



# The Town of Barnstable

## Office of Town Manager

367 Main Street, Hyannis, MA 02601

Office: 508.862.4610

Fax: 508.790.6226

[www.townofbarnstable.us](http://www.townofbarnstable.us)

Citizens' Resource Line: 508.862.4925



**Mark S. Ells, Town Manager**

[mark.ells@town.barnstable.ma.us](mailto:mark.ells@town.barnstable.ma.us)

**M. Andy Clyburn, Assistant Town Manager**

[andy.clyburn@town.barnstable.ma.us](mailto:andy.clyburn@town.barnstable.ma.us)

June 2, 2022

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for period May 20-June 2, 2022

1. The new Barnstable Local Comprehensive Plan website is live and now linked from the button on the Town's homepage and at [BarnstableLCP.com](http://BarnstableLCP.com). This important communication resource will be a clearinghouse for information on the project and ways to get involved. Also available to the public is the Map & Data Viewer produced with the Cape Cod Commission. The viewer provides maps and data visualizations with information about the natural, built, and community systems within the Town. Additionally, the Local Comprehensive Planning Committee has tentatively scheduled their first meeting for June 29<sup>th</sup>.
2. We are proceeding with the budget preparation for FY2023 as per the budget action calendar. We have submitted the proposed FY2023 Operating Budget with a first read of the operating budget occurring at the May 19<sup>th</sup> Town Council Meeting with public hearings commencing later this evening. For information on our fiscal year budgets, please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.
3. On June 1, 2022, the Town of Barnstable was inform (attached) of regulatory revisions the Massachusetts Department of Environmental Protection (MassDEP) is developing to ensure that timely actions are taken to restore and protect coastal estuaries that have been impacted by excessive nitrogen pollution. The two regulatory approaches they developed and plan to publish for public comment this fall provide communities with choices on how to address the growing pollution problem affecting our waters. The two proposed changes involve (1) revising Title 5 regulations to establish "Nitrogen Sensitive Areas" (NSAs) for watersheds draining into an estuary where there is an EPA-approved "Total Maximum Daily Load," which finds that the estuary is impaired by nitrogen and (2) a regulatory revision to formally establish the "watershed permit." These permits are 20-year permits that are based on long-term wastewater plans that will achieve water quality goals and provide communities the opportunity to utilize a range of approaches, including centralized sewer treatment and innovative approaches. We will keep you advised as these important regulatory revisions progress.

4. As reported on May 19, 2022 Barnstable County opened its ARPA Portal for the distribution of a portion (\$10M) of the County ARPA (\$41M) funds to towns on May 12, 2022. The Town submitted its application for county funds to support the Town's 725 Main Street sewer pump station in the amount of \$1,965,218.61 and on May 20, 2022 received notice that our application has been successfully certified and is now in Level 1 review. We will keep you advised as we progress on securing this funding source and apply for future funding opportunities.
5. As a reminder, please check our website at [Roadwork Notices | Barnstable eNews](#) for up to date road work occurring in Barnstable. In previous Town Manager communications to Town Council, DPW reported on the following:
  - a. Utility work on Craigville Beach Road is anticipated to continue through June 8, 2022;
  - b. Sewer and utility work will continue on Strawberry Hill Road through June 24<sup>th</sup>;
  - c. Sewer construction will occur on a portion of Wequaquet Lane in July and August;
  - d. Duct bank installation in July and August at night only at intersection of Route 132 and Phinney's Lane is pending approval with MassDOT; and
  - e. Construction on Phinney's Lane will commence after Labor Day.
6. At the March 17, 2022 Town Council meeting we received an update from the project team for Phases 2 & 3 relevant to those two respective projects. We have finalized the Host Community Agreement for the Phase 2 project (Park City Wind) as authorized by Town Council as that project proceeds with its permitting phase. Legal Department has prepared the additional action items for Town Council consideration relative to the Phase 2 landing at Craigville Beach for discussion later this evening.
7. As previously reported we continue discussions regarding a proposed Phase 3 (Commonwealth Wind) landing of cable in Barnstable. At the presentation on March 17, 2022 the proposed landing locations for cable in Osterville were shared with the Town Council. To date I have only had discussions with Commonwealth Wind (Phase 3) project representatives but have not commenced negotiations of a Host Community Agreement and shall not do so until authorized by Town Council. I do anticipate bringing a Resolve to Town Council in the near future requesting authorization for the Town Manager to enter into negotiations regarding a Phase 3 Host Community Agreement. Commonwealth Wind has received administrative approval from Conservation for preliminary geotechnical work pertaining to assessing the potential routes of the Phase 3 cable. The work is scheduled to take place in May and if needed in June 2022. They have also conducted offshore geotechnical testing off of Dowses Beach. Similar geotechnical work was conducted in Phases 1 and 2. We will keep you advised of our progress on this matter.
8. The Town of Barnstable's Zoning Board of Appeals has formally adopted a process for developers seeking to submit an application to the Town through the Local Initiative Program (LIP). The Local Initiative Program is a state housing program,

established by Massachusetts General Law Chapter 40B, sections 20-23 (also known the Comprehensive Permit Law) and administered by the Department of Housing and Community Development (DHCD). The program was established to give cities and towns greater flexibility in their efforts to provide low and moderate-income housing. The Local Initiative Program allows for what is commonly known as a Friendly 40B development. This is a permitting process which may supersede various local requirements and regulations, including zoning, and is granted by the Zoning Board of Appeals following a public hearing process. The Town's LIP policy lays out a detailed step by step outline for a developer to seek early input prior to Town Manager endorsement. The process seeks to leverage the experience of the Town's Planning Board and Housing Committee as well as provide for an early public process. The adopted policy is now posted on the Zoning Board of Appeals webpage, under "Resources" – [Comprehensive Plan Rules and Regulations](#).