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CAPE COD
COMMISSION

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Minutes

Meeting Cape Cod Commission

Barnstable County Complex • Harborview Conference Room
3195 Main Street, Barnstable, MA 02630

April 19, 2018

The meeting was convened at 3:00 p.m., and the Roll Call was recorded as follows:

Town	Member	Present
Barnstable	Royden Richardson	✓
Bourne	Richard Conron	✓
Brewster	Elizabeth Taylor	✓
Chatham	Michael Skelley	✓ (arrived at 3:05 p.m.)
Dennis	Richard Roy	✓
Eastham	Joy Brookshire	Absent
Falmouth	Charles McCaffrey	✓
Harwich	Jacqueline Etsten	✓
Mashpee	Ernest Virgilio	✓
Orleans	Len Short	✓
Provincetown	Dr. Cheryl Andrews	✓
Sandwich	Harold Mitchell	✓
Truro	Kevin Grunwald	✓
Wellfleet	Roger Putnam	✓
Yarmouth	John McCormack, Jr.	✓
County Commissioner	Mary Pat Flynn	Absent
Minority Representative	John Harris	✓ (arrived at 3:10 p.m.)
Native American Rep.	David Weeden	✓
Governor's Appointee	Michael Maxim	✓

The Cape Cod Commission Meeting was called to order on Thursday, April 19, 2018 at 3:00 p.m. in the Harborview Conference Room, Barnstable County Complex, 3195 Main Street, Barnstable, MA. Roll was called and a quorum was established.

SUMMARY OF ACTIONS TAKEN/VOTES:

- **Approval of Minutes:** The minutes of the March 22, 2018 Commission meeting were approved with 13 votes in favor and one abstention (Cheryl Andrews).
- **Continued Public Hearing: Downtown Hyannis Growth Incentive Zone Re-designation:** Following presentations, public testimony, discussion and deliberation the Cape Cod Commission voted with 15 votes in favor and one abstention (Cheryl Andrews) to close the public hearing. Following the close of the public hearing the Commission voted with 15 votes in favor and one abstention (Cheryl Andrews) to approve re-designation of the Downtown Hyannis Growth Incentive Zone (DHGIZ) and adopt the draft written DHGIZ re-designation decision.

■ MINUTES

The minutes of the March 22, 2018 Commission meeting were reviewed. Roger Putnam moved to approve the minutes, Len Short seconded the motion and a vote called on the motion passed with 13 votes in favor and one abstention (Cheryl Andrews).

■ EXECUTIVE DIRECTOR'S REPORT

Executive Director Kristy Senatori said she has visited six Boards of Selectmen to date and will continue to schedule these meetings to introduce herself and provide an update on Commission activities over the next several months. She thanked Commission members who have attended meetings with Ms. Senatori and said hopefully other members will be able to attend meetings in the upcoming months as well. She said Commission staff would like to hear back from Commission members regarding communication, a communications survey was submitted to members via email earlier in the week and she asked that members take the time to fill it out. She provided staff updates and said Glenn Cannon, Transportation Program Manager at the Commission, left the Commission to take the position of Assistant Town Administrator in Bourne and wished him well in his new position. Ms. Senatori announced that Steven Tupper, who has been a transportation planner at the Commission since 2011, has been promoted to the Transportation Program Manager position. She said Mr. Tupper is a life-long resident of Cape Cod and resides in Brewster. Ms. Senatori introduced Tim Pasakarnis and said he has joined the Commission's water resources staff and he will be working closely with Erin Perry and Tom Cambareri on Section 208 water quality issues, stormwater monitoring and other water resources issues.

Ms. Senatori welcomed Dr. Cheryl Andrews to the Commission as the new Provincetown Representative and said the Commission is pleased to have a representative from Provincetown. Ms. Senatori recognized Royden Richardson, the Commission's Barnstable Representative for the past 12 years, and said today is Mr. Richardson's last meeting. She read and presented a letter to Mr. Richardson from Paul Niedzwiecki and said Mr. Niedzwiecki was the Executive Director for most of Mr. Richardson's tenure at the Commission. In his letter Mr. Niedzwiecki thanked Mr. Richardson for his public service, his commitment to his community, for serving as a member of the Barnstable Town Council and as a member of the Cape Cod Commission. He thanked Mr. Richardson for his kindness, friendship, compassion, and his thoughtful decisions made for the people he served.

Chair Harold Mitchell thanked Mr. Richardson and said he has been an excellent mentor and Commission member. Chair Mitchell presented Mr. Richardson with a Certificate of Recognition and thanked him for his commitment to serve as the Commission's Barnstable Representative.

Royden Richardson thanked Commission members and staff and said he has enjoyed working with the Cape Cod Commission as the Barnstable Representative for the past 12 years. He thanked Mr. Niedzwiecki for his letter and said he has always enjoyed working with Mr. Niedzwiecki and said he has been a good friend.

■ DOWNTOWN HYANNIS GROWTH INCENTIVE ZONE RE-DESIGNATION

Chair Harold Mitchell announced that this is a continued hearing from March 22, 2018 and opened the public hearing at 3:34 p.m. for the Downtown Hyannis Growth Incentive Zone Re-designation.

Jon Idman, Chief Regulatory Officer at the Commission, said the Commission held a public hearing on March 22, 2018 on the proposed re-designation of the Downtown Hyannis Growth Incentive Zone (DHGIZ) and the hearing was continued to today. He said at that hearing the town's program for re-designating the DHGIZ was presented by Town and Commission staff extensively to the full Commission and the proposed boundary of the DHGIZ is the same as was approved by the Commission in 2006 for the initial DHGIZ designation. He said based on comments from the Commission and the public at that last hearing, staff further revised the draft decision and it was discussed with the Commission's Committee on Planning and Regulation (CPR) at its meeting on April 5, 2018. He said in the interim the Assembly of Delegates and the Barnstable County Commissioners also approved and adopted amendments to the Commission's Chapter G Growth Incentive Zone Regulations in mid-April, the regulations were the premise for the town's request in its application and it was significant that the Assembly of Delegates and County Commissioners approved and adopted the amendments to Chapter G Growth Incentive Zone Regulations.

Mr. Idman said the draft decision was most recently updated this morning based on public comments that were received yesterday. He said the town's program is a goals-based approach arranged by major systems and sub-systems in the Growth Incentive Zone (GIZ) such as transportation and water resources and a menu of corresponding actions by the town's capital, strategic and infrastructure plans developed for the GIZ intends to further those goals. He said progress in meeting the goals will be measured every five years, the proposed GIZ will be recorded and reviewed by the CPR, and Commission staff will assist in developing measures and tools based on broad indicators such as the economy and public safety which were identified in the town's GIZ application. He said the town may refine reset goals, measures and strategies in five-year review intervals after review by the CPR. He said within paragraph #34 in the draft decision a one-year report is required to be provided to Commission staff and it deals with certain priority actions that the town has committed to undertake in the first year. He said the draft decision also states that the town does have to report any proposed changes in local ordinances and/or regulations to the Cape Cod Commission.

Mr. Idman discussed Development of Regional Impact (DRI) thresholds and said discretionary referrals are still available to the town despite DRI threshold relief granted in the decision. He explained revisions made to paragraph #22 that deals with the town revisiting its Regulatory Agreement process; he said paragraph #30 was revised just today regarding DRI thresholds cited in the draft decision and an Exhibit B has been added to the draft decision. He said the Commission received comment from Counsel to the Melody Tent asking if there is ever a proposed expansion of the GIZ boundary that it be deemed a major modification for review by the Commission in a public hearing and paragraph #37 has been added with that provision. He said the difference from the Commission's former GIZ Regulations that were amended and adopted by the Assembly of Delegates, is that this GIZ re-designation will be in perpetuity unless it's revoked or rescinded according to the provisions within the regulations themselves. Mr. Idman said the town will proceed and implement according to the provisions in the draft decision.

Chair Harold Mitchell called for comment from the Town of Barnstable and none was given. Chair Mitchell then called for public comment.

Felicia Penn, Hyannis resident, said she had a very informative conversation with Mr. Idman this morning and she is very supportive of the draft decision as it now exists particularly due to the insertion of paragraph #22, amended paragraph #30, paragraph #37 and Exhibit B. She said Exhibit B makes the document whole and complete and she thanked Mr. Idman for listening and for responding the way he did.

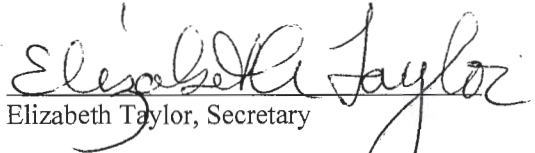
Roger Putnam moved to close the public hearing, the motion was seconded by Jack McCormack and a voted called on the motion passed with 15 votes in favor and one abstention (Cheryl Andrews).

Jack McCormack moved to approve re-designation of the Downtown Hyannis Growth Incentive Zone and to adopt the draft written re-designation decision. Royden Richardson seconded the motion and a vote called on the motion passed with 15 votes in favor and one abstention (Cheryl Andrews).

■ **NEW BUSINESS:** *Topics not reasonably anticipated by the Chair more than 48 hours before the meeting.*
No new business was taken up.

A motion was made to adjourn at 3:21 p.m. The motion was seconded and voted unanimously.

Respectfully submitted,



Elizabeth Taylor, Secretary

List of Documents Used/ Presented at the April 19, 2018 Commission Meeting

- Handout material: April 19, 2018 Commission Meeting Agenda.
- Material presented: Draft Minutes of the March 22, 2018 Commission Meeting.
- Handout material: Draft Decision on the Downtown Hyannis Growth Incentive Zone Re-designation