



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

Citizens' Resource Line: 508.862.4925



Mark S. Ells, Town Manager

mark.ells@town.barnstable.ma.us

M. Andy Clyburn, Assistant Town Manager

andy.clyburn@town.barnstable.ma.us

October 20, 2022

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for October 7 thru October 20, 2022

1. Elizabeth Jenkins, Director of Planning and Development, shall provide an introduction to Proposed Downtown Hyannis Zoning Revisions.
2. We are proceeding with the Budget Action Calendar for FY 2024. The action items in the budget calendar include the meetings of the School Committee held as they develop the FY 2024 proposed operating budget. As noted in the Budget Action Calendar the annual joint meeting of Town Council and School Committee is scheduled for this evening. The PowerPoint presentation prepared by Mark Milne, Director of Finance, is available on the Town's website. The Town Manager and School Superintendent have met and agreed to proceed with the 60/40 split as in years past for the proposed FY 2024 Operating Budget. We plan to hold the Calendar Year 2022 Town Manager's Fee Hearing on November 15, 2022, the time and place will be announced shortly. For information on our fiscal year budgets, please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.
3. On July 26, 2022, I provided the Board of Health an update regarding the proposed regulatory changes under consideration by the Department of Environmental Protection to Title 5. As previously reported on June 1, 2022, the Town of Barnstable was informed 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. We met with MassDEP on July 6, 2022 to further discuss these proposed changes and we submitted a letter summarizing our comments on the proposed changes for MassDEP's consideration as they finalize their draft regulations. We met again with DEP staff on September 23, 2022 to further discuss the proposed changes to Title 5 regulations. I have been in communication with DEP regarding a potential draft regulation hearing at Barnstable Town Hall in November 2022 and await further response for DEP. I have also requested that MassDEP present these draft changes to a joint meeting of the Town Council and Barnstable Board of Health as these changes are significant and merit such a workshop possibly the first Town Council meeting in December 2022. We will keep you advised as these important regulatory revisions progress.

4. We continue review of permits filed with regulatory agencies 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. Commonwealth Wind shared said information following their filing for Site Assessment approval with the US Bureau of Ocean Energy Management documents that identified their proposed project including landing and cable route locations. To date I have only had general 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. On September 30, 2022 Commonwealth Wind proceeded with filing an Environmental Notification Form (ENF) and supporting documents to the Massachusetts Environmental Protection Agency office (MEPA) of the Secretary of Energy and Environmental Affairs. The document link below is to the form and various attachments, including attachment A, which is a narrative describing the project and the rationale for various siting and design considerations, including the landing and the route.

<https://avangridrenewables.box.com/s/vwftpvf703ivpauz34yoadvimq8g8lbu>

Commonwealth Wind anticipates that the public comment period for the ENF will extend through November 29, 2022 (extended from October 27, 2022). Link to MEPA web site <https://eeaonline.eea.state.ma.us/EEA/MEPA-eMonitor/home> Staff is reviewing the ENF and plan to submit comments within the public comment period. Based on Attachment D Permits, Reviews and Approvals Required for the Project of the ENF. We anticipate a filing later this fall with the Energy Facilities Siting Board (EFSB). Commonwealth Wind has also informed me that they will be in discussions with the Department of Public Utilities regarding rate modifications given recent changes in energy costs. We will keep you advised of our progress on this matter.

5. The Sandy Neck Beach Park Facility is an important Town asset which experiences over 150,000 visitors annually to the beach, Off Road Vehicle (ORV) beach and trails, campsites, cottages, and hiking trails. It is also a designated as an Area of Critical Environmental Concern providing habitat for multiple threatened and endangered species. Coastal storms have resulted in flooding of the gatehouse and coastal erosion has threatened the trails and parking lot multiple times. The Town Council has previously approved emergency appropriations to nourish the dune protecting the parking lot and repair damaged facilities. Recognizing the need for long term management of this site, the Town Council approved Capital Improvement Projects in Fiscal Years 2020 and 2022, for the purpose of designing and permitting solutions to address coastal storm impacts at the Sandy Neck Beach Park Facility parking lot, gatehouse, and ORV trail. Since then, Department of Public Works and Marine and Environmental Affairs staff have been working with the Woods Hole Group to develop and evaluate different coastal resiliency alternatives for consideration. The project team recently applied for and received a Coastal Resiliency Grant from the Massachusetts Coastal Zone Management Office to fund preliminary design, which was accepted by the Town Council earlier this month. The project team is actively working with the Sandy Neck Board, Massachusetts Coastal Zone Management Office, and other

regulatory agencies to assess multiple alternatives and plan to bring forward recommended alternatives to manage this facility. We anticipate scheduling public presentations to review the project results and discuss the recommended management alternatives for this site. We have requested a workshop with Town Council in November to review and discuss alternatives.

6. Dan Santos, Director of Public Works, shall provide an update on the Barnstable's Water Management Plan including the Comprehensive Waste Management Plan.