



The Town of Barnstable

Office of Town Manager

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January 2, 2024

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for December 21, 2023 through January 2, 2024

1. We are proceeding with the budget action calendar for FY 2025. For information on our fiscal year budgets please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.
2. During the public meeting of the Board of Health held on Tuesday December 19, 2023, the Board promulgated a sewer connection policy requiring connections within six months of availability. The policy provides an internal mechanism for providing homeowners an extension of six months in those cases where documentation is provided indicating a contractor has been hired to perform the required work and/or documentation of a financial loan application along with the understanding the property owner demonstrates continuing diligent efforts to conform with the connection policy. Appropriate representatives from Health and Public Works shall be available at the Town Council meeting to answer questions.
3. The proposed Dog Control Regulations were presented at a Town Manager's Hearing on October 18, 2023. Public Comment for the proposed regulations occurred from October 18th through December 8, 2023. Eighty-three (83) comments (negative and positive) were received. The two proposed regulations with the most comments were Dogs on Beaches (61%) and Kennel/Multiple Dog Regulations (16%). In response to comments, the following changes have been made:
 - a. Reverted back to the May 15th through September 15th dog ban on Designated Bathing Beaches.
 - b. Added a clause that allows Town Officials to close sections of beaches to dogs for endangered species protection.
 - c. Worked with a representative of the American Kennel Club to better clarify Kennel and Multiple Dog definitions.

The latest draft of the proposed Dog Control Regulations will be posted for 10 days on the Town Manager and Marine and Environmental Affairs webpages. We will keep you advised as we move forward with approval of these modified regulations.

4. On Friday, December 29, 2023, I sent an email to Patrick Johnson, Manager of External Affairs/Offshore Wind for Avangrid, that attempted to clarify an email communication that he had sent relative to an upcoming ground penetrating radar survey that Avangrid planned to conduct in early January in Barnstable. We received many inquiries as to what the Town had approved Avangrid to survey. The response was as follows: “In response to your notification of planned ground penetrating radar work during the first week of January 2024 I offer the following comments. As one reads this communication it would be logical that the reader would believe that the Town has authorized this ground penetrating radar work as part of your continuing efforts to gather base information for the proposed project. The Town has not issued any approval or authorization for said work. The work described should not impact traffic or roadway safety and is not ground penetrating therefore a road cut permit is not required from DPW as we understand your proposed work. Please be advised that any other permitting/authorization that may be required to conduct such work is Commonwealth Wind’s responsibility and no such work should proceed until all applicable permits/authorizations are obtained from the appropriate authority. I am sending Ken Kimmell a separate letter referencing the recent Resolve by Town Council and the Town’s comments in the DEIR indicating the Town’s opposition to the proposed project and requesting that all related activities to this proposed project cease.” We will keep you advised as this matter progresses.
5. Jim Kupfer, Assistant Director of Planning and Development, shall provide an update on the Local Comprehensive Plan.
6. Charles McLaughlin, Senior Counsel for the Legal Department, shall provide a response to questions asked by a Town Councilor regarding the Town’s decision to file or not to file for intervener status in the Park City Wind project before the Energy Facilities Siting Board.