locations where a house is placed so the word behind, next to, in front, it gets difficult and it gets very difficult creating rules for a five-acre parcel in Marsden's Mills and a quarter acre parcel in Hyannis. It's a tough undertaking, but you know, all roads lead to, we've got to just roll up our sleeves and dig into it, and I think let's do our homework we'd love to see that map ready for next, next time and then we can get into it.

Councilor Bloom: Yeah, I think this would be good time to stop the meeting. I myself never saw this before the red line. I think Mr. Robichaud brings up a really good point. I have read this a couple of times, but let's all read it and really be ready let's be ready with what, what he brought up. I think starting from the deviations from what is, I won't say is ideal, but what is, I always like the bell curve. There's always a bell curve of something so if these, these deviations that are allowed for home occupations, how far out of the bell curve are they going? And what's the bell curve? That you see and maybe talk to constituents.

Jake Dewey: I was just going to add to also, I think we all need to think about our local economy and what we want, what we need to accommodate as well, because there's a lot of small businesses that this affects. So, I just want to make sure that we consider that. I was going to say that as well to reach

out to constituents. I hope that some of our elected officials reach out to constituents operating businesses as well, just to, to hear that side of it and then I also think it would be great, I don't know if there's any other communities in the Commonwealth that have another ordinance similar to this or have, have gone through this. I don't know if Mr. Kupfer is able to reach out to anyone, but it would be great to have some examples either a quick drawing or photos of, of well, well operating home occupations that are compatible with the neighborhood, you know, whether everything stays in the back or, or lots have to be certain sizes or things like that. I don't know if we can sort of try to create a vision of what we, what we want to see, what we want to come out of this and then try to craft the ordinance to, to create that sort of framework.

Chair of Committee mentioned that “We have to have a shared vision because everyone here has a slightly different vision and I really like that, and we have to think of, you know, what is the most one thing or issue that's going to push the envelope. I can tell you, we have a lot of small landscape businesses, and those are the ones that are creating incredible tension within my precinct so maybe try to find a good example of that, I wanted to follow up on something Mr. Robichaud said that I'll ask Mr. Kupfer if he can lean in on, which is the parcels. There's a great difference between the parcels; out in what the town identifies as a resource protection area versus all the parcels on, you know, this side, East of that Hyannis, can you present some sort of visual that speaks to what, what Mr. Robichaud brought up? which is, you know, when does a parcel become just impossible to deal with? maybe that's not the right way to put it, but I'm trying to say, is there a quantifiable square footage of a parcel? the land available around it, that we start to become a critical mass, and can we use that to help inform our decision-making? Maybe there is a time when it just, it's just too tight, you know? When you're literally 10 feet from your neighbor, you know, it sets up a different kind of a situation. I don't know, if you can figure that out.

Councilor Clark stated “I'm a fan of no more May, so for the landscapers, I would just say let the grass grow for a while but perhaps we can figure out a way to incentivize, creating more commercial bays for, for auxiliary equipment because I think that's the pinch point that, we know that the services are have a demand. We just don't, we can't match the service vehicles where the workers are so perhaps there's a way to incentivize that.

Chair of Committee mentioned “that's a, that's a great point.” and the, the Town Council, which we're Town Councilors here and John online, you know, we create policy. That's something to look at that's another tentacle and another piece.

Chair of Committee recognized Mr. Schulte for another comment: I just wanted to add one thing. I'll just point out again that it was actually one of the recommendations in the Ad Hoc Committee report was to identify where in the Independence Park land that would be zoned appropriately and incentives to encourage the development of bays for landscapers, small businesses. So that was one of the recommendations we made to the Council. So I just point that out.

Chair of Committee thanked Mr. Schulte for that last bit of information. With that, we do have to take care of Administrative matters here, we have to approve the meeting minutes of March 19th. Do I have anyone to propose that motion?

Councilor Clark: “I move that we accept the meticulous minutes prepared by Ms. Lovell.” Councilor Bloom seconded the motion.

Chair of Committee: “We do have to do a roll call because we have our remote Councilors. Committee members.

Mr. Robichaud	Yes
Mr. Dewey	Yes

Councilor Crowe            Yes  
Councilor Ludtke           Yes  
Councilor Bloom            Yes  
Councilor Clark            Yes  
Administrator to the Town Council: It's unanimous.

And the next is our meeting date is May 21<sup>st</sup>, 2026, at 5:30pm

Chair of Committee asked for a motion to adjourn: Councilor Clark made the motion to adjourn, this was seconded by Mr. Robichaud, a roll call vote was taken:

Mr. Robichaud              Yes  
Mr. Dewey                    Yes  
Councilor Crowe            Yes  
Councilor Lutke             Yes  
Councilor Bloom            Yes  
Councilor Clark            Yes

You are adjourned at 7:09 pm.