



The Town of Barnstable

Office of Town Manager

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November 3, 2022

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for October 21 thru November 3, 2022

1. Elizabeth Jenkins, Director of Planning and Development, shall provide an update on the Local Comprehensive Plan.
2. We are proceeding with the Budget Action Calendar for FY 2024. A public hearing on changes to various Town of Barnstable permit and programs fees that take effect on January 1, 2023 as well as on a proposed taxi meter rate increase for taxis licensed to operate within the Town of Barnstable effective January 1, 2023 will be held on November 15, 2022 at 11 a.m. The hearing can be viewed on Barnstable's Channel 18 as well as the live stream on the Town of Barnstable's website. Those wishing to provide public comment may do so by accessing the meeting via the Zoom link <http://townofbarnstable-us.zoom.us/j/88018996199> or telephone number 888-475-4499. Information regarding the proposed changes will be available on the Town Manager's page of the Town of Barnstable's website at www.townofbarnstable.us. 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 informed of regulatory revisions the Massachusetts Department of Environmental Protection (MassDEP) was developing to ensure that timely actions are taken to restore and protect coastal estuaries that have been impacted by excessive nitrogen pollution. MassDEP is proposing to amend the Title 5 regulations to enhance protection of embayments and estuaries — particularly on Cape Cod, the Islands and Southeastern Massachusetts — from nitrogen pollution originating primarily from wastewater. MassDEP's proposed regulations at 314 CMR 21.00 provide a watershed permitting approach to control nitrogen and other pollutants from entering the embayments and estuaries. MassDEP will conduct three public hearings one of which will be an in-person and remote hearing at Barnstable Town Hall, 367 Main St., Hyannis, MA. on December 5, 2022 at 6:00 p.m. Comments on the proposed revisions may be presented orally at the public hearing. You can find additional information regarding the public hearings at <https://www.mass.gov/doc/310-cmr-15000-314-cmr-2100-public-hearing-notice/download> We have also been provided with the following links to proposed changes to the regulation. [310 CMR 15.000: Septic Systems \("Title 5"\) | Mass.gov](#)

[314 CMR 21.00: Watershed Permit Regulations | Mass.gov](#) We will keep you advised as these important regulatory revisions progress.

4. We continue review of permits filed with regulatory agencies regarding the 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. I continue to have 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. The most recent discussion focused on Commonwealth Wind's request to conduct soil borings along the project route including at Dowses Beach, and that they are proceeding with a request to delay their filing with the Department of Public Utilities (DPU) in order to renegotiate their Power Purchasing Agreement but they had not changed their filing of environmental/project permitting for the Commonwealth Wind project. 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 website <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. We will continue to monitor the Attachment D Permits, Reviews and Approvals required for the project and respond appropriately. We will keep you advised of our progress on this matter.

5. The Planning & Development Department, in cooperation with the Department of Public Works, has recently commenced the project: [Great Streets Downtown Hyannis: A Walkable Heart for Cape Cod](#). Once complete in late spring 2023, this project will ultimately result in a buildable plan for how Hyannis Main Street and nearby streets and intersections could be re-designed in the near future. The project intends to achieve several goals relating to the improvement of traffic-related challenges, increasing opportunities for biking, walking and transit, and better facilitating street vitality downtown. We would like to invite the public to the kickoff presentation and public open house on **Tuesday, November 15th from 7:00 to 9:00 PM at Town Hall**. This event will kick off with a formal presentation by *Walkable City* author Jeff Speck and the consultant team (Stantec) to introduce the project to the community. The presentation will be followed by an open house where data will be shared and public input will be gathered.
6. Mark Milne, Director of Finance, shall provide us with a presentation on the Allocation of the Tax Levy – Adoption of a Residential Exemption and Residential Factor.