



Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail : council@town.barnstable.ma.us

TOWN COUNCIL MEETING

October 09, 2025

6:00 pm

Councillors:

Craig Tamash
President
Precinct 4

Kris Clark
Vice President
Precinct 11

Gordon Starr
Precinct 1

Dr. Kristin Terkelsen
Precinct 2

Betty Ludtke
Precinct 3

John Crow
Precinct 5

Paul C. Neary
Precinct 6

Seth Burdick
Precinct 7

Jeffrey Mendes
Precinct 8

Charles Bloom
Precinct 9

Matthew P. Levesque
Precinct 10

Paula Schnepf
Precinct 12

Felicia Penn
Precinct 13

Administrator:
Cynthia A. Lovell
Cynthia.lovell@town.barnstable.ma.us

The October 09, 2025 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2nd Floor James H. Crocker Jr. Hearing Room, Hyannis, MA. The public may attend in person or participate remotely in Public Comment or during a Public Hearing via the Zoom link listed below.

1. The meeting will be televised live via Xfinity Channel 8 or 1070 or High-Definition Channel 1072 or may be accessed via the Government Access Channel live stream on the Town of Barnstable's website:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Written Comments may be submitted to:

<https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town Council/Agenda-Comment.asp>

3. Remote Participation: The public may participate in Public Comment or Public Hearings by utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://townofbarnstable-us.zoom.us/j/86205347076> Meeting ID: 862 0534 7076
US Toll-free • 888 475 4499

PUBLIC SESSION

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS (Pre-Recorded and available on Video on Demand on the Town website)

7. MINUTES

- ACT ON PUBLIC SESSION MINUTES: September 18, 2025

8. COMMUNICATIONS - from elected officials, boards, committees, and staff, commission reports, correspondence and announcements (will be taken up after the Orders of the Day)

9. WORKSHOP DISCUSSION

- SPECIAL EVENTS / USE OF TOWN PROPERTY

David Anthony, Director of Asset Management

10. ORDERS OF THE DAY

- A. Old Business
- B. New Business

11. ADJOURNMENT

NEXT REGULAR MEETING: October 23, 2025

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Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the extent permitted by law. It is possible that if it votes, the Council may go into executive session. The Council may also act on items in an order other than as they appear on this agenda. Persons interested are advised that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, it may be continued to a future meeting, and with proper notice.

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-014
INTRO: 09/04/2025, 10/09/2025

**2026-014 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, TO INSERT A NEW CHAPTER 48 STRETCH
ENERGY CODE**

ORDERED: That the Code of the Town of Barnstable, Part I General Ordinances, is hereby amended by inserting after Chapter 47 the following new Chapter 48 Stretch Energy Code:

“Chapter 48 Stretch Energy Code
§ 48-1. Purpose and Intent.

The purpose of the Stretch Energy Code is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for both new construction and existing buildings.

§ 48-2. Definitions.

As used in this Chapter, the following terms shall have the following meanings:

Base Energy Code – The baseline energy conservation requirements of the Massachusetts State Building Code, 780 CMR, are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

International Energy Conservation Code (IECC) – The International Energy Conservation Code is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency and is updated on a three-year cycle.

Stretch Energy Code – Codified by the combination of 225 CMR 22 and 23, not including the Appendices RC and CC, and including any future editions, amendments or modifications, the Stretch Energy Code is a comprehensive set of amendments to the IECC seeking to achieve all lifecycle cost-effective energy efficiency in accordance with Chapter 169 of the Acts of 2008, the Massachusetts Green Communities Act, as well as to reduce the climate impacts of buildings built to this code.

§ 48-3. Applicability.

The Stretch Energy Code applies to residential and commercial buildings in the Town of Barnstable and is enforceable by the Building Commissioner.

§ 48-4. Effective Date.

The Stretch Energy Code is effective as of January 1, 2026.”

SPONSOR: Councilor Gordon Starr, Precinct 1

DATE	ACTION TAKEN
<u>09/04/2025</u>	<u>First Reading</u>
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-014
INTRO: 09/04/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: James Kupfer, Director of Planning and Development
DATE: September 04, 2025
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, to insert a new Chapter 48 Stretch Code

RATIONALE: As part of the Green Communities Act of 2008, the State of Massachusetts is required to update its building code every three years to be consistent with the most recent version of the International Energy Conservation Code (IECC) to ensure that new buildings are designed and constructed with energy efficiency in mind. In 2009, Massachusetts adopted the "Stretch Code" to provide a more energy efficient alternative to the base energy code for new buildings. The Stretch Code increases the energy efficiency requirements for new construction and major renovations of residential and commercial buildings, including certain additions and alterations. The Town of Barnstable has not adopted the Massachusetts Stretch Code to date.

The Town of Barnstable has discussed becoming a Designated Green Community. To become a Designated Green Community the Town must complete five criteria defined by the State. Criterion 1 is met by a municipality passing zoning in designated locations for the as-of-right siting of renewable or alternative energy generating facilities. Criterion 2 is met by a municipality adopting an expedited process and permitting of one year at most, under which facilities interested in locating their facility in a designated renewable zone may be sited within the municipality. Criterion 3 is that a municipality must establish an energy use baseline inventory for municipal buildings and facilities, street and traffic lighting, and vehicles; and adopt an Energy Reduction Plan demonstrating a reduction of 20 percent of energy use after five years of implementation. Criterion 4 requires all departments within a Green Community to purchase fuel-efficient vehicles for municipal use, whenever such vehicles are commercially available and practicable. Lastly, criterion 5, a municipality shall adopt the Stretch Code.

The Town of Barnstable has achieved all the requirements stated above, except for the adoption of the Stretch Code. Buildings constructed to the Stretch Code use less energy than buildings built to other current and previous building codes. However, time to construct and cost to construct are likely to increase to adhere to the higher energy efficiency standards.

Some State listed benefits of becoming a Designated Green Communities is that the Town of Barnstable could cut municipal energy costs; have access to grants for clean affordable and resilient energy projects; reduce greenhouse gas emissions; and promote energy-efficient building construction that drives the market for better built homes.

FISCAL IMPACT: The adoption of the stretch code has no direct financial impact on fees collected by the Town of Barnstable. If the Stretch code is passed, which has been the traditional hurdle for Barnstable to becoming a Green Community, and if the application was successful, it would open the door to future grant money that could be applied to energy related projects or initiatives, saving tax dollars through lower utility bills for municipal accounts.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, supports this item.

STAFF SUPPORT: James Kupfer, Director of Planning and Development; David Anthony, Director of Asset Management, Karen L. Nober, Town Attorney, Sean Hogan, Environmental Sustainability Manager

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-035
INTRO: 09/18/2025, 10/09/2025

2026-035 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Disability Commission:** Christopher Bartley as a regular member to a term expiring 6/30/2028; **Planning Board:** Catherine Finkenshaedt as a regular member to a term expiring 6/30/2028

SPONSOR: Appointments Committee Members: Councilor Kristin Terkelsen, (Chair); Councilor Jeffrey Mendes; Councilor John Crow; Councilor Charles Bloom; and Councilor Seth Burdick

DATE	ACTION TAKEN
<u>09/18/2025</u>	<u>First Reading</u>
_____	_____

- ____ Read Item
- ____ Rationale
- ____ Council Discussion
- ____ Vote

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-036
INTRO: 09/18/2025, 10/09/2025

2026-036 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Human Services Committee:** Kimberly Crocker-Crowther as a regular member to a term expiring 6/30/2028; **Planning Board:** Raymond Sexton as a regular member to a term expiring 6/30/2028; **Waterways Committee:** Gary Shramek as a regular member to a term expiring 6/30/2028

SPONSOR: Appointments Committee Members: Councilor Kristin Terkelsen, (Chair); Councilor Jeffrey Mendes; Councilor John Crow; Councilor Charles Bloom; and Councilor Seth Burdick

DATE	ACTION TAKEN
<u>09/18/2025</u>	<u>First Reading</u>
_____	_____

____ Read Item
____ Rationale
____ Council Discussion
____ Vote

B. NEW BUSINESS (First Reading) (Refer to Second Reading 10/23/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-037
INTRO: 10/09/2025

2026-037 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Council on Aging:** Larry Morin as an alternate member to a term expiring 06/30/2027; **Conservation Commission:** Rob Demelo, as a regular member to a term expiring 06/30/2028; **Recreation Commission:** Christina Carrington, as a regular member to a term expiring 06/30/2028; **Youth Commission:** Nina Wang, as a student member to a term expiring 06/30/2026; **Zoning Board of Appeals:** Manny Alves from an associate position to a full member position to a term expiring 06/30/2026; Debra Dworkis, as an associate position to a term expiring 06/30/2027

SPONSOR: Appointments Committee Members: Councilor Kristin Terkelsen, (Chair); Councilor Jeffrey Mendes; Councilor John Crow; Councilor Charles Bloom; and Councilor Seth Burdick

DATE	ACTION TAKEN
_____	_____
_____	_____

- ____ Read Item
- ____ Rationale
- ____ Council Discussion
- ____ Vote

B. NEW BUSINESS (First Reading) (Refer to Second Reading 10/23/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-038
INTRO: 10/09/2025

2026-038 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Conservation Commission:** F.P. Tom Lee, as a regular member to a term expiring 06/30/2028; Peter Sampou as a regular member to a term expiring 06/30/2028; **Open Space Committee:** Catherine Gulliver, as a regular member to a term expiring 06/30/2028; Farley Lewis, as a regular member to a term expiring 06/30/2028

SPONSOR: Appointments Committee Members: Councilor Kristin Terkelsen, (Chair); Councilor Jeffrey Mendes; Councilor John Crow; Councilor Charles Bloom; and Councilor Seth Burdick

DATE	ACTION TAKEN
_____	_____
_____	_____

- ____ Read Item
- ____ Rationale
- ____ Council Discussion
- ____ Vote

B. NEW BUSINESS (First Reading) (Refer to Public Hearing on 10/23/2025)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-039
INTRO: 10/09/2025**

2026-039 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 37, BOARDS, COMMITTEES AND COMMISSIONS TO REVISE THE APPOINTMENTS COMMITTEE AND TO ADD A NEW ZONING AND REGULATORY COMMITTEE OF THE TOWN COUNCIL

ORDERED: That the Code of the Town of Barnstable, Part I General Ordinances, Chapter 37 Boards, Committees and Commissions, is hereby amended as follows:

SECTION 1. By repealing Article I, Appointments Committee, in its entirety and inserting the following new Article I, Standing Committees of the Council, in its place:

“Article I. Standing Committees of the Town Council

§ 37-1 Standing Committees of the Town Council.

The following committees shall be Standing Committees of the Town Council:

A. An Appointments Committee of the Town Council

B. A Zoning and Regulatory Committee of the Town Council.

§ 37-2 Membership.

Each Standing Committee of the Town Council shall consist of five Town Councilors.

§ 37-3 Term of office.

The members of the Appointments Committee of the Town Council shall serve for one year commencing after the annual reorganization of the Town Council. The members of the Zoning and Regulatory Committee of the Town Council shall serve for two years commencing after the reorganization of the Town Council following a regular Town election.

§ 37-4 Appointment of members.

The Councilors serving on Standing Committees of the Town Council shall be appointed by the President of the Council from a list of names of those Councilors who have indicated that they wish to serve on such committees. The total Council will be apprised of the names of those Councilors who are willing to serve. The full Council will have the final vote on all appointments to the Standing Committees of the Council.

§ 37-5 Appointments Committee.

- A. Purpose. In accordance with Council rules, the Appointments Committee recommends to the Town Council a slate of persons to be reappointed or appointed to volunteer boards.
- B. The Appointments Committee will advertise on the Town website and on digital and social channels as needed throughout the year, inviting Town residents to submit letters of interest to the Town Council Administrator indicating the areas in which they would like to serve and requesting letters of interest for openings on specific multi-member boards, committees and commissions.
- C. Resumes will be gathered along with letters of interest from each candidate, and interviews will be conducted with new candidates as well as with candidates for reappointment whenever there are other applicants for the position for which a candidate is seeking reappointment. At the discretion of the Committee, interviews may be conducted with candidates for reappointment when they are the only applicants for the position for which they are seeking reappointment.

§ 37-6 Zoning and Regulatory Committee.

- A. Purpose. The Zoning and Regulatory Committee will review and make recommendations to the Council regarding proposed zoning amendments and other proposed regulatory ordinances and amendments submitted to the committee by the Town Manager or by one or more Councilors. The Zoning and Regulatory Committee, on its own initiative, may submit to the Council proposed zoning amendments and other proposed regulatory amendments and ordinances.
- B. All meetings of the Zoning and Regulatory Committee shall include a period for public comment.”

SECTION 2. Article II, Absentee Members, is hereby amended by renumbering § 37-8 as § 37-7.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-039
INTRO: 10/09/2025

TO: Town Council
FROM: Craig A. Tamash, Town Council President
THROUGH: Karen L. Nober, Town Attorney
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 37, Boards, Committees and Commissions to revise the Appointments Committee and to add a new Zoning and Regulatory Committee of the Town Council
DATE: October 09, 2025

RATIONALE: This proposed amendment to Chapter 37 of the Town Code revises the standing Appointments Committee of the Town Council to require that its members consist solely of Town Councilors, as appointing the members of the Town's boards, committees and commissions is a core responsibility of the Council and one that should be performed by Councilors. This proposed amendment also creates a new standing Zoning and Regulatory Committee of the Town Council to provide a more robust process and public process for considering proposed zoning and other regulatory ordinances and amendments.

FISCAL IMPACT: N/A

STAFF SUPPORT: Karen L. Nober, Town Attorney; James Kupfer, Director of Planning and Development