

FROM YOUR COUNCILOR

PRECINCT 1
ANN CANEDY



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There are many challenging issues confronting the Town of Barnstable and I appreciate the privilege of representing Barnstable Village. As I cannot represent in a vacuum however, please continue to write, call and email me. I also commend *The Barnstable Patriot* for providing this forum to the Town Councilors to facilitate communication with you. Here are some issues of interest:

VILLAGE GREEN: When I was running for election in the fall of 2003, my opponent, then an incumbent councilor, and I would debate about the proposed "affordable housing" project known as Village Green to be located in the Industrial Park. I was told then and several months later again by the state representative that Village Green was a "done deal". It was apparently just a matter of how many units would ultimately be allowed on the site. At the time, the developer had originally proposed 210 units and the project had been negotiated down to 180 units. All units were designated as rental and thereby considered "affordable" in the bean counting forced on municipalities by the mandates of Chapter 40B even though only a small percentage would actually be "affordable".

I believed in the integrity of the public process however and continued to participate in the public forum. After negotiation requiring months of sweat and expense, a working group consisting of representatives of the developer, the Town, Zoning Board of Appeals (ZBA), Planning Board and Housing Committee among others, announced

a settlement which would allow the developer to build five and a half buildings consisting of 136 units, 35% of which were to be "affordable".

Months later, in November 2005, the developer approached the Housing Committee with an alternative plan for conversion over time of some of the rentals into condominiums. This plan was rejected. The developer then requested a modification to allow an increase in units to 148 units in six buildings and a decrease in affordables to 25%. The hearing before the Zoning Board of Appeals was expedited because the developer claimed he had to pull permits immediately. I opposed the granting of this modification because I thought it defeated the goal of creating truly "affordable" housing by lowering the number of actual affordable units and because I thought it created a bad precedent to reject months of good faith negotiation. The ZBA granted an increase to 148 but imposed a requirement of 35% affordable.

After months of negotiation and wrangling, I was reluctantly resigned to accepting this project as a "done deal" at 148 units.

On the Agenda for next Town Council meeting however is a Resolve that as written requires the Planning Board to "develop zoning" in order to "bring (Village Green) into conformity with Chs. 40R and 40S". CH. 40R and S are complicated zoning incentives to encourage developers to build more affordable housing by allowing them more density and Town officials to accept the density by granting one

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time monetary awards. Pardon me for being cynical but perhaps the density issue on Village Green is not a "done deal" after all. Close perusal of the law reveals that if zoning is changed to accommodate a 40R development, the developer can build at least 220 units (20 units per developable acres-20 X 11 acres). In my mind, 148 units in six barracks like buildings under the power lines, across from the airport, adjacent to future Exit 6 1/2, down the street from an adult entertainment zone, and in an Industrial Park without sidewalks or street lights is barely attainable. I understand the need for affordable housing, but as a supporter of accessory housing and the proposed alternative to 40B, the AHOD, I believe allowing 200 or more units at that site is not worth the approximate \$375,000 one time incentive payment (plus modest yearly allowance for school age residents of the project). The Town is reluctant to abandon this project, but at some point, sacrificing the future well being of our community for the satisfaction of a short term goal is not "good deal".

MCMANUS PROPERTY: The Town of Barnstable is exploring offsite destinations for effluent discharge. Due to the growing areas on both the North and South sides of the Cape that are Areas of Critical Concern for failing

septic systems, this is not a question of *whether* effluent discharge should be explored but *where* it should occur. The Bearse's Way plant has topped out and the Town simply cannot expand its sewer system until discharge sites are identified.

McManus, a 44 acre forested parcel adjacent to the Hyannis Golf Course, is one of four sites actively being considered. McManus was purchased in part with Town money with the intent to use the site as a future discharge area. (a 6.9 acre use easement was acquired) The potential controversy lies in the fact that land bank money was also used for the purchase of the remaining acres. While arguably the use of land bank purchased property for the contemplated subsurface discharge *may* not be technically illegal *when coupled with* the surface use for recreational ball fields (an allowed land bank use), the idea makes more than just a few land bank supporters (like me) uncomfortable. Additionally, the discharge poses a potential threat to two nearby wells controlled by the Barnstable Water District and to privately owned wells down gradient of the site.

Credit should be given to Barnstable DPW Director Mark Ells, Director of Environmental Services Lindsey Counsell and Assistant Town Manager Paul Niedzwiecki for hosting a Wastewater Workshop before the Town Council

on Jan. 26 where a lot of these concerns and more received a fair airing. I will continue to work with these gentlemen and with Barnstable Water Superintendent Jon Erickson towards a determination of an acceptable site and any necessary mitigation, monitoring and expense allocation.

The Barnstable Village Civic Association will host an informational forum on this topic on Feb. 27 at 7 pm at the Barnstable West Barnstable School.

MARY DUNN ROAD: On Feb. 7, a crew will tackle a cleanup at the end of Mary Dunn Road. Kudos to those who are undertaking this public/private partnership to address this problem: Tony Shepley, Shepley Wood Products; Arch Construction; Josh Miller Landscaping; Deputy Chief Craig Tamash and Lt. McDonald, Barnstable Police; the inmates of the Bourne Correctional Facility through Sheriff Jim Cummings and David Neal; and Town of Barnstable employees Joe Slominski (Structures and Grounds) and Glenn Santos (Solid Waste). Shame on those few violators who use the Conservation area as a way around paying landfill fees. It is *illegal*, as well as dangerous, unsightly and unsanitary. What should be a pastoral setting for hikers and a protectorate of our watershed is strewn with luggage, sinks, appliances, bedding, construction materials, and rusting cars. (See photos on

my Web site: www.anncanedy.com) The Town is exploring ways to increase surveillance, stiffen dumping fines and ramp up enforcement.

INDIAN TRAIL has been under assault from litterbugs, dumpers and late night partygoers. The Barnstable Police will be patrolling the area. Please call Barnstable Police Deputy Chief Craig Tamash immediately to report illegal dumping, drinking or parking. Additionally, I have requested that DPW place a trash barrel at the Town Way to Water.

FREEZER POINT: A growing number of residents of Barnstable Village and other villages have expressed a renewed interest in the Town acquiring the Point for open space and various marine uses. (See Miriam Kornish's ABC's of Freezer Point on my website.) The developer Stuart Bornstein has appealed the Regional Old Kings Highway Commission's decision to deny demolition of the cannery building on the site. That hearing is scheduled for trial May 19th. Interestingly, Barnstable resident Herb Kronish's Boston Architectural Center Community Design Center Studio students are using the cannery as a

model for abandoned buildings in marine areas and are designing imaginative and creative marine uses for that structure. By the way, anyone interested in joining the community effort to preserve this unique harbor setting should call Duncan Gibson at 508-362-3981 or email me at acanedy@comcast.net.

RAILROAD CLEARING: I have been getting quite a few calls from residents concerned about what they feel has been drastic tree clearing along the railroad tracks undertaken by the Bay Colony Railroad. The railroad does have a 32 foot right of way and is doing the clearing as a safety matter in the wake of several trees recently downed by wind across the track. Neil Andres of the Town's DPW is looking into the complaints and will work with Bay Colony RR in an effort to mitigate the damage.

CAPE COD COMMISSION: Barnstable Village resident David Ansel, who has been the Town of Barnstable's representative on the Cape Cod Commission for many years, is retiring from that position. Mr. Ansel has been a dedicated and rational voice for the interests of Barnstable and the Cape and will be sorely

missed. Former Town Councilor Royden Richardson will replace him. Congratulations to Mr. Richardson and heartfelt thanks to Mr. Ansel from a grateful community.

ROADS COMMITTEE: After a brief hiatus, the Roads Committee, of which I am a member, reconvened on Feb. 7. The first order of business is the reinstatement of the Temporary Roads Policy and a discussion of hybrid roads. These are roads that are part public/part private such as Brags Lane and Mary Dunn or roads that have questionable status such as Indian Trail which was taken as a public road but which is still listed as a private road.

Because I am organized this year and have diligently purchased and stacked a winter's supply of wood and financed my gas heat plan, we are experiencing a record warm winter season. Not that I am complaining! The unpredictability of the Cape's weather underlines and makes me appreciate the reasons I chose to become a Cape Codder. I admit, however, I am holding my breath for the big season finale. So enjoy this great weather while it is here!