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

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

September 09, 2026
5:30pm

MEETING MINUTES

Chair of Committee opened the meeting by announcing the following:

Good evening, it's 5:30pm on September 09, 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. We are meeting by Zoom.

Let's begin with the roll call, please.
Administrator to the Town Council took Roll Call: Committee members:

Steve Robichaud here
Jake Dewey absent
Councilor Lutke here
Councilor Bloom here
Councilor Clark here
Councilor Crocker here
Also joined by Director Jim Kupfer, Planning and Development and Brian Florence, Building Commissioner.

Chair opened up public comment, seeing no one from the public, the Chair of the Committee closed public comment:

Committee members continued discussion of the amendments to Chapter 240, Zoning Article 5, Accessory Uses, Section 240-46: Home Occupation.

Chair of Committee asked Mr. Kupfer to put up our latest red lines,
Mr. Kupfer: If you will, on the town website or our committee website; hopefully everyone's had a chance to look at that.
Chair of Committee requested that the committee start from the beginning, since there have been a lot of edits already.

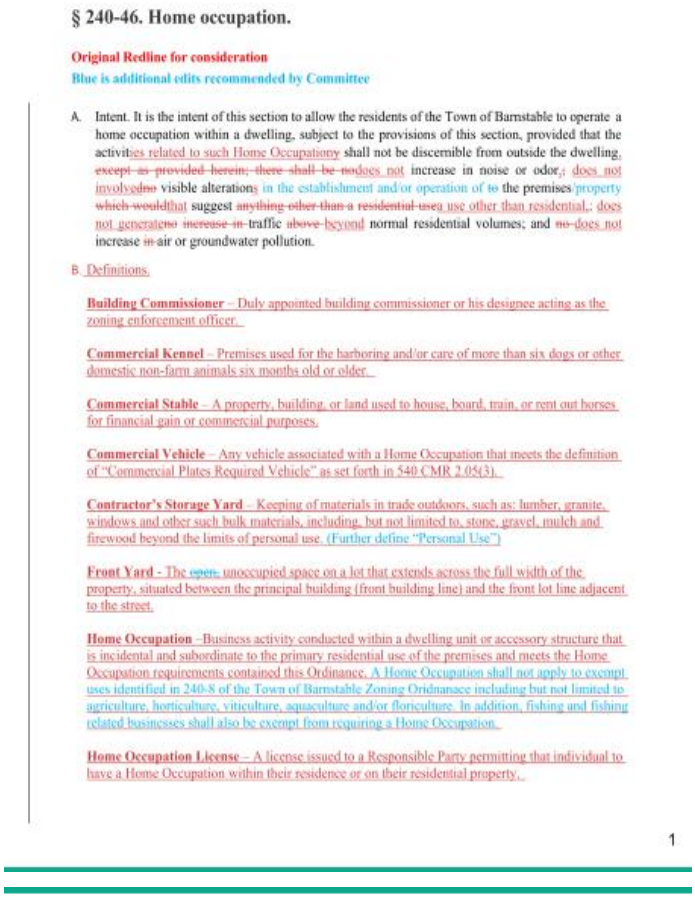
Chair of Committee: "I have a few ideas and comments — but maybe we just start from the top, since we did go through so much. If everyone's okay with that, that's how we can proceed."

Chair of Committee wanted to remind the committee members of the last meeting discussion: "At the last meeting we had two options, really, for the Home Occupation, and we've narrowed that down since that time to **remove the Site Plan Review option** and concentrate on **making it basically a two-part ordinance**; so, the first part, well, really, it's four in total:

- The first part is the intent, which includes definitions.
- The next section is the by-right, and really what the intent here was — tightening up the by-right so that Brian can have a better understanding of the intent and be able to act under enforcement in a better manner.

- The third part being the license so that's a new aspect to Home Occupation
- Last is the Special Permit, anything the committee felt may have neighborhood impact was now shifted to a special permit criteria, so that the Zoning Board would have an opportunity and the neighborhood would have an opportunity to take a look at it.

Mr. Kupfer brought up the redline version:



§ 240-46. Home occupation.

Original Redline for consideration

Blue is additional edits recommended by Committee

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 activities related to such Home Occupationy shall not be discernible from outside the dwelling, ~~except as provided herein; there shall be no~~does not increase in noise or odor,; does not involve~~no~~ visible alterations in the establishment and/or operation of ~~to~~ the premises/property ~~which would~~that suggest ~~anything other than a residential use~~a use other than residential,; does not generate~~no increase in~~ traffic ~~above~~ beyond normal residential volumes; and ~~no~~ does not increase ~~in~~ air or groundwater pollution.

B. Definitions.

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

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

Commercial Stable – A property, building, or land used to house, board, train, or rent out horses for financial gain or commercial purposes.

Commercial Vehicle – Any vehicle associated with a Home Occupation 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. (Further define "Personal Use")

Front Yard - The ~~open~~ unoccupied space on a lot that extends across the full width of the property, situated between the principal building (front building line) and the front lot line adjacent to the street.

Home Occupation –Business activity conducted within a dwelling unit or accessory structure that is incidental and subordinate to the primary residential use of the premises and meets the Home Occupation requirements contained this Ordinance. A Home Occupation shall not apply to exempt uses identified in 240-8 of the Town of Barnstable Zoning Ordinanace including but not limited to agriculture, horticulture, viticulture, aquaculture and/or floriculture. In addition, fishing and fishing related businesses shall also be exempt from requiring a Home Occupation.

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.

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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 that is associated with a Home Occupation.

(Other definitions to add: Equipment, Screening, Parking, Backyard)

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

(1) There is no other Home Occupation within the dwelling unit, ~~except for as provided in Subsection E(1)(d).~~

(2) The Home Occupation is conducted by the owner of the premises where the Home Occupation is located, or by a residential tenant with written authorization from the owner to engage in the Home Occupation. The Home Occupation is clearly incidental and subordinate to the ~~principal~~ residential use of the premises.

~~(1) The 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 use of the premises or occupants for residential purposes.~~

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

~~(4)~~ (4) Any vehicle associated with the Home Occupation that meets the definition of Commercial Vehicle above shall display a commercial registration number plate as required by 540 CMR 2.05. A Home Occupation with a Commercial Vehicle associated with it shall be required to display evidence that the vehicle's parking is in compliance with all applicable provisions outlined in this section.

~~(3)~~(5) Such use occupies no more than 20% of the dwelling unit, including office and storage areas combined, unless relief is granted by special permit as provided by Subsection ~~C(1)(a)~~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(1)(f)~~E(1)(f) below.

~~(4)~~(6) In the establishment and operation of the Home Occupation, there are no external alterations to the dwelling, premise, or property which are not customary in residential buildings, and there is no outside evidence of such use except as provided herein.

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

~~(6)~~(7) Traffic associated with the Home Occupation 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, or the presence of vehicles associated with the Home Occupation. ~~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.~~

~~(7)~~(8) 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 effects not

ordinarily associated with residential use that produce negative impacts on the neighborhood, consistent with the Intent section above ~~or other objectionable effects.~~

~~(8)~~(9) There is no storage or use of toxic or hazardous materials, or flammable or explosive materials, in excess of normal household quantities.

~~(9)~~(10) No vehicles associated with the Home Occupation shall park on the street or within the Front Yard, as defined above. ~~Any need for parking generated by such use shall be met on the same lot containing the customary home occupation, and not within the front yard.~~

~~(10)~~(11) All supplies, materials and equipment associated with the Home Occupation shall be stored in an enclosed structure or in or on a Commercial Vehicle or trailer allowed on the premises under this Section. ~~If not stored in a structure or trailer, materials must be properly screened with either fencing or vegetation so that materials and/or equipment are not visible from the public view, and adhere to applicable setback standards for the relevant zoning district to limit impacts to noise, odor, or other impacts from non-residential uses on a residential area.~~ ~~There is no exterior storage or display of materials or equipment.~~

(12) There are no commercial vehicles related to the home occupation, other than one van or one pickup truck not to exceed one-ton capacity, and one trailer not to exceed ~~20~~ 30 feet in length and not to exceed ~~four~~ six tires, parked on the same lot containing the home 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, recreational vehicles not associated with a Home Occupation, or exempt uses identified in 240-8 of the Town of Barnstable Zoning Ordinance including but not limited to agriculture, horticulture, viticulture, aquaculture and/or floriculture. In addition, fishing and fishing related businesses shall also be exempt from this requirement.

~~(11) There are no commercial vehicles related to the home occupation, other than one van or one pickup truck 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 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.~~

(13) All outdoor lighting associated with the home occupation shall be fully shielded and directed downward to prevent glare.

~~(12)~~(14) No sign shall be displayed indicating the home occupation.

~~(13)~~(15) If the home occupation is listed or advertised as a business, the street address shall not be included.

(16) All employees associated with the Home Occupation reside on the premises, except for as provided in ~~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 ~~C(1)(c)~~E(1)(c) below.

~~(14)~~(17) The property on which the Home Occupation is located shall not serve as a Park and Ride.

~~(15)~~(18) Home occupations shall not include such uses similar to, and including the following:

(a) Barber- and beauty shops.

(b) Commercial stables or kennels. [9]

~~[1] *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.*~~

(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 B(3) above.~~ The storage of merchandise is included in the total area limits of the home occupation subject to Subsection C(5) above, except as exempted in Zoning Ordinance 240-8

(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 ~~B~~C(~~5~~3) 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.

19) At the discretion of the Building Commissioner, if the Commissioner determines that the proposed use is unclear and/or impacts of use cannot clearly be defined at time of Home Occupation license request, a Special Permit shall be required pursuant to requirements of Subsection E.

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

(1) All Responsible Parties shall make application to renew their Home Occupation Licenses every ~~three (3)~~ two (2) years. 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.

(2) Home Occupation License shall be for a term of three (3) calendar years, beginning on January 1. License fees shall not be pro-rated when obtained after January 1.

(3) 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; Description of the Business; 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; and whether or not a special permit was approved by the Zoning Board of Appeals.

(4) A Home Occupation License may be revoked by the Building Commissioner or his designee for cause, including, but not limited to: Violation of any of the provisions of this Section.

(a) Providing false information in any application associated with the Home Occupation.

(b) Parking business-associated vehicles in violation of what is allowed by this Section.

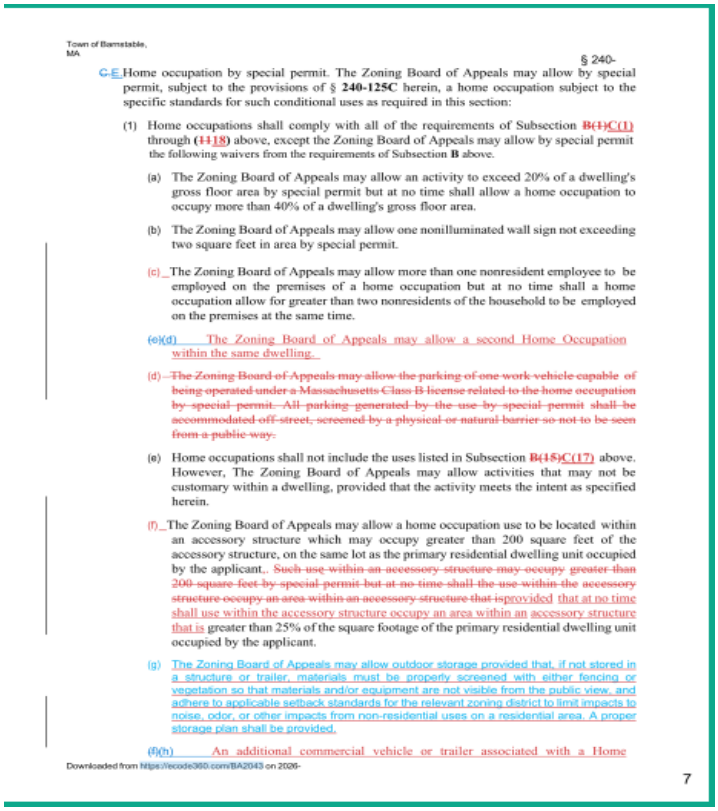
(c) Failing to register vehicles associated with the Home Occupation as required by Subsection (C)(4).

(d) Failure to timely communicate with the Building Commissioner or his or her designee during any enforcement action.

(e) Failure to comply with any conditions of a Special Permit granted by the Zoning Board of Appeals associated with the Home Occupation.

(5) 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.

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Town of Barnstable, MA

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C.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 ~~B(1)~~C(1) through (~~1~~18) 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.

~~(c)~~(d) The Zoning Board of Appeals may allow a second Home Occupation within the same dwelling.

~~(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) Home occupations shall not include the uses listed in Subsection ~~B(15)~~C(17) 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.

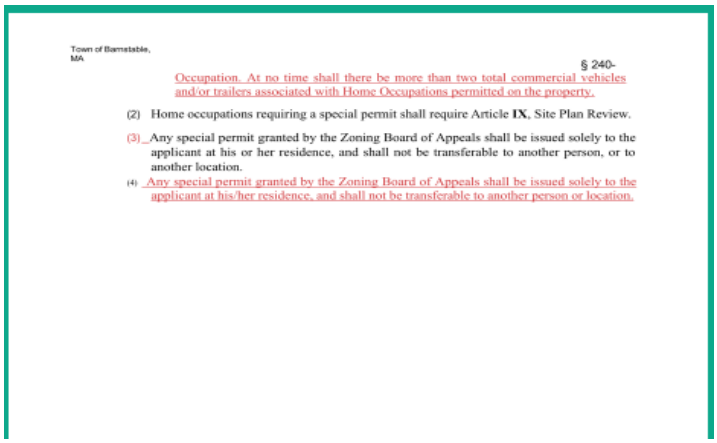
(f) The Zoning Board of Appeals may allow a home occupation use to be located within an accessory structure which may occupy greater than 200 square feet of the accessory structure, on the same lot as the primary residential dwelling unit occupied by the applicant.. ~~Such use within an accessory structure 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~~provided that at no time shall 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.

(g) The Zoning Board of Appeals may allow outdoor storage provided that, if not stored in a structure or trailer, materials must be properly screened with either fencing or vegetation so that materials and/or equipment are not visible from the public view, and adhere to applicable setback standards for the relevant zoning district to limit impacts to noise, odor, or other impacts from non-residential uses on a residential area. A proper storage plan shall be provided.

~~(f)~~(h) An additional commercial vehicle or trailer associated with a Home

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Occupation. At no time shall there be more than two total commercial vehicles and/or trailers associated with Home Occupations permitted on the property.

(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.

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

So, as we were proceeding through it, we had a number of suggested edits. We tried to incorporate those edits here — you'll see it's labeled the original **red line** for consideration, and then **the blue** is additional edits **recommended by the committee** since that original red line.
I think it is appropriate to just start from the top and head down if there's any additional edits, and we can certainly incorporate those. Brian Florence, our Building Commissioner, is here to answer any questions.

Chair of Committee: “Okay, why don't we do it that way. Because I'm looking at Jim's screen, I'm not looking at all of you guys, so I can't see hands up or anything like that. Does anybody have anything on the intent?

Vice President Kris Clark: I do. I'm wondering, it says a lot in a long sentence. Would it make sense and I defer to the professionals here, to bullet those things? There's like five items, I think I counted five items, that says provided that activities related to such home occupations shall not," and then bullet:

- be discernible from the outside of the dwelling and

- increase noise or odor

I'm just wondering, following that long sentence, there are like five phrases.

Chair of Committee: Yeah, I like your comment, Kris. I think those maybe could be in the body of it.

I mean, our intent is to allow people to pursue a business in their residential dwelling. That's really the intent without being discernible

Vice President Clark: I like that first sentence, and maybe the rest of them could be, you know, part of the subparagraphs, if you will. Because why do those things jump out? Other qualifiers say, "yeah, as long as this other stuff doesn't happen." But it's also a long sentence, and I thought if it was broken out in bullets, somebody looking at this for the first time might be able to say, "Oh, that doesn't affect me. This doesn't affect me. But number three does." I think it just struck me as maybe an easy way to follow.
So, Councilor Ludtke — are you saying that the intent is everything up until "activities related to such home occupancy," then we put a period and forget the rest?

Chair of Committee: I would say it's the first sentence: **"It shall not be discernible from the outside of the dwelling."** and all of those things that follow are things that could be discernible, and they could be broken out as things you cannot do. I think Councilor Clark has a good point. We're just trying to maintain the residential character, whether that's in a multifamily or single family or wherever it might be, or small duplexes and things like that. But that other stuff — maybe we could look at making sure those things are captured down later.

Mr. Kupfer: Absolutely

Brian Florence: “Can I just make a comment, Madam Chair? The intent is the Preamble. When I'm writing a notice of violation or a citation, I would never write "240-46." It's all the language after that that is the regulation. So, for example, if you get down to the number of vehicles, you get to any regulatory section below this the intent is just: "This is what we intend to do. We intend to make it so it's not noisy." So, I think if you put it in bullet points, I don't think that's a big deal, but if you're looking at that as the regulation — something that would be called out on a ticket — that's not how that would be done. Just want to let you know that.

Chair of Committee: Okay, so this is just the preamble to the actual regulation, not the regulation itself. That's helpful. And I still think, as we read down, let's think about Councilor Clark's comments because I kind of like it. So, let's just bullet point it.
Now, on the definitions: we talked at length about "dwelling." Can we define a dwelling? Because we talked about, you know, the people in the multifamily. Do we need to define "dwelling" because we ran around on that a little bit?

Mr. Kupfer: “Brian, question to you: We do define "dwelling" in the zoning ordinance, but not specifically to this section. Would, from your point of view, would it be beneficial, or would you just be referring to the dwelling throughout the ordinance, the main definition section?

Mr. Florence: You have hit on my pet peeve, Councilor Ludtke. We need a definition section in our ordinance that's comprehensive to the whole ordinance, but I would say that the definition of "dwelling," from a Regulatory perspective — when you have each section of the zoning having its own definitions, it just makes a big mess. The body of the Zoning Ordinance, Section 240 as a whole, has a definition for "dwelling." I don't think we need anything more than that.

Chair of Committee: “Okay. So, are any of these other ones here, Brian, duplicates? Because I'm with you — get rid of them if they're duplicates.

Mr. Florence: I would have to look. I think "Contractor Storage Yard" is specific to this, and it's very important. "Front Yard" — I'd have to look; The stuff that's specific, like "Home Occupation," "Home Occupation License" — "Building Commissioner" — I don't even think we need "Building Commissioner." I think Building Commissioner is already called out in the front of it. I would suggest that maybe somebody does an audit of the definitions we have in place and then compare them to this, take out the duplicates, and keep the unique ones for the home occupation section. Because there are a couple in here that are important to this, but we have "dwelling" already written in the main body.

Chair of Committee: “Okay, that's fair enough and I like that. I don't want duplication — then you just get confusion. Now, I still have a problem with "front yard," and I brought this up. I don't say the names of the streets, but Brian, you know them — where you drive down these two streets, they're so close. Some of the houses have their front yard on one street, some have it on the other and we have a particular business there operating that has turned their backyard into their front yard, and I just think maybe we need "yard" regardless of the designation; because couldn't you be as annoyed by your backyard neighbor as you could in the front? Why are we calling out "front yard"?

Mr. Florence: So again, this goes to the definition thing. I would suggest that if you want to call it out for the purposes of this section, you could say: "For the purposes of this section, ***'Front Yard' means XYZ."*** and that separates it from any other definition in the main body of the ordinance.

If you as a group of policy makers want to say, ***"For the purpose of this section, a front yard is the unoccupied space on a lot that extends across"*** — I have no problem with that. That's very enforceable.

Chair of Committee: Can we say, "along a street"? So, if your backyard was along the street, could it be a front yard? I really want to address this because it happens in Hyannis. We have some very tight streets.

Mr. Florence: My only caution is there are properties — hard-working people that own businesses that are surrounded by two and even three streets — so I would caution you. Do what you like here, but it's enforceable the way you're talking about it. You could very well put some people out of business if you're not careful with how you say this.

Chair of Committee: Well, I don't want to put them out of business, but I also know the irritation being brought by this particular business that runs itself out of the backyard, but it really has become a front yard because all the access is there — because there's a street there.

Mr. Florence: Talking about Pontiac?
Yes, yeah. We are looking into Pontiac. We got a new complaint on that one. I actually had that assigned to me. But I mean, you don't want to regulate the whole town for one property, right?

Chair of Committee: No, I don't. But I'm trying to have the definition — I don't know that I want to call it "front yard." I want to call it "frontage yard."

Mr. Kupfer: Yeah, so I think that's good — "frontage yard." So as it's written here, I think if we just **struck the word "front" in that second half**, so: ***"the unoccupied space on a lot that extends across the full width of a property, situated between the principal building (which in parentheses would be the building line) and the lot line adjacent to the street" —*** so that way anything adjacent to a street would be the "front yard" for the purposes of this section.

Chair of Committee: Thank you, Jim. That would be — and maybe instead of "the street," "a street" — but I like it.
What do the other folks think?
I like what Jim just said. Because I'm not trying to put anybody out of business, but it is an issue with these tight lots in Hyannis.

Mr. Florence: That's the caution I was throwing out there. You're going to want to be careful on how you word it. Maybe you say "without screening" or something along those lines in the regulatory part, because literally no one would be able to have any type of business where they have a landscaper — which is Pontiac — or a mason or a carpenter, couldn't have their vehicles out.

Chair of Committee: Well, those people — Brian, the point is those people are going to the ZBA.

Mr. Florence: "Okay. Yeah. All right. That's not an easy thing, but hopefully you can do something to make that a little easier, like foregoing a surveyed site plan — that'll take $5,000 off the top of the ZBA appearance. ZBA appearances are very, very expensive. There's five grand for surveys, five grand. So, if you want to have a pottery business or a landscaping business, it's going to cost you ten grand just to pay to play. But if that's what you want, that's what I can enforce."

Chair of Committee: "Well, that's why we're going through the by-right ones and that street you mentioned — I find that one somewhat egregious."

Mr. Florence: It's been back and forth. We've had it cleaned up; it comes back. There've been a lot of changes in how it's been done at the ZBA. But I think just to say that's all we do — and that's just to be fair.

Chair of Committee: Yeah, that's all I'm trying to do — be fair to our residents.

Steve Robichaud: "Madam Chair? Yes. I just wanted to touch on something Brian just said. What Brian just described — I know there are many situations where an applicant must incur significant costs and go to the ZBA; but for a special permit for a home occupation — are they going to face that big cost? I mean, haven't we kind of talked about — and I know Jake has said this — where he would be open to listening to an initial informal hearing, and maybe all of those costs might not have to be incurred every time? Is that a hard-and-fast rule, Brian? That just made me nervous, listening to that."

Mr. Florence: I would defer to Jim. I really don't know. All I know is I sat on the Zoning Board of Appeals for 10 years and I saw these folks come in, and I wondered how some of them could possibly afford it. The lady was making cupcakes, and she had to have a survey and a lawyer — it cost her ten grand just to get to the Zoning Board. She had to sell a lot of cupcakes just to get there. And as the Chairman at the time, I just felt horrible that that was going on. But Jim could tell you what the process and requirements are better than I could.

Chair of Committee: But I do think, Brian, we're trying to avoid that. That's the whole point of this — we're making the hurdle pretty low. And as the liaison to the Zoning Board, Jake is very lenient — if that's the word — with residents who represent themselves. They always continue it and give them good guidance. You do not need an Attorney. And I would think Steve has the right idea of Jake's intent — which is to not make it that high hurdle you're discussing. But I understand where you're coming from, too. Attorney fees and everything else can get expensive. But we don't want to create that hurdle.
So, do people like Jim's edit there?

Committee members agreed to the edits made.

Chair of Committee: Now, down in the next one — "fishing." What's that? Where did the fishing thing come from? I don't remember our discussion of fishing.

Mr. Kupfer: So that comes specifically from the conversation of wanting to exempt things like Aquaculture and Horticulture; those specific titles come straight out of our exempt use ordinance; actually, Brian, at the last meeting, called out that fishing and fishing-related businesses aren't entitled to that same exemption as spelled out there. If we wanted to, we should call that out and that was the discussion — the committee had suggested we do call that out. I don't know if this is comprehensive enough for you, Brian, for that.

Brian Florence: So, this was from the Planning Board. They had a whole slew of fishermen come to the Planning Board meeting, and they were pretty upset that trailers and Home Occupations were going to affect their business — in their minds, even though we don't regulate it that way. We talked about it because the General Law, Chapter 40A, calls out Agriculture, Aquaculture, Horticulture, and Viticulture, but it doesn't call out Fishing or Shellfishing; actually, it calls out Shellfish, and it doesn't call out Fishing itself. We had talked about including that so those folks could feel comfortable that they weren't going to be staring down the barrel of an enforcement action.

Chair of Committee: Now, should "Shellfishing" be in that first sentence, then, Jim? He says that's included — Shellfishing is with Aquaculture. Aquaculture is Shellfishing.
Okay. Shellfishing.

Councilor Clark: Actually, that's slightly different.

Chair of Committee: I know Steve had a room full of fishermen, right? So that's a really good point. Go ahead.

Steve Robichaud: I think that's good. Yeah, I don't think it necessarily has to be shouted out, but I'm glad it is. I'm glad it's in there.

Chair of Committee: Councilor Clark, go ahead and finish your statement. You froze in the middle of it.

Councilor Clark: Fishing is wild harvesting, or Shellfishing — Commercial and Recreational Shellfishing — is wild harvesting in open areas but Aquaculture is farming of the sea in a defined, licensed area.

Mr. Florence: How would you word that so that it included the wild harvest?

Councilor Clark: Well, where you have, in addition: "fishing and fish-related businesses" and "shellfish, Shellfishing and Shellfishing-related businesses."

Chair of Committee: Or would you call it "wild harvesting-related businesses"?
Councilor Clark: No. It's called Shellfishing.

Mr. Kupfer: Okay. Councilor Clark, would you recommend I reach out to [MEA?] and just confirm?

Councilor Clark: Yeah, good idea.

Councilor Clark: There are basically three categories:

- Recreational Shellfishing
- Commercial Shellfishing
- Aquaculture, which is farmed Shellfish farming.

Chair of Committee: Okay, that's so important, Kris, thank you for your expertise, because I didn't know that but for our residents, that's very important. Now, lobsters — what are lobsters? Are they something different?

Mr. Florence: From an enforcement perspective, I would call that Fishing.

Chair of Committee: All right, so, Jim — you're going to check on that and make sure Shellfishing gets in there one way or the other, however it's best appropriate.

Mr. Kupfer: Yes, will do.

Chair of Committee: Okay. The license — I like that. That's important.
I like how we've cleaned up the second one there. I think that's really good, in terms of the tenant and owner language. It was kind of weird before. I like that. That's very well done.
Okay, here — number 6. We're kind of getting to Councilor Clark's point from the intent, okay — about external — can we maybe list those other things here and get them out of the intent? The noise, the odor — what do you guys think? Because this starts to talk about altering...

Mr. Florence: Madam Chair, I just asked you to ensure that we're not using subjective language. That's the only — use definitive language, not subjective.
Chair of Committee: Absolutely.

Mr. Florence: By saying "noise" — that's subjective. Somebody could say, "the crying of a baby is noisy to me," as opposed to "the jet engine going overhead." Subjective is not helpful for enforcement.

Chair of Committee: Speaking of that, Brian — home daycares. What are those? That's a different animal, right?

Chair of Committee: Okay. And here it goes — "offensive noise." Here it is. This is kind of a duplication of our intent right there at number eight.

Mr. Florence: And I had called that out before as subjective.

Chair of Committee: You don't like it.

Mr. Florence: I don't like anything that you can't put a finger on and say, "Here's the violation."

Chair of Committee: Well, then let's pause here — then we shouldn't have it in the intent. But what can we have here?

Mr. Florence: The intent is the perfect place for it. Because this is what you're saying — you're trying to create a law or an ordinance that has the intent of affecting these items. What you can say is no noise after 8pm, I don't like noise issues, because they can't define what level of noise is irritating, I have received some odor complaints, but it's from people putting seashells on their driveway. I've never had an electrical disturbance complaint, a heat or glare or humidity complaint, once in 30 years. I think number eight should disappear — be deleted and go away, especially since it refers you back to the intent section.

Chair of Committee Okay. Get rid of eight, because this is redundant. And redundantly bad. Is everyone in agreement that eight can go away? What do you want to do — leave that in intent? Because Brian can't — it's too subjective and it gives a sense of what we're trying to do. Are you happy with that?

Councilor Clark: I think I agree with Brian that it fits in with intent. It signals to a petitioner what we're trying to accomplish. I just thought that first sentence was too long — that if broken up by bullets it might be more easily absorbed.

Chair of Committee: Okay, all right. Well, then I can let this go. Okay, Jim, can you go back up? We're in agreement — eight goes away. But there was something about altering the outside — right there, number 6. Is that redundant too, or what is that?

Mr. Florence: That's not — so if you think about somebody putting up a 5,000 square foot steel building in a residential neighborhood — that's not customarily incidental in a neighborhood; and I've had some pushback from the ZBA on this one. But the whole point of this is that you can't make your single-family dwelling look like a commercial area. That's what the point of that is. So, I think that's a good point. But it's enforceable if the ZBA upholds it.

Chair of Committee: Well, but this might be something that Jake could consider in Marstons Mills where they have three acres and you're never going to see this thing. I don't know.

Mr. Florence: That's where they approved a structure that was four times the size of the dwelling at the Zoning Board. All right. But whatever. I mean, it's okay with me if you take it out too.

Chair of Committee: I don't know. I just wanted to take a look at it since we removed eight. Wait — there's that "front yard" again in number 10. What are we going to call that? See, number 10 it refers back to our definition of "yard," which I think we took "front" out of.

Mr. Kupfer: Well, we left the word "front yard" — the definition term — and in the definition. So, when Brian's looking at this, he would refer back to the definition up top of what we're defining as "front yard" — the space between the street and the building. So, whether it's back or front,

Mr. Florence: It's defined above, right?

Chair of Committee: I kind of like "frontage yard." I don't know. I guess it doesn't matter. I just again have to be sensitive to these tight streets.

Mr. Florence: You might be able to say "the area between the house and the street" that makes you feel better.

Chair of Committee: Yeah. Okay. Well, number 12 is good. You helped to clarify that. I think that was a big concern too — people have to bring their work trucks home — and there you've got that. So, Jim, you'll have to check this again too, right? Number 12 for the Shellfishing folks?

Mr. Kupfer: Yeah, we'll make sure to add it here as well.

Mr. Florence: Yeah, that cleaned up nice. Much better.

Chair of Committee: Now, number 13, the lighting one. That struck me as strange. Why would the lighting for a home occupation be any different than the lighting for just a residential property? Don't we already have downlighting and all this kind of stuff?

Mr. Florence: So, we do. We have in site plan review; we talk about lighting — it's mostly commercial. This is residential. I'm okay with this language here — it's enforceable. So, if you have a landscaping company and you're out there in the evening hours cleaning up your materials, you shouldn't — the intent here seems to be that you wouldn't have lights extending out onto other properties. When you see that language "shall be fully shielded and directed downward to prevent glare" — that's really just to say you're not going to be offensive to your neighbors, which gets into the intent. The intent talks about offensive noise and lighting and things like that. So, I think this is very well done.

Chair of Committee: Okay. There's that "glare" word that we took out above. So yeah — some context there.

Mr. Florence: Exactly.

Chair of Committee: I like number 16 there, because that's been a big issue — that happens a lot of places where employees come, they park, and then off they go. I think that's really important for this effort.

Mr. Florence: I think it's hard to enforce, but I think it's important to say. I think where we'll catch that is in the habitual — if somebody's doing it habitually. If we get a complaint that somebody's parking their employees' vehicles there every day, that's enforceable, and we have enforced that in the past.

Chair of Committee: And you know where else it's happening; Brian is down by the docks — workers commuting to Nantucket and parking at people's houses.

Mr. Florence: Yeah, there's a gas station — I don't want to call them out here in this meeting — but there's a gas station that was doing that, basically running a pay-for-parking while you go around the ferry, and we found out about it, somebody complained, and we enforced it, and they have since stopped. So, this language is helpful.

Chair of Committee: All right. Excellent. Good, good, good. As I'm reading this, you guys did a nice job. Thank you. This page looks excellent. I agree.

Vice President Clark: Thanks to Jim for cleaning, it up.

Chair of Committee: Jim is the hero. Really good work. Now, here's some weirdness here between one and two. Number 1 says "two years", and number 2 says "three years." So, I think we agreed on two years; and here's a question for Brian — I thought this was weird. Why do we want all the licenses on January 1st? Wouldn't it be easier to deal with these as they come in? Why are we picking January 1st? Why isn't it the day they're issued their license?

Mr. Florence: It's because of our software. The OpenGov software has a feature called "campaign." So, if your rental registration licenses are expired, the system creates a process whereby everything goes out all at once, and then you can track it — when it comes back, who's missing, who should be in that aren't, who's paid, who is not paid. So just for purposes of tracking, it's incredibly helpful to have these campaigns. I'd prefer to do that as a campaign only because — if you can imagine there are probably 10,000 businesses in Barnstable — if you're trying to do that month by month or week by week, we would need staff to be able to do that. Whereas a campaign, we can do it as a group, get it done in January, and have it all wrapped up by March or April.

Chair of Committee: Okay. Thank you, that helps me understand that. But Jim, you see what I'm talking about — it says "three years" in number two and "two years" in number one?

Mr. Kupfer: Yep. Yeah. I'll clean that up.

Chair of Committee: All right. Good.

Councilor Clark: Betty — as far as I know, all the shellfish licenses and [MEA?] stuff is every January.

Chair of Committee: Oh, then that's good. Okay. No, it makes sense.

Mr. Florence: That's correct — all those things are done through campaigns.

Chair of Committee: I thought I saw Site Plan Review somewhere in here, or maybe we have not gotten there yet in the document.

Mr. Kupfer: or going to the Zoning Board or Planning Board or what have you, you start with informal site plan — and then Brian, with the help of the Department Heads, we review and offer them guidance as to what type of relief is necessary and appropriate in that case.

Mr. Florence: So, there's really only one site plan review. We run them in a manner that is friendly to the citizens. So, we run an informal Site Plan Review, and those are for the people that actually don't need to go to the Zoning Board of Appeals or the Planning Board. If they have to go to the Zoning Board and Planning Board, that's when things will get expensive for them. And Jim, I hope I'm not speaking out of line here — and same thing to you, Steve — when you go to the Zoning Board of Appeals or Planning Board, you actually need a surveyed plan. Site Plan Review doesn't necessarily require that if you're doing something that doesn't need to go to the Zoning Board or the Planning Board. So, we do have a "site plan review light," if you will.

Mr. Kupfer: Yeah. And I will say, for the Zoning Board — a lot of it depends on the case. And if this is what you're looking for and you're totally inside, let's say, then they may be a little more loose on a survey plan. So, a lot of the effort done for site plan review will be duplicative for the Zoning Board — they will have to go a little bit more above and beyond for the Zoning Board than typically for site plan review.

Chair of Committee: So, this is just for — like, I'm doing a renovation of my house. I didn't do a site plan. I went right to the ZBA. But this is different.

Mr. Kupfer: Single-family homes don't go to site plan, right, Brian?

Chair of Committee: I know, but these are single — that's my point. These are dwellings. Why are they going to Site Plan?

Mr. Kupfer: Well, these are now businesses that are in a dwelling. Are they? That's what we're defining them as. That's home occupation.

Chair of Committee: No, I'm asking a serious question. I thought we were trying to be friendly to our people. Why can't we — we're the town. Why can't we have this be a special definition? Why are we making them go to Site Plan? Brian was very adamant that Site Plan is about moving dirt and stuff like that. Why are we doing this? Why can't we be creative and say these home occupations bypass Site Plan review?

Mr. Florence: So, you're saying that the home occupations that go to Zoning Board of Appeals or the Planning Board in those districts that require a Planning Board don't require site plan review? I don't have a problem with that. I will tell you, Councilor Lutke, Madam Chair, that the number of those — I can count on one hand in 10 years. We don't get a lot of them.
This one might increase it a little bit,

Chair of Committee: but it just doesn't sound like site plan review is really where it's at.

Mr. Florence: I mean, it's fine with me if you don't want to send them. That's okay.
Chair of Committee: I don't want to send them. I think we're trying to be kind and gentle and warm and fuzzy. I don't know. What do you guys think out there?
I think that's a bridge to — that's why I asked — here I am doing a residential thing. This is what we just said our intent is — to maintain the residential character — but we're pushing them into site plan review.

Councilor Crocker: I kind of agree with what Chairman Lutke is saying there. We do try to make it, I mean, the whole intent here is to be friendlier, air quotes. But we do have to have regulations and all that sort of stuff that's enforceable. But for the most part, most of these businesses that we're talking about here won't have to go to site plan review, because — using your own words here — we're talking about moving earth. By its nature, most of these businesses won't be moving earth. It doesn't deal with gas, electric lines, or plumbing or any of that stuff. So please, Brian, correct me if I'm wrong on that.

Mr. Florence: You're 100% right. Jim, the only question I have, Director Kupfer, is: do we have to change Site Plan Review language if you're going to eliminate that here? That's all.

Mr. Kupfer: Yeah, I mean, I think that's a good point. We'd have to look back at the Site Plan Ordinance, or we could expressly state that Site Plan is not required. And per this section, Site Plan is not required if it triggers a special permit.

Chair of Committee: I'd really like to do that. You know, we have the power to do this. Why don't we do that, Jim?

Councilor Crocker: Yeah, agreed.

Mr. Kupfer: So, we could simply just say: "Home occupations requiring a special permit shall not require Article 9 site plan review."

Chair of Committee: There you go. We just need one sentence. That's the way to do it. Steve, what do you think? You work in this area.

Steve Robichaud: No, I like it. I mean, allowing Jake and his team to use their discretion is the way to go without overburdening these individuals. So, I'd just like to hear — just set the record straight, Jim and Brian — is there anything problematic about this? Any unforeseen challenges?

Mr. Florence: I can't think of any. In fact, the chairman is correct in this regard. I'd really like to see site plan limited to the way it's intended. It's about earthworks, really — site access and earthworks — unless Jim sees something that I'm not thinking of.

Mr. Kupfer: No, I think the word "requires" is good in here. "Shall not require" — that doesn't mean they can't go. So, a lot of times, honestly, we recommend they go to informal site plan review, because maybe it is not for home occupations, but for a lot of businesses it is beneficial. A lot of department heads all in one room providing guidance — Board of Health, Building, Planning, Fire, et cetera. So, this doesn't prohibit them from going; it just doesn't require them.

Mr. Florence: And when they do go voluntarily, they do not have to pay a fee. They don't have to fill out the big site plans or anything like that. They just come in and have a regulatory review as a courtesy. We do that as a courtesy to them, so they don't get blindsided when they try to open their business. So, yeah, that's perfect, Jim. Thanks.

Vice President Clark: If I may — perhaps to clarify — if you wrote something like "shall not require site plan review but may be recommended as a courtesy." Is that what you're doing?

Chair of Committee: No, So I'm sorry, Kris, I didn't mean to jump on you like that.

Vice President Clark: That's all right.

Chair of Committee: I don't want to steer people towards that at all.

Vice President Clark: Oh, all right. I don't know — what do you.

Chair of Committee: Sorry, I apologize, Kris.

Vice President Clark: No, no. I was just thinking of the novice who —

Chair of Committee: When you recommend something, you're kind of steering people. like, "Oh, if you don't do this, danger ahead."

Councilor Crocker: Some people look at the word "recommend" and think that you're really pushing them in that direction.

Councilor Clark: All right, I get it. But keep it simple. Thank you.

Chair of Committee: And again, this is why I wish Jake were here, because I think Jake's intent was to make this a very friendly process, but to do that important work of getting neighbor involvement at the beginning when you're getting into something that's a little bit of a heavier lift.
Is that the end? Are we at the end of this?

Mr. Kupfer: That's it. You are at the end.

Chair of Committee: Brian, did you see a path forward for your cupcake maker?

Brian Florence: Yeah, I think by taking out — I don't want to overplay that. That person was in a zoning district at the time that didn't allow home occupations without Zoning Board of Appeals approval. Do you remember back in the day when everything west of [Old Stage Road?] was at the Zoning Board of Appeals? So that's when the cupcake maker — that's when I was on the Zoning Board. So, I don't want to overplay that. But there are some instances where somebody will be doing something that — I think you've got to cover it; taking site plan review out of it was a big thing, so I think you're okay.

Chair of Committee: I think we were clear on all zoning areas because we've got multifamily all mixed up in business districts now and stuff. So, we've covered that. And did we look — we didn't really look at the Zoning Board stuff. That last page — is everyone okay with what the Zoning Board can do? The signage and things like that? I don't mind the little signs. I think what is it — two square feet, Jim? I think that's reasonable. Jim, isn't that our normal? I know we have signs coming up on our future here, but I think there's already something in place, Brian. Isn't there already something — like these people who put what are they — quarter boards and things on their houses?

Mr. Florence: I don't think quarter boards would be, you know — that's like saying "Ponderosa," right — calling your house a name. Yeah, we had one in Dennis — "Polly's Folly" or something like that.
The sign — the home occupation does, I believe, allow for a small sign no more than two square feet or something.

Chair of Committee: That's what it says. But it doesn't say that's only through the ZBA. I think that's how we have it written. Am I wrong on that?

Vice President Clark: Yeah, because it says "no signs" —

Chair of Committee: and then you go to the ZBA if you want a sign, which I think is good. Because I think that's an appropriate place for it. I just was wondering how that matches up with our current restrictions on signs.

Vice President Clark: Yeah. Page four says: "No sign shall be displayed indicating the home occupation."

Mr. Florence: Yeah. And that special permit language came in since I've been employed here, and not on the Zoning Board, because it used to be that you'd have to get a variance for a small two-square-foot sign — that was impossible.

Chair of Committee: I'm just looking at these. I think these are reasonable. You know, it does give them a lot of leeway if they go to the ZBA. I think these percentages and things — and I like item F. We talked about that. You know, an accessory structure — a couple having two different businesses and things — I think that's good and here's the storage piece. I think that's huge. and that gets to — I think Steve has brought that up a number of times. The screening — Brian, you brought it up — with screening and fencing, you know, you could do a lot more. So, I think this is very appropriate for the ZBA.

Mr. Florence: Yeah. That looks good to you,

Chair of Committee: Steve? I know Steve, you've been talking a lot about screening. Do you like item G, Steve?

Steve Robichaud: I do. I will say, “you know, we can't seek perfection. It's never going to be perfect. We've just got to find something that we feel is better than what we have now and is going to work for the majority of the members of the town. And we have a provision in place where they can go and petition our ZBA for some discretionary rulings and with all of that being said, yes, I'm happy with it.

Chair of Committee: Excellent. Okay. My sense is, with the edits we've done today — and thank you so much, Brian. You are absolutely critical to this. Are we good with you, Brian? Can you enforce this? Have we given you everything you need here? I mean, I don't want to put you on the spot right now, but I'm ready to go kind of final on this and have everybody look at it. But Brian needs to have the tools he needs to make this work.

Mr. Florence: I think you did a nice job with it. There's some subjectivity in there — maybe if we wanted to look at that a little further. For example, that last thing you looked at said "appropriate screening plan." To me, "appropriate screening plan" may not be appropriate to you. You could say, "an appropriate screening plan as determined by the Building Commissioner" — and then it's up to him — or "appropriate screening plan as decided by the Zoning Board of Appeals," you know what I mean? But I think you guys have done a fantastic job. I couldn't be happier with the work you've done.

Chair of Committee: I agree. I mean, Steve, you know from the hearings — yeah, this was ugly. And I think we've got something that's very achievable. What I'd like to do is see Jim finalize it. Jim, could you run it through Brian — you know, it's so hard to read with all the edits and things. Give Brian a clean copy and have him comb it for subjectivity, and then put it out to us, and I think at our meeting in two weeks or so, let's try to give it the blessing and move it on out. Okay. I guess it goes back to Steve, right? After the Town Council?

Steve Robichaud: Maybe. Yeah. Can I just add one thing? One thing that I've seen done really well is, you know, ***like the tables and appendices and stuff like that. So, Brian just brought up***

"appropriate screening methods" — you could have a little footnote that says, "See Appendix B," and then you could actually have a page where you outline best practices for screening, something that the Building Commissioner could fall back on. So, you could certainly add definitions or visual aids like that to help the applicants.

Brian Florence: I like that.

Chair of Committee: You want to take that on a little bit, Brian? Or would that be something —

Brian Florence: Well, I have to give that to my partners over at Planning and Development, but I'm certainly happy — that was a quick toss over to Jim. Well, there are pros at that stuff. They do a great job at that stuff. I don't write regulations. I can help you understand whether or not it's enforceable, but Jim's crew are professionals at that, and so I would ask for their help with that.

Mr. Kupfer: Yeah, and I have no issue with that whatsoever. I would suggest, though, that if the committee is good with this at the next meeting as it's drafted, we can work on some best practices, and I think we have mentioned some handouts and brochures about how to do a home occupation. All that stuff we can absolutely tackle. But that doesn't need to hold up the ordinance itself, if that's all right.

Chair of Committee: And am I correct, Jim — if we get it out of us in two weeks, it goes to the Town Council, then over to Steve?

Mr. Kupfer: That's correct. So, it would be first read at Town Council whenever you so choose, and then it goes to the Planning Board for a public hearing, and then back to the Town Council for a public hearing.

Councilor Bloom: All right. And can I ask Jim a question? Yes. Jim, how are you going to deal with the intent?

Mr. Kupfer: So, I was planning on doing the bullets as discussed but leaving the language — just putting it in bullet form beyond the first portion or making a first short sentence and then putting bullets, if that makes sense to everyone.

Councilor Bloom: Great.

Mr. Florence: Councilor Bloom, remember that that whole series of language is on the front end of the zoning ordinance as a whole — it starts right out by saying the intent is to prevent congestion, noise, glare, blah blah blah — so it's kind of redundant here.

Councilor Bloom: Thank you, Brian. And thank you very much for attending here today. You've been really very helpful.

Mr. Florence: Been my pleasure.

HB DISTRICT / FUTURE AGENDA

Chair of Committee: All right. Looking ahead — we do have the other "evil twin" of this, which was the commercial vehicles, so we need to bring that forward. Jim, is that ready to head our way?

Mr. Kupfer: Well, it can be. It was basically based on what the end result here was, so that it spoke together. And essentially, I believe what we land on here for the home occupation is no more than two commercial vehicles. So, we'll have to give that a look to see how we want to draft it for commercial vehicles. We could have that ready for you for the October meeting.

Chair of Committee: All right, let's plan on that. And then the next meeting — there is a petition filed?

Mr. Kupfer: Yes, that's correct, extending the HB district eastward. So, there will be a representative from the property owners, as well as their representatives, and they have met with the Town Council President, who directed them to move forward and discuss this with the subcommittee to start the public process. So, they'll be providing a presentation — likely just early discussions. There's

no need to make any recommendation immediately unless you guys feel comfortable with it, and then we'll go from there.

Chair of Committee: Jim, to prepare for that — can you get us the information from the Town Council meeting? And this goes way back — I mean, when Jimmy Crocker was President. There was a meeting where this overlay went before — the HB district.

Mr. Florence: Yeah, I was there for a lot of that.

Chair of Committee: I thought it was at a Town Council where this particular area, they're asking to upzone was maintained as residential by a vote. It might be helpful to take a look at the discussions that occurred. I think this was before your time, Kris — a specific discussion about this very area and why it was maintained as residential.

Mr. Florence: It was because of the properties across the street from Lambert's, up against the pond.

Chair of Committee: That's what it is. Yeah, so you were there for this?

Mr. Florence: I was.

Chair of Committee: Okay. All right. Thank you. But again, that would help the rest of the members, I think, to have a little bit of context.

Mr. Kupfer: Yep. Not a problem.

Chair of Committee: Anything else, Jim?

Mr. Kupfer: That's it for now.

Chair of Committee: Okay. Well, thank you to everyone.

MINUTES

Chair of Committee moved on to meeting minutes. Administrator had sent everybody the two sets of minutes for (1) July 30th and (2) August 13th. Okay. Is everyone comfortable with those? Do we want to make a motion to approve the minutes?

Councilor Bloom: So, moved.

Chair of Committee: Okay.

Vice President Clark: Second.

Chair of Committee: All right. Cynthia, do you want to do them one at a time?

Administrator: Yes, we have to do a Roll Call vote because we are on Zoom.

ROLL CALL — MINUTES APPROVAL

Committee members:

Councilor Lutke — yes.

Councilor Bloom — yes.

Vice President Clark — yes.

Councilor Crocker — yes.

Steve Robichaud — yes.

Administrator: It’s Unanimous.

Chair of Committee: All right, and, Jim, our next meeting date again is September 24th.

Mr. Kupfer: Yes

Chair of Committee: Okay, thank you.

Mr. Robichaud: Just real quick, Madam Chair — I am unable to attend the next meeting on the 24th. I'll be out of town. But I just wanted to say, based on what we've done, I fully support moving this ahead at our next meeting.
Chair of Committee: Thank you, Steve. Your comments are incredibly important. And maybe you want to — would you have an opportunity to look at what you and Brian are going to put together, Jim?

Mr. Robichaud: Yeah, I'll just provide feedback to Jim after that final draft for the next meeting. Does that sound okay?

Chair of Committee: Yes, please do, Steve. Thank you, because it's critical. Okay, great. All right. Anybody else? All right. Well, I'm glad we proceeded today. This worked out well. Thank you everybody.

Vice President Clark: Motion to adjourn.

Councilor Crocker: Second.

Administrator took a Roll Call vote:

ROLL CALL — ADJOURNMENT

Steve Robichaud — yes.

Councilor Lutke — yes.

Councilor Bloom — yes.

Councilor Clark — yes.

Councilor Crocker — yes.

Administrator: You're adjourned at