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*[Cape Cod National Seashore Advisory Commission Meeting] [01/13/25]*

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**RICH DELANEY, CHAIR**; >> Ladies and gentlemen, good afternoon. I like to call the order the 314th Cape Cod Advisory Commission. Welcome here. We have an agenda, and we have the representative arriving just in time.

(Multiple speakers)

>> I know, I know.

>> We do have a quorum, and we have participants on the screen, some people attending virtually. Thomas Doherty, Mary Jo (Avellar) is there. And Leslie Jonas. Three online, and all of us here. We have an agenda that has been distributed unless someone would like to make a motion to change or delete from the agenda. To ask for a motion to adopt as provided.

>> So, moved.

>> Second.

>> All in favor.

>> Okay.

>> You also have minutes that have been distributed from our last rating. Hopefully you got a chance to read. Are there any questions. Hearing none, I will accept a motion to move the minutes.

>> So, moved.

>> Second.

>> All those in favor signal by saying Aye. Great. No opposed. Move on to Item Number 3 and will ask for the Superintendents report.

**JENNIFER FLYNN, SUPERINTENDENT** >> Good morning, good afternoon. I'm just waiting to get my PowerPoint pulled up and to share it with those who are virtual.

Thank you. Next slide please. This is an agenda that Rich just laid out and I want to call out old business in our Federal Register announcement for this meeting, we announced to the public we will be talking about accessory dwelling units and the Massachusetts Affordable Homes Act. Then under new business, we also published that we will be talking about establishing rules of order or business rules for our commission meetings now that we are a year into meeting, I thought it would be an important to codify some of our practices in writing so that as new members come and go. We don't have to keep teaching folks on how we do everything. If that is valuable, and we will spend time under new business looking at that. Go ahead, Adam.

I have a couple of seashore updates today, and then I thought given the wildfire tragedies occurring on the West Coast right now around the city of Los Angeles, I thought I would pull a few slides from our September 2024 conversation as a bit of a reminder about wildfires as it relates to us here at the seashore. It is a retread, refresher from last fall but it feels timely given what's going on in our nation.

Adam, go ahead please. At the April meeting and will do a state of the park, more of the numbers, visitation, budget, that kind of business but for today I will stick to a couple of topics.

I really want to publicly acknowledge and thank the Friends of Cape Cod National Seashore who have helped fund raise, to help us provide access for Marconi Beach for the summer. The Marconi Beach stairs were lost in September 2024 over a three‑day period, we watched them wash away from the bottom.

We have had no access since then to Marconi, the bluffs are significantly high, higher than some of the other sections of the seashore and there is no safe way to get to the beach. Cape Cod National seashore, in recognizing the need, excepting, and raising over $123,000 to fund replacing the stairs for 2025.

They have not quite reached their goal yet, so that is still ongoing but very confident they will reach their goal of $125,000. We have gone ahead and initiated ordering supplies, which they are purchasing directly for us and our Park team will start reconstruction in March and April. With our goal of being fully open by Memorial Day.

>> Here is our modular design.

>> It will be a little simpler. We will continue to try to figure out what we can do to stay close to the look. I think it will be a little more simple, but it'll be a little less expensive.

**LILLI-ANN GREEN** >> Thank you. Have you looked into the modular staircase that we have talked about on this advisory commission?

**JENNIFER** >> We have.

**LILLI-ANN** >> Just so it can be pulled up and brought down because it is such an erosion forming area.

**JENNIFER** >> The department by a very complex way, manages the process. About ten years ago for Marconi. That is when the ramp was put in. At Marconi, it requires a crane to do it at that point, would require a crane to do the type of stairs that would come in and come out. At that point the park determined that the stairs and made the best option there. We have requested assistance to look at the whole range of options at Marconi. None of them that would be done by this summer. The Friends stepped in to help us get access for this summer, while we look at the longer‑term solution there.

It may continue to be stairs. Marconi is complicated. We don't have natural topography that gives us a logical place to put a ramp, it's past history as a bombing range, and continued opportunity for ordinances makes work there more complicated. We are committed to looking at the suite of options, recognizing that we still may end up where we are, but we are willing to look, we are starting to look at them.

**LILLI-ANN** >> I appreciate that, thank you.

>> Charlie Carlson.

>> Thank you, Charlie.

**CHARLIE CARLSON**: >> Can you just speak for second time to the question why the seashore doesn't have some sort of an emergency fund to deal with problems like this so that we don't have to look to the Friends of Cape Cod National Seashore to raise the money?

**JEN** >> That is not an elevator speech, but the short answer is, we rely on our philanthropic partner to be nimble when we cannot be nimble. They can pave it and redistribute their focus much more quickly than we can. No federal agency has reserves, every dollar of our appropriated dollars are spent every year. So, we could have chosen to not have some of our summer programming, we could have chosen to hire less lifeguards but instead, we had our Friends step into this and help us here. We could have reappropriated, but it would have meant cutting something else out. There is no extra.

**CHARLIE >> Thank you.**

**JEN** >> The other big project coming up that I thought it would be interested in is the Cable Road multimodal project. We are just awarding a contract for design, and that he, the design, the project will be to install a trail from Nauset Regional High School or Cable Road out to not that late beach to take the bike traffic and walking traffic off the road there and provide safe

access, not only for the high school but folks coming from those neighborhoods as well. Folks coming from the Cape Cod Rail trail to get out to the beach and not be competing with traffic on the road. We have discussed many times with our contracting team that we want Trinity for members of the town, members of the community to be able to engage in that process, we don't know what that looks like yet or what the timeline is yet, but I did want to just like that that's becoming more of a reality, and we will likely start to see action there this spring.

The last piece on wildfire, again, I recognize that's not the focus of the meeting but in recognition of what is going on the West Coast, I thought it would be helpful to just talk briefly about the things we talked about in September.

What I hope you took away from the September conversation is that community preparedness must start before the fire threat starts. We talked a lot about the Cape Cod ecology, we talked about our fire dependent communities here. We talked about people's responsibilities around their own property to clear away materials from their structures, all those things make saving structures more defensible for firefighters.

I think the other thing that this fire has definitely demonstrated when we talked about for a long time is that there is no fire season in many parts of our country, this is a year‑round challenge. The last point I want to make on this page is I think we need to be careful in our language about urban fires versus wildland fires. When the fires in Los Angeles are burning up these entire communities, there no longer a wildland fire. That is an urban congregation fire. As I was reading thinking about this over the last couple weeks, I had a highlight from a National Fire Prevention Association which is a nonprofit that provides standards for fire suppression programs and the standard is 15 firefighters per structure fire. So, when you're looking at 40, 50, 100 homes that are burning at the same time, there's not a single community in the country that has 300 fire trucks ready to respond to one incident. These urban congregation fires are really a different horrible animal in themselves. I think we should be careful when we start to talk about, but what we do know is where the wildland meets the urban is our opportunity to act.

Adam, go ahead. You may recall September talked about the national cohesive strategy, which is the umbrella that all fire agencies operate under. The national cohesive strategy has three goals. Resilient landscapes, which are within private property, communities, towns, opportunity to influence, fire adapted communities. That's how well we are preparing our infrastructure for the potential of wildland fire. What materials we use, how we clear the space around them, and then safe and effective Ira‑based response. That's the response element. Go ahead, Adam.

I don't think I need to drive the point home too strongly but why I think we continue to need to care about this on Cape Cod is that we do live in a fire dependent ecosystem, our forests require fire occurrence to be healthy, we have a lot of wild and urban interface zones, places where we have built structures, houses, in close proximity to vegetation. We have a change in climate as we talked about in the fall, was still not know exactly what that will look like, but we

know it won't necessarily look like what we have been accustomed to, and I do think we remain, we continue to have an opportunity to act, to harden our environment.

Go ahead, Adam.

The park services adopted the wild urban interface code, we are one of 200 jurisdictions across the United States, 24 states have– sorry, 200 jurisdictions across 24 states have adopted this code, this international code including Montana, Nevada, Pennsylvania, Utah, Washington, for their entire states.

Within the federal system, the National Park Service has adopted the code, any federal building over 5000 square feet must meet the code and any structure qualified for FEMA funds to be rebuilt has to comply with the new code. It's really important for people to focus on that. Our fire management plan focuses on number one public safety. Firefighters and public safety first. I will remind you all that we are a full suppression park, you will hear fire use described by many different people, often the that we let it burn. Park services let anything bird. They fire the managed fire but sometimes the tactic is to let the fire take its natural course, we don't do that here. Every fire in Cape Cod is a suppressed fire.

The only fire we do intentionally burn is through our prescribed firefighter program and those are highly managed.

What we are doing since we last talked about this in September, we continue to remove hazardous trees around the park housing and developed areas. We had a big contract this winter that we were continuing to improve that buffer around our home. Our housing policy, we have adopted the clearing of vegetation and burnable material from around our park housing is a tenant responsibility. Raking leaves, pine needles, making sure there's nothing up against their structures. We are continuing with the prescribed fire at Fort Hill, we are now targeting the end of February, early March, and we started the communication with the state and with ECM about that fire so that they know that's in the planning.

We are continuing to recruit and hire firefighter staff, that's been more challenging than we had hoped. We are actively engaged with the outer Cape Town mutual aid agreements, access where we have hydrants. Then working with the chiefs in a variety of different capacities.

I think that is my last slide, let me double check. Yeah.

**RICH** >> Questions of the Superintendent? Any?

**LILLI-ANN** >> Thank you. I was contacted by a few people about this topic, I'm glad you followed up and gave us an update and a reminder of some of the items we have already covered.

**Lilli -Ann** I wanted to ask two questions. One is, what is the status of your high rank because I know we lost somebody that was a very valuable employee in the Park service. We are lucky to have him here. What is the status of that, and also, is there any progress in working with the county on that plan?

**JEN** >> I'm not sure about the second part but the first part I can say we are continuing too actively do it. I don't have anything with me here today.

**Lilli-Ann** >> The other thing is the last time we heard from Mike McGuire who is the department head for the County extension service, and I know they were talking about updating their fire plan. I don't know if there's any progress, and if you've had discussions with the county at all and are you talking about that collaboration?

**Sheila Lyons** >> I do believe that he is, we haven't received the grant, but they did put in for

$15,000 grant to update the regional fire plan and I think that's not yet ready to be announced it's in the works.

**Lilli-Ann** >> Anything working with the County, Mike is to work with.

**Sheila** >> Yes, we all recognize the danger.

**JEN** >> I would encourage folks, all the material from the September meeting is posted. So, the wild urban interface code, the fire materials that I referenced, my PowerPoint, our meeting notes, it's all posted on the commission website under our park website on the commissions page. I would encourage folks to direct people there as well. That's a lot of good material and that can take them into a deep rabbit hole if they're interested in more because there's a lot of references, links all those documents I just wanted to remind the commissioners that that's all there and posted.

**LILLI-ANN** >> Thank you.

**SHEILA** >> If I make. Is it the responsibility of the Fire Chief to relay this information to property owners to the towns they serve? Maybe anything is a good idea for each of them to have a meeting of some kind able to say look at what has happened, and this is what you, as property owners, this is your responsibility, things you can do while we are doing this, but I think when this meeting, a lot of material on the macro scale, and on the individual. I have been reading that over the holiday and it's something like I realized I have work to do. I think it's something good for every real estate agent to be handing back to people as they purchase a home so that they know what their responsibilities and what the threats may be. I will bring that up on a different level as well that it would be good to have a forum on it.

**JEN** >> And it’s the Fire Chiefs responsibility, it is a shared responsibility. I certainly, a lot of fire apartments in the community do inspections. If you read through the fire-wise material, communities can be fire wise certified, which on the West Coast can mean that people save on

their insurance, and it allows for them to add insurance. I think that is a town-by-town sort of decision about how much people are willing to lean in on that.

**SHEILA** >> It's a good luck though. Is the that's really not a commitment.

**JEN** But I do think the program does layout this pathway and what we recognize is that you can do all your work but if your neighbor doesn't do any of their work, the embers from their fire will spread. So, it really is a place where we are all in it together and everybody kind of has to do their piece to give firefighters the best opportunity to stop fires early.

**SHEILA** >> These are, a lot of people in the discussions I have had or saying how did this start. As a matter, they had the wind and that can start. I had the experience between my house and my neighbor’s house where there is not wide but the swath of land of the driveway and a half. It's truth, vegetation, and I came home one day like why it is so black out there in the fire chief was knocking on my door saying we just put this fire out and that was a very severe drought period around April or May.

**SHEILA** Fortunate that is new when nobody lived in the house, there was somebody around the corner from me that was some and was able to call but it was as easy as that if they determined it had to be the friction of the wood rubbing together in the wind. They couldn't find any other cause for this outbreak. We were very lucky that happened because it started at my neighbors side in if this tree would've caught fire, it would've been on my side.

**SHEILA** Is here, it's the potential that's here under certain conditions.

**RICH** >> The Los Angeles situation is certainly putting a spotlight on fire preparedness. David, not to put you on the spot but you certainly have vast experience. Any wisdom or shared thoughts? To fire situations.

**DAVE CRARY** >> My biggest comment was, there is some really good video that I observed, and those firestorms– when numerous structures are burning and asphalt shingles or parts of that, it's different from a wildland fire in the sense that there are more fire brands produced per unit area because of the building. The burning embers are going horizontal in the 40 + mile an hour wind. Something is as an oculus as a doghouse with spiderwebs in the blanket in those embers are going horizontal, up, down, around, any household will come up, soffits events that are plastic, the ember could get up against the soffit, melt through, then you get burning embers in your attic above the insulation, which is usually fatal to the house.

It's like going out, 20 go out in the windstorms, hurricane and the beach, yet you dress up, you still get wet because the wind is coming in and just imagine every drop of rain is something that on fire over 450 degrees and they can anywhere (inaudible). There's a lot of code issues coming up in California about having no more plastic soffits and you put nice lattice around your porch, so the animals don’t go underneath of their and your kids don't go under

there and if they're not enclosed, then the embers get under your porch which is even drier than that is.

I'm talking a lot but it's really a horrible situation with the embers storm and they go from house to house, and they may not burn a live or even a dead tree stranding because the wind is going by and the fire can't really get started even though the vegetation is flammable, the wind is blowing so hard, nothing will start.

Imagine a birthday cake, we all exceeds the wind limit for fires, every birthday we blow the heat away from the fire but when you have concentrated embers against wood processed wood, houses, dog houses, wood piles, they catch on fire in the house or the structure catches on fire, just keeps going that way and it's a horrible situation. Prevention of the starts fire encasing her house as best as possible, good water supply and good response when it's not overwhelming all work.

People focus on when they rebuild their houses, there will be rules about certain distances from houses and different soffits, that's my two cents.

**RICH** >> You mentioned earlier about the size of the embers. Is it anything significant?

**DAVE** >> Roof shingles, asphalt shingles are the former is best as asphalt shingles. There is felt in there. When the wind is blowing like that, shingles can come off of a roof even if the structure is on fire. It happens at the Highland Center or used to. The shingles go far. If they are ripped off and there on fire, there is buoyancy there because of the rising and they are moving down, and the shingles could be as large as the whole shingle. The asphalt in shingles continue to burn and in the local case in point, I wasn't here,

I used to go away every weekend, my sons lived in Western Mass, one of the big Provincetown fires with the fires is the nursing home, when the nursing home caught on fire, the seashore engine was at the other side of the cemetery putting out roof shingles that came down or still burning on the town cemetery. That is a quarter‑mile and there weren't 100‑mile an hour wind last night. Pretty significant, I wasn't there, but you see that.

And the single structures. It's the embers that are produced mostly by the human constructed improvements, and they go from structure to structure.

**SHEILA** >> Then they burn, then there is toxicity in the air. From all of these different materials that we are using. Not just wood.

**DAVID** >> Right.

**DAVID** >> Forest fire, wildland fire, structures by the downwind, immediately. You can't be there without protection; you have to bail anyway but then the fire just keeps progressing.

**SUSAN ARESON** >> So, can I come back to– the question, this is not really for this body but what we talked about in September that the Barnstable County is trying to update his fire management plan, and I don't know where they are in that effort. You know, at what point does the county bring in the seashore and the communities and so on, because clearly it is top of mind right now. Are we going to be sitting here a year from now and still saying, we are working on updating the plan. Did you have any–.

**SHEILA** >> We have to see if they have the funds and the resources to be able to gather the resources they need. These things cost money. He texted before the holiday that they put it in, and he thought he had an approval on that and then he came to one of our meetings right at the end of the year saying that was going to happen.

**SHEILA** Now when we get that in hand, I will be meeting with them on Wednesday and I will ask Mike, and send that to you, if you could just answer that question.

**SUSAN** >> Thank you.

>> Go ahead.

**RICH** >> Okay, thank you. I appreciate the insight. Any other questions to the Superintendent on the report on any of the topics that she covered?

**JEN** >> Should we look online because we can't see them?

**RICH** >> My apologies, I don't always see people online.

>> There is nothing.

>> Speak up or raise your hand on the screen. Okay, good. The next item is old business.

>> More old business.

>> Anything before we move on to major topics of the day?

>> No.

**RICH** >> We had identified a couple things, and we have added one, the next topic is the establishment of the rule of order or rules of order for the commission meetings. The idea here is that we represent our towns and towns have governing boards, and when you speak at this table, you are representing your governing board. When you take agreements and comments, we expect you to convey that. It's a pretty simple statement but just a reminder that we have a responsibility and a role in terms of how we are communicating both ways, town boards and issues, raising issues for individual towns. Then taking back that information as well.

We also want to make sure that we have some protocols amongst ourselves and agreed to how much each person can speak, is being courteous and all that. I don't think there's any real problem here, we are all pretty civil in our engagement, but per the Superintendent, at least refresh with the rules and protocols are. Let me go through this, something that you would like to see differently in terms of our operating as a group, this is a chance to hear that out.

I will turn it back here to potential topics we should cover when we think about this.

Meeting attendance, members role versus the alternate, and how that happens. What comes out of public comment, and of course, the minutes that are distributed.

**JEN** >> I want to reiterate, I heard from a few of you that you thought this was important to codify, to actually, what we have been doing in practice. The slides represent a start, I took that documenting what I think we are doing, but it's certainly not set in stone. Susan don't want to put you on the spot, but I did, the next slide is the suggestions that you had sent as a potential place to start. I thought you would want to speak to those.

**SUSAN** >> Let me start by saying, there's a few things down on that bar, some of the things we do in Truro.

So, this is a starting point. The other question is, I don't know in terms of the federal role, how, for example, in Massachusetts we have the open meeting law where you cannot discuss anything not on the agenda substantially unless it's on the posted agenda. I don't know where that stands from a federal point of view so I'm hoping you can enlighten us on that.

The comments that I sent along to Rich, the Superintendent, would be to limit member comments to five minutes, and that would be alternate or full member because sometimes we have both speak with the caveat that you don't need to use that.

>> Yes.

>> Encouraging members not to repeat detailed commentary if the points have already been made by another member. Doing similar to what Wellfleet does in that regard, and then move on.

Limit comments to the posted agenda topic. We are talking about wildfire, we don't want to divert into climate change, although that could be related.

>> Sorry, that's a bad example. Bad example. Anyway.

Then, I saw you did this earlier, if somebody has a topic that they want to bring up on another issue, we need to make room for that. The way that we do it is we have an agenda item with select board comments and reports where you say I would really like to discuss the future agenda item. And not get into the meat of what you want to discuss, but then get the handshake, let's put it on another agenda or not.

Then we limit public comments to three minutes, and I literally sit there with a timer and say at the 30 second mark, you have 30 seconds remaining. Those were the suggestions that I sent along.

**RICH** >> Thank you for bringing this, this was a great place to start from. Might be stock and barrel.

I personally like all of the guidelines or comments, and the suggestions on this slide.

I also liked the second one about not repeating others because that's kind of how we have been operating here in terms of getting the consensus, often historically for those who know, don't take a lot of votes because usually we can work around the table and get to a consensus. It feels better to do it that way as there are really advisors, the ultimate elected official or the Superintendent and making the final decision.

When we get onto a topic in the future, and we have certain people within a consensus position under your suggestions, I agree with that and agree with that. Pretty soon we are all informally voting. Then I can summarize it as a consensus. I like these.

**SUSAN,** I do too.

**LILLI-ANN** >> To add to what Susan is proposed, one of the things that I thought was helpful from the meetings is to go around the room. I know I hear from people in the community in our meetings about certain issues. We used to go around the room and talk about the issues that are mentioning in the issues that we are hearing about or are important community.

It's helpful to get those around the table. I thought that was really helpful. I also still think that it was very valuable to both the Superintendent and the staff on the seashore as well as the advisory commission members to be invited on a field trip the day of the meetings. It was a way to gain knowledge in a different way that was, for me, great background. I learned a lot; it was informal and then we had lunch with the Superintendent prior to the meeting. We brought our own lunch and somebody, we paid for it, so the expenditure was not on the park. It's also very informal and away if we want to talk about the cohesion, I thought that was very helpful. I thought both were really valuable, and I would like to see those continue.

**RICH** >> Thank you, with regard to your first comment on new business around the table, I remember I used to ask each individual, but this would be, this item we are on right now, five is identified by numbers. We have identified two topics, both on this agenda but before we finish this section, I will ask for other topics, new business. Not to be discussed in detail but for future meetings to come up. You made a good point; I will make sure we have an opportunity for you. As I said, representing discussions to bring those to statement. With regard to the second point, field trips and lunch related, we didn't talk about that.

>> Some had a time sink and some didn't on the Superintendent.

**JEN** >> It's not so much time, I will say the same thing I said every time it's come up, I don't how to do that without having a public meeting but every time this commission meets, it has to be a public meeting and if we are all having lunch in a closed room, I don't know how we pass the red‑faced test that's not public. I think field trips, based on need for a topic we are talking about, 100 percent I can get behind, but we have to think about how we could make that available to the public as well but I'm really uncomfortable convening this body and not having it be public. I remain really uncomfortable with that. I'm still not, it's not something I want to pursue.

**RICH** >> I think that's probably a fair assessment given the increased focus on public meetings and public meeting files. In the old days, doing more spotlighting than what was intended.

**SHEILA** >> Is going to say, those were very nice, every member attended, maybe it would be four or five of us that was not every, like when you could do it. It's always nice to have a field trip and get out there but I think George enjoyed that and he was able to craft, he was there for a while, so he was able to settle and do a time element to do that. At the lunch type thing, it was more of a general talk, it wasn't really about the topics we were going to be discussing or had, it was kind of a way to get to know each other little bit better.

It was nice, but it's not totally necessary. We can always plan to have a dinner together or something like that if we want. To just chat so we get to have a little bit more of a bond.

It's about timing, the other thing as far as comments that you hear from people who are approaching, not all of them are really related to the National Seashore, or something the National Seashore can do something about. We might all live here and have a concern about it, but it's not, you don't have the mandate or the ability so the time responsibility. Those can always be sent over and reviewed. On a particular in some meeting and say which of these, is there anything we want to talk about to put on the agenda. That way they are listed, not forgotten. You can pick and choose what really is something that relates to the body.

**RICH** >> Okay.

>> We have a few more slides, but before we hear from Larry.

**LARRY SPALDING** >> I don't know what the solution is. The way we do the agenda, I understand the requirements for the notice, is once the agenda is posted, there's time for the meeting. Something that will come up that's important for us to discuss and it seems like we can't because it's not on the agenda and I don't know if there's a way in the regulations that we can deal with that but without causing havoc in the meeting is it would be good to have that flexibility.

**JEN** >> There is sort of discretion that it was related.

**SHEILA** >> It's relatable.

**JEN** >> They been in business, but to Larry's point, it doesn't let us get into something substantial because we don't have time to do the homework, but we can identify what I think it was the intent for new business and for this meeting based on the feedback from the last meeting was to create space for new items. I don't know how we have something meaty without being able to call it out ahead of time, so we do the leg work.

**RICH** >> You can also, I guess another point is we now have three or four meetings, and we have time between meetings. It's more likely that something might come up. But again, back to your responsibility in the represented town and the rules, when we do a go around for the business, any member might have the answer. I would like to put it on the table. It couldn't generate a meeting discussion, if it's an emergency basis. Most likely what will be is to put that topic and put it on the agenda for the next full meeting. That is how we would get new business topics identified.

**LARRY** >> I guess the other solution is to say we always have a Superintendent, somebody can communicate with the Superintendent and if she feels it's an issue that may be should be discussed, she can bring it up at the meeting on her report and satisfy the agenda issue. Which is fine with me.

**SHEILA** >> That's a good solution.

**MARK ROBINSON** >> A lot of agendas have agenda items, the matters not reasonably participating with the chair and that's the catch all, but I think it would be better to have an understanding from new business reports. That is general, but it's a formal opportunity to bring these new issues forward.

>> That's what I was going to say as we go around.

>> So, it's expected.

**RICH** >> You know, Mark, we used to do that. We used to go around the room. Now I will watch for the next hearing.

**SHEILA** >> Is called future topics.

>> I don't know what it said on the agenda, I can't remember.

**JEN** >> We will hear the intent. It's number four.

**RICH** >> Let's keep going, save the comments. I will go through the rest of the slides on this topic. There's about a half dozen here.

>> On the next one.

>> Here, we expect people to show up, sign in, so we have an official record.

**SHEILA** >> Vice chair, please. Is there a number of meetings you have to make to be a viable–.

**JEN** >> It's not in the charter.

**SHEILA** >> It would be nice if they came to most.

**RICH** >> We are getting at that point. This is to remind ourselves that you have an obligation to attend, and it would make it easier by introducing the remote participation with that and recognize this as part of the official meeting. For all future meetings, we expect you to be available in‑person and virtual. Members and alternates are encouraged and welcome, as is the public, obviously. The chair, myself or the Superintendent determine virtual members.

I made the mistake of asking the Superintendent, is there anyone who has been delinquent this year a lot? It's me. I'm taking this seriously, because I am.

>> Okay.

>> Next slide please.

>> Here's another question for ourselves, how do we want to think of alternates and members participating. Again, I have always operated with the person, the member sitting at the table having the first opportunity to speak, if that person is not available, the primary role for the alternate is to be up to the table. So that every town, state, county, is always represented. Each person sitting at the table has five minutes to speak.

Here's a little bit of a twist to make it official, I have done this in practice. A member sitting at the table may be commenting on a topic but prefer to yield to the alternate who's in the audience, because that alternate may be more current or informed on that topic in the moment. I want to make sure we introduce that to codify the flexibility we've been using anyway but make sure it's official.

Then recommendations to the Superintendent have been and I hope we will continue to make it by consensus. If we keep our discussions going to the point where we finally arrive at a consensus and go around the room like I agreed to that consensus and the last speaker, then we have on the record the evolution of our consensus and that is, if it's the nature of our

advisory responsibility. We are not making final decisions on anything other than advising. It's our advice but it's by consensus. I think that is the right feel for how we should operate. I'm open to thoughts on these points.

**LARRY** >> Unless it's in a later slide, I think we have a procedure that the members not here, the alternate is entitled to vote. Unless it's somewhere else, it ought to be here. After that, it indicates they can't vote because of the conflict with the alternate.

**RICH** >> Yes, let's go to the next slide please. If that's not already on there, we will add it.

>> Can we go back?

>> Was go to the next slide and then we will do a comment.

**LILLI-ANN** >> I guess I totally agree with the fact of the five minutes. However, there may be a situation where someone needs to go over the five minutes, or between, I do like the fact that we can differentiate the alternates as well, which wasn't the case when I was first and alternate.

I think that is a much more, it's very beneficial to do it this way. However, I mean if there is some flexibility written into this, where if it's needed, it's allowed.

**RICH** >> I think these are general guidelines and we try to live by them. If there is a topic that is so needed of one person speaking longer, we can yield more time. We can work around that. Sorry, that doesn't happen very often.

**LILLI-ANN** >> And on either, I'm hoping it never does. But I just thought, as far as the public comment two or three minutes in the comments of the commissioners and the alternates being a little bit more flexible, there is some wording that could make it just more flexible.

>> Yes, Charlie?

**CHARLIE** >> As an alternate, not sure these rules describe whether an alternate can ask a question as opposed to the representative or their town.

>> Right.

**SHEILA** >> Public comment, done at public comment.

>> In the situation with the dialogue, as if I'm going in.

>> Yeah.

**RICH** >> Let's think about that for a minute. Susan?

**SUSAN** >> I think that the alternates have somewhat more elevated status than the public. I don't mean that in a disrespectful way, but I think what has happened in the past and I've only been to for meetings, is you have gone around the table and then called on the alternate and then gone to public comment. So, I think alternates, I believe alternates should be able to ask questions and I really like the fact that you have put in here that a member might need time. I think that's important because of the various levels of expertise on topics.

I think I would go somewhere in between public comment and member presentations.

Those are my thoughts.

>> Yes.

**RICH** >> Thank you for raising that. Do we feel okay about letting alternates?

**SHEILA** If they have a question, I agree.

>> Seeking clarity.

>> Seeking clarity on something. If there is a deferment to them, absolutely. But if they come in with another five minutes, they don't have the ability to do that unless they want to reserve that for public comment. You could have an alternate and a member that don't agree on something to.

**SUSAN** >> I guess what I'm saying is, I would hope that the member and the alternate might have a conversation ahead of the meeting and maybe that's an assumption I shouldn't make, but they might have a conversation ahead of the meeting and I might say I need one minute, you can have four. I am being facetious, but to try to orchestrate it in a way that's respectful of the meeting and the time. In a five‑minute period.

**RICH** >> It opens the door that if the alternate has a different opinion, who was actually speaking for the town. Is it the member and the town agrees with you, or the alternate. This is a far‑fetched topic, but anyway. We should think through the possibilities and plan ahead.

**LILLI-ANN** >> There are several points in the meeting with questions that could be asked. When we do ask questions, sitting at the table. I think that would be helpful to. I would feel it's important that after the Superintendent's report, if the alternates have a clarifying question, they have the ability to ask that question.

Again, after a discussion if there is a question and they have the ability to ask the question, it would be helpful.

**RICH** >> It's as simple as them distributing the reports. I go around and ask if you have any questions, then do the alternates have any questions, then we don't get confused.

>> I think that is my intent. If they have a clarifying question.

>> Let's draw and as part of our protocol. Unless there is something else.

**LILLI-ANN** >> Can I ask a question before we get to this. I don't know if there is something else, but the other thing is when we are speaking, let's say we have five minutes, if we refer to somebody like that town, town planner or the chair of the planning board or someone like that, that has the expertise, that we have the ability to do that.

**SHEILA** >> I think that's going to happen today.

>> Exactly.

>> I wasn't sure and if it was a given. Is that acceptable?

**RICH** >> I think that is a good point. So that the member can yield to others.

**SHEILA** >> An expert or the intending one to address.

**RICH** >> Good, that's good. What is next? What is here? Public commentary. This is managed by the chair. To be provided at the end of the meeting. There is a footnote here that it's not required by law to have this but were not sure.

>> I think that's appropriate.

**RICH** >> I think we will continue that. We want to keep it manageable so we will set up a guideline for three minutes. Written comments may be at any point in the meeting. It will be added to the minute note.

**JEN** >> We have two written comments so far, Cheryl. They been included in the meeting minutes.

**RICH** >> We are suggesting that we not publish anonymous comments in the minutes. That doesn't feel right.

>> I agree.

**SHEILA** >> We should also have, if there is a public comment zoom, the purpose person has to identify themselves, not just if they have a phone number. Like a lot of time that happens and I'm like who is the person saying this.

>> They’re anonymous.

>> It kind of is, like the agenda, and I don't like it.

>> Maybe you include that speakers must identify themselves.

>> That's a good point, anything else on this slide? I think we have one more. One or two more.

>> One more.

**RICH** >> In the minutes, the responsibility of the members to review in advance, while corrections must be provided to the executive or his assistant, to the staff, no greater than one week before the meeting. It takes time to turn these things around, get up to speed, and publish them. So, try to be respectful to get your comments to Cheryl and me at least one week before the next meeting. Then make sure we have the most accurate minutes.

**CHERYL** >> I appreciate everybody who has been doing that on a regular basis. Even if you don't have one, just send me a note and say I'm good. Then I know like oh no, I didn't hear from him.

>> It's not your responsibility to make sure.

**MARK** >> Under public comment, is there any bounds of the public comment whether it's an agenda topic or not?

**RICH** >> No. That's where they may not be aware of, if somebody– yeah. That's their responsibility.

**JEN** >> It may not be something that the advisory commission is within the scope of the advisory commission, but it doesn't mean they wouldn't still pick it up some other way.

**MARK** >> They may not have to answer it, it's a place for people to bring their concerns forward.

>> Yes.

**RICH** >> I thought you're going to say is there any limit to how much material can be submitted. Or would be included in the public meeting notes. I remember a couple of situations where the wrong material items were submitted, literally. Pages. That would be unwielding and not helpful.

**JEN** >> I don't think there is anything in the law that says anything about that, just that we have to accept written comments. We will double check.

>> I guess if we adopt the idea that the minutes be archived, what do you think?

**HEATHER McELROY** >> My sense is that the public can send in is much as they want, sometimes they send in the (?), I don't think there should be a limit on that, how much we actually need during the meeting. So, it would be suggestions, time committing to read them, the written comments at the meeting. He could be an introduction, the gist of it or whatever.

>>

>> Especially if it has, it's outside of the scope.

>> Yes?

**LILLI-ANN** >> I'm just curious, the logistics, if it was a lot of information submitted and it was just a synopsis that was read at the meeting, would the commissioners have to wait until it's posted online to read the rest of it? Or would they have access to that time? It's like three slides, Jennifer. Usually, they are sent to us after the meeting, which is really helpful, I find, because it's fresh in my mind and I'm able to review it.

**JEN** >> I guess what we have done with the other two, I can't remember but I thought the other two are shared ahead of the meeting, so you know what the public comment was before the meeting.

>> We have it in advance and share it in advance, the totality of it. Then it's approved in our office, which is what we have done with the other two comments. But we could easily forward it if we receive it electronically.

>> That has been our practice in the past, share it with the members and then to the public in the public meeting.

**LILLI-ANN** >> That would be helpful.

>> Okay. We will look at that. I don't want to create problems on here, but we will if we end up in that situation.

**SHEILA** >> We need to vote on establishing these rules.

**RICH** >> I think we should acknowledge the acceptance and consent since of these. They been amended a little bit, comments were made. I can either just call an indication of acceptance as amended and remember the conversation, or we can wait until the next meeting and have public comment.

**DAVID** >> I was going to say, I think we should get them written down, look at them and–.

>> Yes.

>> That would be best.

>> Okay.

>> So far, so good, on that. Do you have a different comment?

**DAVID** >> No, it's on these. I had three comments on the whole thing.

>> Please.

**DAVID** >> To bring up new topics, like a situational status or update from the town, or something so that members could bring something up in every agenda item would be my suggestion. Every agenda has, they can bring it up. I call it situation something as the title. I heard about the five minutes, and my opinion is the chair could exercise his or her authority to allow longer than five minutes. I think that should codify in there that the chair who has the ability to extend any time limits, and the member deferral to the alternate, or I would add, and terminology came up, a subject matter expert if that was allowed would be helpful in this. I can send those in written if you would like.

**RICH** >> I agree with your comments, thank you. Those are all good. New anything else on here? This was more helpful than I thought. It's good review, we are clear with each other. No expectations. We know what our responsibilities are, it's good to have a refresher. Thank you for participating in that. We will have an updated set of protocols ready for you for final approval for consensus at the next meeting.

**JEN** >> We will distribute it ahead of time.

**RICH** >> Okay, good. The next topic under new business is the topic for today, I would say the status of each town implementation of the Massachusetts ADU law, accessory dwelling unit. What I will say in advance a little bit, quickly. The affordable homes act in legislation will be enacted. The state law will do a number of things. It will say no special permits for ADL. It will say no requirement for the owner of the property to do the work in the primary unit or absentee ownership. It cannot require more than one parking space. ADL cannot be larger than 900 square feet, or 50 percent of the gross for the principal dwelling, whichever is smaller.

That is a whole new step of state law, what is telling every town. Towns are allowed to make the modifications based on that. They may require that they are allowed to require a site plan review. Some type of town oversite for this. The town can cohabit short‑term rentals for the ADL. Towns can correct regulations concerning dimensional setbacks of ADL.

They can also require size and height of the ADL, and they can pose reasonable restrictions for title four use on property and ADL.

That is state‑level and town level. What happens is when you pile that on to the National Park Service with a direct conflict with implementing legislation for seashore.

There is serious conflict here. Improved properties, there's 571 of you roughly. If they are treated the same as what I just read to you, the town property outside of the bar, there are 571 changes to the existing properties. Then they have changes beyond the certain number of primary unit actually loses that property, can lose its certificate of suspension of condemnation. It's a risk to those property owners and inconsistent with the legislature.

That is what the issue is. For example, to elaborate further,–.

**LARRY** >> I have a question for Jennifer. My understanding is that seashore, if you qualify on the requirements, then you get the local permits to do that. Seashore can't prevent you from doing that. What they can do is say we can remove your certificate of suspension, which means that you're not protected if we decide to proceed within that, that's what I wanted to clarify.

**JEN** >> That is 100 percent correct.

>> The legislation, yes, you are right. I will talk about it a little bit more but that is the crux it.

The only tool we have is the certificate suspension.

r >> That is a good point. You summarized that well. Let's go for the run.

>> You did a pretty good job actually.

**JEN** >> I just put together a couple of slides to frame up the challenge for my seat. Go ahead, to the next slide. This is a little bit of a refresher for the folks in the room that are probably aware. The seashore when it was established in 1961 represented a very different way in establishing parks. It's now considered the Cape Cod model, it's been replicated across the country, in numerous different areas, but this concept that the government, the federal government wouldn't own the park, wouldn't own totality land within the unit but it would be this shared responsibility between the federal government and the towns, the state, the county to preserve what we say in the legislation, makes that cape a special. The concept of the Cape Cod character. So, this partnership really put most of the two use of the legislation with the towns, and town zoning bylaws. The tools reserved for the federal government was that if a property or private property owner kept their property condition that met the definition of improved property, that they were protected from any future condemnation effort by certificate of suspension of condemnation, and those parameters are outlined in enabling legislation.

We going to talk about Cape Cod character a lot but at the next meeting I just wanted to pull a little bit of language from the Parks foundation document where we continue to try after 60 years, defining what was it that we were trying to protect when this Park was established. So, it's the natural features, the cultural elements. It's the distinct pattern of human activity. Those life ways that are unique to the Outer Cape. We talked about the ambience that categorizes it.

The association between the scenic, cultural, historic, how'd together they form this mosaic. An opportunity for current and future generations to experience and enjoy these features to make this place so special. Character was talking to State Senator last weekend said it's kind of like arch, and when you see it, it's hard to define. I think we have been having a 60‑year discussion on the Outer Cape on what it is we are trying to protect and what we are trying to define.

Legislation did a couple of things. It established the boundary. It drew the line on the map that said where the park could be. This is how big the park could get. As you all know the federal government proceeded to buy over 3000 parcels to establish the park.

In enabling legislation, Congress did authorize condemnation. It set the conditions by which condemnation would be suspended. That is the certificate of suspension of condemnation that we talked about. It said that if an improved property, it also require that the towns have valid zoning bylaws approved by the Secretary so that is where we talk about the Secretarial Standards, that are codified in CFR 36 part 27. It calls out the need for towns to treat the seashore district differently. I have bylaws that protect the seashore. It identified the definition of improved property which we will talk about in one second. Then zoning standards as I just referred to from 36 CFR.

With all that said, what that says is that an improved property is a one family dwelling, that is the sentence that's coming in conflict with not only the state, new state law but also some of the interest of some of the towns, and that is what we keep coming back to is that enabling legislation is very specific that this is about one family dwelling. It also established the minimum of an acreage three per parcel that the parcel did not have structures pre‑existing in 1959 when legislation was introduced, that it cannot subdivide groups smaller than three acres and it gives them interior the condemnation authority.

Our review, our assessment is that the construction of an additional dwelling unit in the form of an ADU is inconsistent with the definition of an improved property in enabling legislation and can trigger the revocation of the CSC for those private property owners within the seashore who choose to execute that now state right.

That is the problem, our challenge. Up until this point we have not revoked any CSCs. We have given written notice to zoning boards where we have been asked. About permits for new ADUs that then the owner chooses to execute the project that there is certificate of suspension from condemnation is no longer valid.

That is the state we are in today. I did talk with Senator– State Senator Julian Cyr last week. I don't know if any of the staff came today, don't think I saw anybody, but they may be online. To listen into this conversation, and this challenge so that they could better understand the conflict that this has created, this challenge has created for the town managers, and I know they are interested in understanding if there is a support and a fix. I'm glad they were able to be online and to hear us, I think that is what I will say in terms of setting the table, I'm very interested in just hearing from folks about how the towns are approaching this challenge. We

are talking about 570 properties, not all of them are approved or built upon. But this, it would be significant if everyone executed this right.

**SUSAN** >> Can I ask a question about something, you said you have notified zoning boards of appeals to say that the certificates of suspension may be revoked, but thus far not have been revoked.

**JEN** >> Correct.

**SUSAN** >> Thank you.

**JEN** >> Try not to blow up the machine.

**JEN** >> No, I do feel like people need to be fully notified by property owners that have a right to be fully notified that if they choose to pursue this, that there is a consequence. I don't want anyone in five years to have buyer’s remorse and feel like they didn't fully understand the position that they were making. That is why I keep speaking up about it, think it's important the property owners understand the risk calculations they are making when they make the decision about whether or not they choose to pursue this.

**RICH** >> So, just thinking from 30,000 feet, looking at Cape Cod seashore and we as advisors in stewards who advise on this, if other towns go ahead and approve. By this law. ADU in the park. In the park does nothing. If the park is saying, as I understand, we want to make sure everyone is put on notice that if you do that, you're going in a direction that will be in conflict and the definition of improved property that was codified. Beware. There's something in our discussion is how do we advise the Superintendent on the next steps, she's got the notification, where or what can we do?

**MARK?** >> I have a question on procedure. If in fact you revoke a suspension, is there any procedure or anything recorded in record? Or if there isn't, we probably need to think about whether or not we would have a procedure to deal with that to put people on.

>> Like when they sell it to the next owner, so they are aware.

>> Good point.

**SHEILA** >> Not only that but if they do decide to go ahead, I think if somebody purchase, purchases a home or owns a home in seashore, one of these 571 approximately.

>> Some smaller.

>> I know that they sign a paper stating that they had been informed of this risk in the understand it so that it's on record. They could say anything.

>> Five or ten years later, it should be formalized so that if it is needed.

**MARK** >> For the Zoning Board of appeals, but actually to codify the seashore district owning, to amend that zoning bylaw to include, the phrase ADU of the seashore district, for the suspension. So, it is right in the regulations. Not as to whether it's on a file somewhere. That is one thing that the towns could be encouraged to do. Through their regulatory approval process. Comment and a question. The comment is the establishment of the seashore district indicated the towns understood there is a special part of their community that needs additional protections in the form of larger lot zoning to begin with. So, applying a different standard in that special district doesn't seem to be inconsistent with the town philosophy. Different than what the state is saying now.

I think the, it's very important to put in the regulations not just advisories, and there are off-Cape attorneys who are not familiar with the seashore who may be representing buyers, and they should have access to all this information.

The question I have is, I thumb my nose and if I get permitted in the seashore and I called the bluff of the federal government and they start with the domain proceedings, they have to buy me out with the enhanced value of my ADU on my property. Correct?

**RICH** >> That's quite the scenario.

**MARK** >> That's the way I would interpret it. Just as if they rebuilt their house and you revoke the suspension, you would have to buy it at the value of the new bigger house, not the old house. It's an improvement to the property that have value to have to be appraised and you have to take it at that enhanced value.

**JEN** >> I have not condemned property, I cannot speak to that, but I don't argue that you might not be correct, just can't say I know.

>> When Larry is here. We have a legal question raised by your fellow member.

>> Not to put you on the spot again, but I respect the counselor's opinion.

>> Seashore would have to take an enhanced property at its new appraised value with the value of the ADU.

>> Yeah. At the value if they are taking it. The financial risk.

>> Leslie has a question online.

>> Leslie, please go ahead.

**LESLIE JONAS** >> Thank you. Great conversation, and to follow up on Mark's point, I wonder if there would be any shift in the thinking around the tiny house that may have wheels on it versus a permanent ADU on a foundation.

There are different ways we look at accessory dwelling units and one of them involves tiny houses that can be on wheels and moved away when a person sells the property. Just a technical question around the details around ADU.

**RICH** >> That's interesting, a tiny house trailer, someone living in a trailer. It's mobile. That introduces a whole other conversation. Mark said those need permits.

**LESLIE** >> They do need permits, but they are on wheels, I wonder if it would be dealt with technically differently as some of these ADU that are trying to be sitting on a foundation.

Excavation, the whole thing. To Mark's point, increasing the value substantially but I think a lot of people who are going to be interested in doing something like this will build a tiny house route where on wheels and should be moved, they take the tiny house with them. It's just another way to look at the possibilities.

**RICH** >> Thank you. That's an interesting observation.

**LILLI-ANN** >> Thank you, Leslie, for bringing that up. So, one cape several years ago, there were two examples of ADU in similar communities as we had experienced around the Cape.

One of the examples was seasonal housing that was a trailer, it was on wheels, but it was made to look in the same character as the houses around which were cedar sided. These tiny houses were on wheels, and they really fit into the character of the community they were introduced to on a seasonal basis.

I don't know if that has some flexibility. The other thing I wanted to ask is, isn't it true that when the Commonwealth laws go into effect, that you don't have to go before the Zoning Board of Appeals, you can just bring plans to your building inspector. Is that a different dynamic?

>> Yes.

**RICH** >> It is, no special permits needed. The towns, however, I'm looking at the summary that I have, can also create regulations concerning the size and height of the ADU. So, could that be away for the town to minimize or restrict ADU on wheels?

**SUSAN** >> I can speak about what Truro is doing at any point that you are ready. I've two comments. Tiny houses were not allowed until the affordable homes act that allows use of tiny houses. They're not allowed out here for– I don't remember the reason, but our former building inspector said they're not allowed here, and the land use Council is in the audience, she may know more than I do.

The other question– of course, all of this is against the backdrop of the incredible need for housing out here and I think anyone in this room would dispute that. So, there is a letter that went to our planning board on the Truro has a by right lot and part of the CSR focuses on the use of improved properties, if they are traditional to the seashore communities, customarily, incidental, to the principal residential use and do not alter the essential character of the dwelling and premises as a private residence.

I understand and recognize where the conflict and disagreement of opinion between Truro and the seashore on this, but in the letter which came from the Superintendent to apply for a chair, there was a suggestion that maybe special permit. Right now, you don't have to get a special permit, variance or anything if it meets all other height and setbacks, all that. The seashore would be three acres and someone. We have three quarter acre zoning and other parts of town.

I'm wondering here, is there some way to reach consensus or collaborate on ways in which the towns and the seashore could agree upon what might be needed in order to allow some ADU within the seashore. Our planning board was taken to court over the way the ADU within the seashore was approved. The judge ended up sort of a stinging rebuke of how the planning board handled it. The planning board said essentially, yes, sure, you have permission to build this ADU if you have a letter from the seashore approving it. The seashore was never going to approve it. The judge said, the planning board knew full well that the seashore is not going to have a letter of approval, and therefore, it was disingenuous and yes, go ahead and build her ADU and that's what happened.

It's on a property where there were no height or variance requests. I guess we can disagree. Again, I can talk about what Truro was doing at any point that you want but what I'm looking for is like Jen Flynn says, get to a way to get to yes and I completely understand what's been presented here in terms of the enabling legislation, but it seems that there is some language where we could get to yes on some of these.

**RICH** >> We do want to hear, you're the experienced instructor for us. We will think about some comments and ask you to come back to that.

>> Mary Jo is trying to get your attention.

>> Mary Jo, please go ahead.

>> Mary Jo, we need to unmute you. Old on please.

>> Not yet, Mary Jo, wait.

>> She has to respond.

>> Unmute.

>> Unmute yourself.

>> Did you get a prompt, Cheryl?

>> She should be prompted to unmute herself.

>> No.

>> She said she isn't.

>> What kind of a prompt did she get? Did she look at her screen?

>> Is her volume turned up?

>> Yes.

>> It still says mute. The red light is still there.

>> Mary Jo, go down to the bottom of the computer and there should be a microphone with a red line through it. Can you click on that to take the red line away?

>> Adam, keep working on Mary Jo to get her live.

>> Okay, Mary Jo, we will give you– I'm sorry you're frustrated. We will try to get you on.

The simplest thing, your microphone has a red line through it.

>> Try now.

>> Michael keep working with you to see if we can get your audio going. Let's, in the meantime, go to Lily.

**LILLI-ANN** >> This is an involving situation; we know that, and we know that the public comments ended on Friday with the state about this issue.

**JEN** >> It's state regulation to be clear for the group. The public comment period for the group regulations implementing the law closed on Friday.

>> Right.

>> The regulations aren't out yet.

**LILLI-ANN** >> In talking to a lot of people in my town, I understand it's a very complex issue. It is my recommendation that as we talk about this, that perhaps the seashore advisory

commission forms a subcommittee so that we can work together with the Superintendent, with the staff and the towns, and the experts in the towns so that there is a collaboration. So, they're working something up because yes, you talked about the 571 properties, but in my town, there are quite a number of properties but a very small amount of them applicable, if I understand the situation.

Within the three years we have a special permit, in my understanding there's only been one ADU in that three‑year period.

We may be talking about a much smaller number than we think we are talking about. If there was a subcommittee, perhaps we can work collaboratively moving forward. That would be my recommendation, but I'll be talking to my town expert this year and the town planner as well when you are ready but that's my final recommendation of the subcommittee. We have done this on a number of others and especially since it's been formalized, we don't know what the final is anywhere all the way around.

**RICH** She yes, it's a work in progress and a current topic. I think you are right, the preponderance of these 571 units are in Wellfleet, Eastham and Truro

>> One in progress.

>> You are right. Get the bulk of it right there. Thank you for the suggestion, let's take that under advisement and go to Larry.

**LARRY** >> Have a question for the Superintendent. I understanding is of the ADU is under state law they can be separate or attached. I also understand that under the regulation that if I have an improved property, that I have the right to improve it to some degree as long as the percentage is not greater.

It seems to me that you could attach up to that 50 percent or whatever your regulation is, and you could have a separate entrance and separate dwelling unit, and you would not violate the federal regulations. You may or may not know the answer to that but if you don't, I would be interested in having the counselor's opinion. If there's some you can have AN ADU as long as you don't have an independent dwelling unit separate from the actual structure.

**JEN** >> Basically in all apartment type situations. They all have separate entrances and separate living space, but one roof, one structure foundation.

>> Yes.

>> That's interesting.

**JEN** >> I have to read into it more closely.

>> Would.

>> I don't want to say it is, that's my opinion that it might be.

>> Good comment.

**JEN** >> Rich, can I ask a question of the select board members because they might know?

>> Yes.

>> I understand the regulations are not yet published. Do the towns have an understanding of when they have to have zoning bylaws updated by? Is there a deadline?

**SHEILA** >> That has not been a discussion. The spam saying regulations first if you don't know what the bylaws are to see the regulations.

>> I also think that those, there's a conflict with these regulations, so we just go with regulations. We are not doing what we are supposed to be doing. I have a problem with the regulations just for towns even because are not taking into consideration the area, the sensitivity of the area. I'm under a point where I feel guilty living out here because I have said this at our own town meetings, our own board meetings, we all get directed to come out here because there was nothing here. People came out and lived in shacks just to be in the natural disconnected setting. Now, we are all here.

20 years ago, there wasn't the Internet we have today. If there was Internet, you had to go to the library. We couldn't get your television connection very well, there was no cable and that was beautiful. That is why we were here. Then we went away in the winter and the town could rest and be themselves. Everything could sort of recover a little.

We are allowing something, and we only have so much water. Nobody wants to address the water, I know I sound like Joe Downer, but we have a water issue. We only have a limited supply of clean water, this is all bumping into that, and you keep, there is a fervor for affordable housing while you see some of these huge houses, talk about character change. As you go around, the wealthy, take the pictures. I have been scoping them out and here was the usual house and here's what is being built today, totally different things.

We are becoming a Nantucket type a– and this is not– never going to solve the housing for people who work. We're never going to build our way out of it because houses are being put up all the time. Put a moratorium on the houses and put in affordable guide there. Any type of conversation that would actually realistically take a look at where we are, in some places should not be allowed to have that much building. What are towns going to do when they are built out? When you build out, that is the growth of the town. Our towns have to recognize that at a point there is no more land. Either you are refurbishing, redoing, and how are you going to keep your growth. Unfortunately, it goes with the property taxes and commercial taxes. There is going to

be an end to this, and nobody wants to face these things. It's not going to impact my life; I will be dead probably by the time the water runs out but I'm thinking of other people who are never going to be able to enjoy that beauty that we once had.

Even light pollution is becoming a little bit more– so, these are across the board, think there's a lot of things we have to have a conversation about.

**RICH** >> Sure, to follow along your line of thinking and to think that we all came here and cherished the Cape Cod National seashore because it provides that–.

>>

(Multiple speakers)

**RICH** >> The prospect of having more suburban houses in our dwindling open space, the Cape Cod seashore. That's being brought to head by this affordable homes act by the legislature because from the states perspective, this mandate flies even into Cape Cod National Seashore, we could, as one option, say to our elected officials, we think there needs to be a technical amendment to the state homes act that exempts the national seashore from its jurisdiction.

**SHEILA** >> Absolutely, that's what I would say. If it takes me going up and having a delegation from here to go up to the governor's office, or to really just lay out why would we say such a thing.

**RICH** >> That would be going back to addressing the north of the problem is trying to dance around how do we this that and the other thing locally. For the seashore. The argument would be partly what you said, this is a very special open space set aside for all of us and it's valuable. But state legislators have created a problem and Cape Cod National Seashore, it's a major conflict between the legislation in this lot and we appreciate this law because it does address the housing situation, but it shouldn't be solved within the Cape Cod National Seashore natural space.

**SHEILA** >> That's exactly right.

>> That might be the argument.

**SHEILA** >> Its federal land and it should be exempt and should be the understanding between the state and why parks are created, it's to protect and preserve the land, not to give a law that will inevitably find loopholes by developers, people supporting those developers. It will come down to cash.

**RICH** >> On that, because you know, they have implemented people that they haven't quite gotten that were missed that thing. Any technical amendments for legislation to make it fit

correct. It would be simple approval on that helps address the consequence of that want that we are bringing that in our roles to the attention of the legislature.

**SHEILA** >> That's right.

>> Will put that aside from there.

**LILLI-ANN** >> Two things. One is I know that she said she had a conversation with Julian Cyr. I don't know if you have as well. What did anything come of that during the conversation? Did he talk anything about how he was going to approach it or what he was doing or not doing?

**JEN** >> I don't know if I can speak for the senator but what I expressed to him is what I laid out in this meeting is that this is presented a challenge to us as managers that I think was unintended. He said honestly it was not on the radar. It presented as a challenge and what he does with it is up to him. As a federal employee, I cannot lobby but I can present the challenge which is what the conversation that we had. He's interested in understanding potential solutions and again, I think, please raise your hand if you want to speak up but part of the reason, I asked them to join today it was to hear this discussion and hear from you all about what the challenge was in front of us. To help inform whatever path they decide to take.

**LILLI-ANN** >> The other thing that I wanted to say is that my understanding from the people that I'm talking with in my town who looked at important positions and know something about the say that there have been not– I mean, what's considered on ADU but never called on ADU before for decades in my town. There have been instances that were we have already had these ADUS within the seashore.

**SHEILA** >> Well, that's because things happen–.

**JEN** >> If something was pre‑existing, it's allowed to continue. I would have to look at individual properties to address it.

>> I don't know.

**JEN** >> But if somebody had multiple cabins in 1959, they could continue to have multiple cabins now. It's just, every property is different.

**RICH** >> That is the 1959– Cullen, your hand is raised. Thank you for your comment. Go ahead.

**COLIN HENNESSEY** >> Hello everybody. My name is Colin Hennessey, and I'm the Senator's Cyr’s research analyst. I wanted to make a comment that the Senator is certainly open to considering all the national seashore of importance. This is not an issue that when we were drafting the legislation around the seasonal communities that we had a conceptual awareness of. Having it brought up by the Superintendent was useful and I think our legislative

director are currently reviewing the regulations. I can't give any further opinion on where we are with that but that it was just a very helpful meeting, and our legislative director is working to better understand where it is.

**RICH** >> Thank you. Now you have entered this conversation, you heard the town speak about the dilemma that were going through. We will eventually today figure out what our next steps might be. You'll see that at least at a minimum, we will share with you the minutes of the meeting that will summarize this conversation, and you can then take that to the senator. I would venture further to say if the senator would like to sit down with a subcommittee of this group, to begin the meeting immediately but if I could appoint a subcommittee of this group to go meet with the senator and yourself, Collin. To see what the next steps might be in terms of a technical amendment to this law or something else that we haven't thought of yet, that would be wonderful if you could relay that to the senator.

**COLIN HENNESSY** >> I will, thank you so much.

>> Thank you.

**CHARLIE** >> Two questions. One, it would seem like this group is going to take a position that would be ultimately appropriate to hear from all members by vote as to how they think this issue ought to be addressed.

Secondly, the idea of a comprehensive exemption for the properties near the park is certainly one approach. However, it seems to me that there are at least two other possible approaches. One is that there would be something more tailored that's crafted for fit the park circumstances in some way. Maybe a tighter regulation but within the same approach in the…

The third would be more discretion in the hands of the Superintendent to approve waivers or whatever one wants to use as nomenclature.

I think there are multiple approaches is what I'm getting at for dealing with properties within the seashore as opposed to exemption. That approach.

**RICH** >> That's fair.

**MARK** >> I still think there should be a bright line, it's the seashore district, the special district of the town that for more than 60 years has identified this part of their town as needing a special set of circumstances for national resource protection. To potentially double the population on the national seashore by adding these number of units. It will never all be built out but certainly, many think about it, it's not 900 square feet of building, it's a whole another family, it's more Amazon delivery trucks, utility repairman, all the traffic coming and going on these dirt roads that aren't supposed to be handling them. To make development by right on these, the crazy days of dirt roads.

>> Right.

>> I don't know how the firetrucks deal with it to begin with but adding that much more population on these outlying areas, there's plenty of land in the town was plenty of existing access to infrastructure, more of our towns have water supplies now.

That's where this extra population should go, not out in the woods on the national seashore.

**SHEILA** >> In addition to that, there is a danger to this population that you're putting out there. There is the fire danger, you're putting them closer and right in the middle of it, one road out if there is a disaster they have to get out, how are they going to get out? We all have one road. The more people we have here, the more it that– the water is finite, we are on a single source Aquaphor with very small land out here, what do we do when we run out of water? Talk about coming at each other's throat. This is not a good situation.

These are things that we really, if we want to be thoughtful and protect Cape Cod, to protect something of its character of what's left, I think it is our obligation to explore these things and be vocal about them.

The seashore was cut out to protect it and not allow these things.

**RICH** >> A good point about the fire response, we already had a couple of towns indicate, I was involved with one in the state, where as soon as this developer happened, the fire department raised its hand so we had to widen the roads to get their big firetrucks down and also losing trees, the turnaround to get the truck in because they had their own standards if you expect them to respond they will say create a road for us and that doubled the impact on the natural habitat environment.

**SUSAN** >> A couple of things. I'm in an awkward position. Our town voters approved by right, 80 you in the seashore. I cannot sit here and say, no, let's leave the seashore out of it, I can't do that. In good conscious.

What I will say, responding to a couple of Sheila’s comments. Both problems are working on buildout figures. There is limited land left in Provincetown and Truro for building. That has to be a consideration for new housing.

The limited water supply, that doesn't stop at the seashore boundaries, that throughout all of this.

**SHEILA** >> Exactly. I know you two are.

**SUSAN** >> Provincetown and Truro are working on a comprehensive water– wastewater management plan and also looking at the water resources. One of our biggest planning efforts

right now, which Walsh property is shy of 70 acres, the borders of seashore property, we said we have to be really careful about what we commit to in terms of building. There were talking about 160 units, well it is starting at 260.

**SHEILA** >> I know.

**SUSAN** >> That is a huge factor. I wouldn't say nobody is dealing with that.

The other, I would challenge a little bit is the notion that this is going to be a massive undertaking.

Lilli-Ann made a reference to that there are probably a limited number of properties that can and will take advantage Of putting an 80 you out there. One of the arguments I have heard it expressed from members in our community, who live on the seashore, this is my private property and on the seashore. There is that real conflict between federal and private property ownership.

Where I am going with this is really about what can we do within. I do believe, also, that much of this development does need to have, and will happen outside of the bounds of the seashore. As Truro has reduced its regulations concerning ADU, you have permits and so on. We have seen more of them go up. They are smaller and have to be subordinate to the principal residence, they can't be more than 900 square feet. They can be used for short‑term rentals.

There are guardrails that Truro has put in place, and I think guardrails are a really important thing in whatever happens here.

I do think we need to be creative about how we might allow it without conflict, in some instances, whether it's special permit that I have the letter that Jennifer wrote to the planning board which indicated, maybe in consultation with the planning board, the seashore could weigh in on applications.

In our town, it's sort of a moot point at this point. I'm not saying we couldn’t go back and revisit. They don't want to be at war with the seashore, we have an interest in seeing more housing go up. Year‑round housing in particular. I said this when we were talking about water resources. The seashore brings XXXX visitors to the Cape every year. That’s great but they need places to stay, people to serve them, etc. I guess what I would advocate for is some way to figure out how to collaborate and compromise and try to collaborate.

**RICH** ….. how many new structures might be built

**SUSAN** ….. I don’t know that, and I don’t want to put our Town Planner Barbara Carboni on the spot, Thank you for being here

**BARBARA CARBONI** >> Thank you, Superintendent and Mr. Chairman.

**RICH** >> Sit here and speak up.

**BARBARA** >> Okay. I was not working for Truro at the time that the pilot was a change to change in 2021. It was a petitioned article; it wasn't developed by the town. My guess is that there was not an analysis at that time of how many units might be built as a result of the right of the bylaw amendment.

I know, as the chair suggested, there is work going on about calculating that and I think a part of that would be, would include the number of potential ADU.

**SUSAN** >> The town did, at the last town meeting, did some housekeeping updates to that ADU bylaw. That's what prompted the Superintendent letter. I think that was literally just housekeeping.

**BARBARA** >> I would agree with that.

**SUSAN** >> We did, I had a meeting with our town assessor and Barbara, a couple of other people. We don't know how many ADU existed in Touro or the seashore because of the fact that ADUs were really only recently classified and some of them were predated the seashore.

Then there have been people who have put up stuff within the seashore that we don't know if it's an ADU or if it has a kitchen, that's one of the factors that weighs on whether this is considered a second principal dwelling. Our town assessor is working on that, that's a whole other unknown.

**RICH** >> Other thoughts or comments? Thank you.

**MARK** >> Would just like to respond to the Truro reps assertion that private property owners in the seashore want to exercise their private property units like anybody else. They already can’t and don't because they have something special called a Certificate of Suspension from Condemnation. They have a different set of zoning regulations.

I don't think that they should feel some sense of entitlement and be treated like everybody else in town. Whether they have been there since 1959 or 1910 or 2022, they have to understand that they have a special privilege of living in a national seashore and they were given compensation or their predecessor to stay there as long as they abided by these kind of restrictions that kept a special place special.

If it's treated like the rest of the town, it's not a special place.

**RICH** >> That as well said, I think we would all agree that that's part of the dilemma.

**SUSAN** >> Absolutely, there is much larger lot sizes. I hear what you are saying, I'm just telling you what residents of the seashore have said to me.

**SHEILA** >> A couple people.

**LILLI ANN** >> I presume we are going to hear from the towns’, even though we have been hearing bits and pieces, we are going to hear that town's original question was, the standards of the town at this point. I mean, my town planner is here. I mean, I'm assuming we're going to go around the room.

**RICH** >> I guess we should get an update on this. We heard from Truro and we and know where they stand. Do you want to refer to your town planner?

**LILLI-ANN** >> I would, please. Beth Pyles has graciously attended. Thank you, Beth.

**BETH PYLES**, Town Planner, Land Use Council, thank you for having me here today. Currently, the Wellfleet bylaw does allow ADU as of right in all districts. There's a bit of an exception for the seashore where we do have, ask if the ADU is being built, or for example, if a property is being demolished and rebuilt, that it does go to the ZBA for special permit and there's certain criteria that that property must meet.

One recently happened where it was an ADU and went to the ZBA and was approved and got it special permit because it met all the criteria within the Wellfleet zoning bylaw.

I know that there is, from the seashore perspective, a conflict. We did receive letters from the Superintendent Flynn regarding that particular property but in terms of the Wellfleet zoning, there's been no conflict.

I think the problem going forward as we know, as of February 2nd, the affordable housing act will be a law that we need to follow. If we don't follow that, we won’t be in compliance with state law. As I mentioned though, currently, the Wellfleet board does allow for ADU and all districts with the exception of the seashore special permit.

>> Thank you. Questions?

**SHEILA** >> As a member of the select board, I'm going to say I don't think they are adequate. Just because our zoning law is a law, it doesn't mean that their good zoning laws, that they can be changed. We can have this public discussion about understanding why we would want to have this change. I'm not saying this is all you, you know that our bylaws are recently, that one can contradict another in different places depending on who and when they were written and by whom.

I think it's a good opportunity for the town to take a look at its zoning because this is going to impact, just because you can build doesn't mean you should build. There were building

permits allowed under a former building inspector, and this is outside the national seashore, but we are on a big sand patch here. The Blasch house is a great example of once you start pounding into a dune, integrity changes of the dune and it erodes much quicker. Anybody who hasn't seen one storm away, Google that and you'll get a 13‑minute film that gives you the history of the Blasch house and how a lot of flags were ignored, and our zoning bylaws were not codified. No red flags went off on that property until after we saw what happened.

Now that's going to have to be demolished or there is just another house in a huge house in the water. In the system. This, to me, this is what we did. I think we have to really look at climate change, what are we bumping up against and why are we going to allow all this building because we say we have to take care of this and 20 years from now these people are in a precarious situation either lacking water, fire, emergency, how do we get out of here and we are shrinking on the Bayside, three feet on the ocean side. Those people, the more you let in here, the worse it gets, and nobody wants to really face the reality of where we live. I'm not saying, I am all for affordable housing which is not affordable. With public subsidies housing is generated out of without thinking of what it is we are doing and where we are putting, however satisfying that capacity.

>> Right, but because of the building of this one building, it hurt the integrity of two houses on this ridge that are being pounded by this. Doors don't close anymore, and the other person’s house and they have a crack in their foundation, and they were afraid to report it because they didn't want their house condemned, which is wrong.

>> This is on ninth Street.

>> Okay, all right.

>> Just from first‑hand experience.

>> Other comments?

**LILLI-ANN** >> I wanted to say thank you to Beth for being here, and for sharing what this committee or commission, what the position of Wellfleet is. This is what I have been trying to, whether in my own personal viewpoint, is in compliance with what where Wellfleet is or not. It's not something I'm talking about today, but I'm very grateful that Beth is here that she's able to answer questions or talk about Wellfleet’s position. Thank you.

**RICH** >> Thank you.

**LILLI ANN** >> Also, if Sheila has any information about what the County's position is, being in assembly delegate. I don't know if there's any position that the county has taken, that would be helpful.

**SHEILA** >> Is a good thing to explore. That would be the Cape Cod Commission who is doing their affordable housing studies and recommendations on zoning and ADU bylaws.

Hopefully, they have taken into consideration.

**RICH** >> We will give Heather a second to get her thoughts together. Let's keep this around the towns. Eastham has a representative here today.

**DAVID** >> There is a representative here, but may I defer to the alternate Joanna Stevens to make an introduction anything you like.

**JOANNA** >> Sure, with zoning bylaws, I really have one portion of it here where we can talk to it. It says nothing in this bylaw shall be construed as altering or banding positions of the seashore F, the seashore district. With that, I will introduce Paul Lagg, our Eastham Planner.

Thank you for coming today.

>> Thank you, Paul.

**PAUL LAGG** >> Good afternoon, Paul Lagg, Community Development Manager. Just to summarize, in Eastham, any bylaw, we have the seashore district. Single‑family detached dwellings are allowed by right. And accessory dwellings that are incidental to customary residential uses that are allowed by right.

We have interpreted that to mean that ADUs are allowed, and that when we updated our ADU bylaws a few years ago, we lifted a lot of the restrictions for our town but recognizing that the seashore was and is somewhat is unique. We did add the special permit criteria. We interpret that ADU is an appropriate use in that district given that it's essentially from the land use perspective it’s the seashore, but it's residential. The special criteria in, this was a literature earlier, that these do get scrutinized, they go to the zoning board and our bylaw specifically requires that we coordinate with the seashore, and we send and request comment for those developments.

That is basically how we have been operating for a few years. I don't think we have had any permitted in the seashore at that time. But the new state law presents a challenge. From my perspective the State says we need to remove that special use permit criteria that's what I believe we are obligated to do on the municipal side until there is some change to legislation. I guess that basically summarizes what the zoning bylaws say.

I will add, something to consider when trying to quantify the issue is, what is the impact of these? The intent use on these properties is also controlled under the septic, title 5.

Essentially, you're talking about better accountability, the bedroom count will dictate how many people are living on that property for intensive use.

Many times, I would say most times when we have had ADU, people run into a septic capacity issue and they have to reconfigure the main house, get rid of a bedroom if they want to

put the ADU unit in. Something to consider when the impact is, a lot of times, what is the balance.

You're going to have capacity in the main house reduced, basically equaling it out in a lot of cases. Then you also have to consider the sizes of the lots in the impact. We have a lot of large lots, in three‑acre zoning, not all parcels in the seashore on the Eastham and are three acres, there are small sites. But that goes back to the septic capacity and what is the better and count. In my mind, that is the driver of what's happening on those parcels.

**RICH** >> Have you been able to view all of those factors to determine how you do the analysis of how many ADU might happen in Eastham, within the Cape Cod seashore?

**PAUL** >> I have not.

**RICH** >> That's a complicated question. Before you move on, Beth did you do an analysis?

>> It would be interesting.

**MARK** >> Just a question for Paul. So, the septic capacity is based on the bedrooms, and it's related to the square footage of the lot, 10,000 sf., and is that correct?

>> Yes.

>> If you have a three‑acre lots, come you can have ten to 12 bedrooms, right?

>> Is that right?

**MARK** >> You could have two septic systems and ten to 12 bedrooms. You could have may be eight, nine, ten, then the principal dwelling, and then two more in the accessory dwelling.

**PAUL** >> That's true, but exactly, if you build and have the update capacity, I will, on Eastham and we have a residential site plan approval and we do have site coverage limits. Those are two controlling factors that would, it depends on the size of the lot but there are some guardrails on this kind of thing where basically the size of the house is going to be curtailed to a certain extent.

**MARK** >> The septic capacity limit might pertain more to that half acre lot on the other side of town than the three‑acre lot and the six‑acre lot.

**PAUL** >> You are right, you could build a 12-bedroom single‑family dwelling on a single septic capacity. If you add an ADU to that and someone had that lot, and they wanted to add the ADU, and they would have to remove bedrooms.

>> Most people don't have a 12-bedroom house.

>> They don't look like they do when you drive around town.

**SHEILA** >> If the existing dwelling that was incorporated into the original plan of the seashore, you could say you could go beyond that if the lot is bigger? They still have to stay within their footprint, whatever the footprint is.

**PAUL** >> There is site coverage and a finite limit to what they can do for expansion, which is based on what was in existence when that lot, back in 1959 or whatever.

**RICH** >> Any other questions before we move on?

>> I will go over the regional. It's (name), but you don't have many properties, as I understand, that are potential ADL. So, I will come back to you in a minute. I think there is time for a regional perspective if, Heather.

**HEATHER** >> The Cape Cod Commission finished the regional housing strategy just some are, I believe. The document that followed the extensive stakeholder process identified many ways in which the housing crisis on the Cape. There are documents and resources including design plans for structures, bylaws, other resources.

I think for the purpose of this conversation, it's very complicated and strong feelings on both sides, which personally, I think it's useful to go reflect with the guiding principles that were established at the onset for the regional housing strategy, which includes generating greater variety. Year-round population, protecting natural and cultural resources, to ensure strategies and actions for how to protect the region's natural environment and the cultural resources.

Change in cultural resiliency, prioritize redevelopment. Prioritize strategies that support redevelopment and conserving housing style.

Then coordinating housing infrastructure, this means put housing where we have existing infrastructure that can support that housing. The structure ranging from wastewater treatment where appropriate to sidewalks and public transportation and access to goods and services.

Then regionalized efforts to support these municipalities and build support for housing through education.

Those are the eight guiding principles. The ones that just were at the top, for me, in this conversation are protecting natural cultural resources, prioritizing redevelopment and coordinating housing and infrastructure.

I think from a regional perspective, thinking of the Cape as a whole, we have finite number of resources that are also finite in their ability to persevere. Preserving them while we have the opportunity is super important.

Regional housing strategy wants to support and knows that we can find ways to support housing elsewhere on the Cape that aren’t sensitive resources. Whether its sensitive habitats for wildlife and plants, or that’s culturally important areas as well.

Maybe I will leave it at that, but I would also say that I liked Lili-Ann's suggestion of creating a subcommittee or some kind of a workgroup for Cape Cod Commission staff that they could create keep participants and support in that. To have a historic preservation specialist on staff who has worked for decades now and can help with this definition of character. As well as they could help to work collaboratively to find potentially, depending on where this group wants to go, craft the model language that could be adopted by communities and every little bit by community, but there be an outcome.

**RICH** >> Thank you. I think we will get to the subcommittee and certainly the three most impacted towns. Is that all from the Commission? Just before you wrap it up, let's get to people on the screen.

Leslie?

**LESLIE** >> I just wanted to talk about the Upper Cape. Falmouth zoning is going to mimic the state, literally. I met with the building folks last Friday. As they get updated after the January 10th public comment, I'm sure Falmouth is going to be very eager to do that. While I know it's clear there are benefits to ADU because they can offer more sustainable ego friendly, energy‑efficient housing options with far less construction waste. If implemented responsibly, there is still the environmental impact that concerns me is one of capes active environmental activists, and that it is the increase in ADU from town to town. I consider every town sensitive, both culturally and naturally.

The land and the waters are threatened, the land is shrinking. My feeling is the development of ADUs means the development of population, which means increased environmental impact, no matter how green these ADUs are.

More toilets are going to be flushed, more things are going to go down sink drains which include a significant increase in stormwater runoff, with more yards, driveways being added.

The increase in the toxic runoff is going to be something we are going to see more states, metals, VOC, a host of emerging contaminants that WHOI talks about every day. I understand there's a housing crisis and at what point, what is the tipping point for Cape Cod where we cannot sustain this any longer and we must create environmentally safe solutions to many of our modern problems. We know this, but I think we almost become better citizen scientists and revisit our relationship to land and water. Our land and water here on the Cape.

Center that in our advisor ship should work here with all of our local communities. We report a lot on the various topics that impact the natural world here and our beautiful natural seashore, but I think we have to involve cross generations more, we have to bring our younger folks into this conversation so intergenerationally learn what our community members envisioned for their neighborhoods and moving forward. What does it look like, what does 30 years look like from that with ADUs in the back of everybody's homes.

In Falmouth, if you put in ADU on your lot, a detached one, you can't add a separate septic to that. You have to tie in with the same bylaws as many of the other towns and lose a bedroom that could be considered an office space and put in a 600 square‑foot ADU. In Falmouth, the department things we are not going to see a lot of this because of the expense, very expensive, even with a pre‑fabrication. Talking about a few hundred thousand dollars in your creating a new driveway, if you have an acre plus, there is just increase costs.

We will see what happens, but I think that as we increase our Cape Cod carbon footprint with more greenhouse gases coming off of this, each time we build or add, it challenges our climate work. We are fighting against opposing kinds of theories here and we have to figure out which side of this we are on. I'm not saying we kick people off of Cape Cod and we don't support the housing crisis in some way, but each time we put something new on our beautiful pristine land, we take something else away and given the threats to our water and our land, anything more is going to increase that and we are not doing enough counter work in climate and getting to a more carbon neutral space to be able to really, I think, authentically have this conversation in his we are not going to Cape Cod even more than we already are.

Thank you for that, rant over. As an environmentalist, with all these housing options. Alternative ideas. Ones that support the stewardship of our sacred space here. Thank you.

**RICH** >> Thank you, Leslie. Thank you for the timely reminder about just how important it is to have a place like Cape Cod National seashore to renew our relationships with nature and understand our connection to the natural world.

This is the value of what were spending not on. We can't let the nibbling and changing happen in certain areas and if this is where the standard is going to be made, is where it should be made.

Thank you, those are well timely comments pre‑let me go around the room. Tom from Chatham, any thoughts from your town in weighing in on the ADU issue?

**TOM DOHERTY** >> Thank you, I appreciate it. As noted, we have no properties for which this might be applicable on the seashore but just to share some of the really quick, some of the notes from our bylaws. They were implemented about five years ago. The more than 180 per lot, they must be consistent with the main property with appearance. Not more than 900 square feet, no more than two bedrooms, no more than two people per bedroom. That is no more than four people in a 900 square‑foot lot is the current requirements.

I recognize this will change with the recent laws or updated regulations. Those haven't been reflected in the current bylaws yet.

The ADU cannot be sold separately from the primary residence the lease must be a minimum of 12 months, there is no subletting allowed. There's only ten permits allowed per year per calendar year. Each ADU must have one room, no more than at least one room with separate quarters or separate provisions for cooking and sanitation and sleeping for one family.

It's kind of interesting how it is. Again, this may need to be changed. I think as noted previously, just as a data point, in the five years this has been in place since May 2019, only two of the ADUs were built even though 50 were allowed over that period of time, only two were built in Chatham. That's it.

**RICH** >> That's a very helpful perspective.

**TOM**< >> Sorry, one of the point and as noted, the limitations had been cost, as noted. As well as septic limitations. That is the primary constraint.

**RICH** >> I was going to say title V septic regulations, they have to be governing some of this. Thank you, Tom. Very helpful. Larry? Anything from Orleans?

**LARRY** >> We have a relatively simple ADU dwelling bylaw that was passed last spring. It can contain no more than 1200 square feet of floor area. The Board of Health must have documented to the Building Commissioner that sewage disposal will be satisfactorily provided for in accordance with the provisions of Title V and local Board of Health regulations, including provisions for an appropriate reserve area on the site. That could be, as we have heard from other towns, a limiting factor. Although when Orleans they finish their sewer system, that might change in terms of what happens in town. No minimum lot size is required. Some of the older grandfathered lots are only 5000 square feet, so you could put in ADU on it for that. In terms of allowing rentals, it's of periods not less than 90 days say you can't do short‑term rentals with an ADU. The bylaws aren't specific, but I assume the general bylaws regulations regulate height and setbacks would apply for an ADU. It's a pretty simple bylaw and easy to work with.

I have a copy if you want to put it into your record. It's up to you.

**RICH** >> No, I think if we were to pick up on Heather’s idea, if we were to develop a bylaw, we might start with something like that from Orleans and see how it goes. Thank you, Larry.

Have we heard from Provincetown? I see that Mary Jo has given up.

**JEN** >> Adam, were you able to chat with her on the side?

>> No, I have not had her respond.

>> Okay.

**RICH** >> Mary Jo, I don't know if you can hear us. Sorry if we have not been able to tune in. Can you say something? We might be able to hear you.

>> No.

**ADAM** >> It says audio to live feed.

**MARYJO AVELLAR** >> Hello? I lost the picture somehow or another, I don't know why it worked. I use my touchpad to try– anyway.

One of things I wanted to say earlier was when we are talking about the ADU in Provincetown, we only have one property or two within the national seashore. It's really not anything that's really going to hit us like it is Truro and Wellfleet and some of the other towns up Kate.

When we were talking about the character of Cape Cod, I had to start to laugh because what happened with the dune shacks, which are historic and artistic, all the things that were listed there, the National Park didn't seem to give a damn about that. But now we have the ADU problem that is going to affect all the rest of you, the town is preparing a bylaw for the April 7th town meeting. I haven't seen it yet. But we do allow ADUs in limited, and limited areas right now. I haven't seen the proposed bylaw, and I don't think Leslie (Sandburg) has either, she wasn't able to join us today. That's all I know. The Provincetown has been working very hard to have those accessible units because it's hard for people to live here, probably harder for people to live in Provincetown than anywhere else on Cape Cod.

**RICH** >> Good points. Thank you. I know we are getting close to time. This has been very informative. I'm glad we are impressing it, that's what we need to do and our mandate. A couple of people suggested a subcommittee might be the next best way to really dig in even further. To get back to the full committee as soon as possible with some thoughts and advice that we can offer. Maybe some of the actions that could be shared within individual towns as they move forward. (inaudible)The other towns that are moving maybe with some of this wisdom that might help.

I would suggest that the three towns that have been most heavily impacted, Truro, Wellfleet and Eastham representatives those if willing to be on the subcommittee.

Heather, I would ask you to bring your expertise from the County to that subcommittee.

**SHEILA** >> I think Leslie should be on it.

**RICH** >> Perhaps. Leslie, just your town, your hometown is not in the middle of it, but you certainly have a nice perspective to bring from a distance that is germane to what is happening here.

>> With those towns, Wellfleet, Truro, Eastham reps and Leslie be amenable to join a subcommittee that would take into this? The mandate would be to examine the issue of ADUs in your town and its potential impacts of ADU within your town, within the national Cape Cod seashore.

To understand the potential impact of how many there would potentially be, what the options are for them given this new law. Then any other advice that you would like to share with the Cape Cod National Seashore. That is just a rough articulation of the mandate but that's kind of where I think we are thinking.

>> Would you be willing to join?

**SUSAN** >> I would, I have a question though. Sitting in our audience, the person I'm hoping would be confirmed soon as our alternate, Truro representative and he is a land‑use lawyer and I'm wondering whether, and I don't know if I want to put Mike on the spot and we can talk after the meeting but if he's confirmed and willing, I might see whether it would be beneficial.

Mike has dealt with the seashore on a number of other land-use issues in his legal capacity.

**RICH** >> I think in the spirit of what we talked about earlier, I feel comfortable if we recruit all the technical expertise in the town you can have.

**JEN** >> If I remember correctly, the FACA reg, I'm looking at Cheryl and Leslie to remind me, but it allows board members to be on subcommittees. It also requires the (inaudible) beyond the subcommittee or an alternate of the park. As you're making the subcommittee, we need a park person also.

>> Would you?

**JEN** >> Probably, it's me, we will talk about it. I just don't want to commit yet.

>> Lily, would you be willing?

**LILLI-ANN** >> I would be willing to, but I think it would be more beneficial if somebody who really knows this backwards and forwards with knowledge. Whether it's best, or the planning board, Karen. I mean, can I discuss this with our team perhaps, and come back to you?

>> Sure.

**RICH** >> Then Eastham?

>> I would like to be, David and/or, please.

**DAVID** >> Okay. Leslie, did you hear my invitation to join this discussion and help out with a subcommittee that would dive deeper into this ADUs of this?

**LESLIE** >> Yes, be happy to. I'm teaching a class at MIT so I’m in Cambridge a lot right now, I’m between the Cape and Cambridge so I'm there right now yes, I would be happy to. I don't want to overcommit because I sit on three other environmental boards and if I know what our calendar looks like for our schedule, are we going, did we pick a chair?

RICH >> Yes. Yes, we haven't done that yet.

**LESLIE** >> We should do that because the chair was then defined what our calendar might look like for, we can all get together and talk about that. I'm happy to help. I just want to make sure that I don't sign on and not deliver because it's not my style.

**RICH** >> I appreciate that. This is a pretty big topic. We will take a little bit of time and also, as I'm sitting here with the members of the commission, but there is more expertise sitting in the audience.

>> Right.

>> Town planners, and they are really the town experts. I guess, the way we would do that, and the Superintendent reminded, non‑advisory commission members can serve on a subcommittee. I guess, if we had the three reps in the county, and Leslie for the state level, a nice representation of each of you would be– or should feel free to recruit your needed expertise from the town planning boards, to help you directly, coach you, attend the meetings with you if they are willing.

It's a lot of logistics to manage, I understand.

**SHEILA** >> I think that between now and the next meeting, maybe you should think about how many people do you want on this subcommittee. Are you just identifying now, who would be the outside this membership, or somebody within this membership, or another member.

Someone that is committed to these things, and thinking the gentleman right beside me, even.

Then what will the structure look like and the timeframe, that sort of thing and send that out, send it out as an invitation or post it as an invitation to people who are not part of this body, if they're interested, they can apply. It doesn't mean they will get it.

I think you have some work to do.

**RICH** >> I need to bring it to a head here somehow.

**SHEILA** >> Paul from Eastham raised his hand.

**PAUL LAGG** >> I just want to raise a timing issue. These regulations for the state come into effect in February. We are all roughly in the same town meeting schedule. Town meetings in May, from their perspective, these go into effect in February. Planning for public hearings, March 19th. The draft bylaw has to be advertised in the newspaper. Two weeks in advance.

Basically, the end of February for Eastham AT LEASS and we will be publishing whatever the draft bylaw is at that point. This gets a little technical, but the bylaws in effect in February and bylaw from whatever date of the first advertising for the public hearing.

There is always a weird situation where things happen in this interim basically between end of February and May after the town meeting. We always try to find folks that come in with these projects and educate you, set your own risk on what's going to happen, but I want to make sure everybody is thinking roughly the same time period FOR TRURO AND WELLFLEET.

There's not a whole lot of time and I just wanted to make sure that this group was aware

of it.

**RICH** >> Any other planners or thoughts on this?

??? (TRURO >> Speaking for myself with the chairs permission, I think the approach is correct and I'm glad that he pointed out that deadline but will go with everything that is set out by other guidance.

**LILLI-ANN** >> The regulations haven't even been codified at this point. If there is a chance that Senator Cyr is going is going to step in or come back to the Superintendent, this body, or what have you, with some other information. I mean, how do– I mean, it's really, it's a very challenging situation. At this point. Certainly, the timeline is really short for a town meeting. It's more like a special town meeting in the Fall that would be able to issue, when people would be at their risk as Paul, between now and then.

**SUSAN** >> As important as this issue is, I can sit here and say definitively right now there is no way that Truro can craft, even working with others, a bylaw that could then be advertised– first of all, I'm not allowed to assign anything to town staff, I'm very well aware of that but I just, this is not something that can be rushed, it has to be well thought‑out and whether it's a special town meeting and I think we need to work on it with dispatch, I think in the notion that it could be accomplished and approved in time at a town meeting is just not realistic.

**RICH** >> Let's go back to the beginning. Let's start this conversation by saying this ADU, affordable homes act, ADU by right, a state law is going to be indirect and serious conflict with enabling legislation of Cape Cod Seashore.

That is a serious matter. What can WE AS a collaborative group, whether or not something will happen on both sides of the coin to the housing issue and protecting the integrity of the national seashore, what can we do? And we could talk about it like we just did, Step 1, share the information. Step 2 is see if we can collaboratively find some solutions and some options to dealing with that contract. Those options might be, number one, going back to Senator Cyr to amending the law to save the national seashore.

Number two option might be some of the examples that have already been given. Some towns are figuring out how to make the best of it by minimizing the impact on the town. Of the towns ADU and the impact, but still allowing some of the hearings to this new law.

Or the third one is, I don't know what the third one is.

**JEN** >> Amend the legislation.

>> Any of those three could take a long time.

>> I'm voting.

**RICH** >> I just heard back a little bit and will focus on where we think we should go. Sheila?

**SHEILA** >> I propose we write a letter as a group. We might be a little bit different on some of these things, we don't know where that is right now but right now, because this lot is going into effect and it was because they didn't give it any consideration, yet we could write this to our federal representatives as well since they had the federal side, we could write to Congress, Senator Markey, Ed Markey, Senator Warren and Congressmn Keating, alerting them that this has been an oversight. Send the same letter to the Governor, the Lieutenant Governor asking for a reprieve here and to recognize the special status of the seashore and take it out. They might be able to solve that right there and we don't have to go through like my God, we have to do extra work and get this all in. Then we can craft what we have, the towns will have a breathing situation to be able to craft whatever protections they want for that seashore, whatever if somebody really needs to do this, what would they have to go through to do it.

I think, right now, we have to alert our Federal side as well that this has been a problem and although we are all in favor of expediting and helping the housing situation, we really have to look at sensitivity of some areas of the Cape in that regard. Especially in the outer Cape which really needs that time to recharge and with climate change, all these things, we are having droughts, we have more people because of Covid, now we can zoom, now people can live. Still work. But there's all these different factors that fell into this as well.

**RICH** >> A letter?

**SHEILA** >> If everybody agrees to that.

>> Charlie, you had your hand up.

**CHARLIE** >> You asked about the options. One is to put some authority in the seashore to exercise some discretion in this.

**RICH** >> That's right, the third one.

**HEATHER** >> I like the suggestion, I think just buying some time, seeing if that's possible and in order to have this conversation at the pace that it needs to be maintained. I was going to suggest in the interim, the idea of each town making sure that as people apply for permits for the ADU use, that they are aware of the potential for the Suspension of Condemnation revocation pension or the non‑suspension.

**JEN** >> The certificate– Certificate of Suspension of Condemnation

**HEATHER** >> That is at a real risk, and that should be advertised, basically. Those are my two cents and I'm not sure if there is any rush.

**RICH** >> We know the worst-case scenario, 571 units, but that's not realistic, something less than that. We don't know. We don't know, it would be good at some point to know what the actual number is.

>> Yes.

**LILLI-ANN** >> Which I have been hearing that the number might be 12. The properties that if you type out the majority of them, they're just not eligible one way or another. There may be a lot of effort going into this for a very small number of properties. I don't know if that is the proper number or if it's way more, or not. I know that there is one in three years that since the bylaw changed in Wellfleet. I don't know. Who knows. It's not even a question at this point. It could be a very small number that we are talking about. Maybe a subcommittee meeting and talking about this kind of things might be able to really get to the heart of it all and really figure out what the facts are interlocked and come up with something with the seashore that's agreeable.

**RICH** >> On that note, wouldn't we had to subcommittee, and you go back to your hometown, talk to your planners and come to the next meeting with what is the cost potential impact of this law on Cape Cod Seashore. That would give us, we now know it's a problem.

**SUSAN** >> That would not include existing because we are going to forget about that.

**RICH** >> You to at least one meeting to get started? Heather, would you mind dealing with that and maybe even moderate it?

**HEATHER** >> Sure.

**RICH** >> The, your kind of the neutral party in a way.

**JEN** >> Did you assign that to Heather?

**JEN** >> I want to keep an eye on the time. Leslie– 4:30 PM, maybe we don't have public comment. Those folks are here for public comment. I need two minutes. I will be right back.

**RICH** >> We will wrap this up in ten minutes. I can't say that because there might be a lot of public comments, but it looks like we are going to have to take a break. Don't go away, there is still public comment and your business.

>> Any comments made during the break off the record.

>> Thank you.

**RICH** >> Just to conclude, we have agreed. Susan, David, Lily, Leslie, have agreed to serve on the subcommittee chaired by Heather. Your mandate will be to at least assess the potential impact by– [Zoom meeting screen frozen].

>> Thank you.

**JEN** >> I need to read back the law to make sure. Heather, if you can email me, we will work it out. You are chairing it now.

**HEATHER** >> I stepped out, I know that part. One representative from the Cape Cod National seashore, but it may not be–.

>> I have to read the law.

**RICH** >> I am moving to number six on the agenda. Thank you to the public for being patient. Now is your chance to speak. Anything you would like to say? No? Do you want to speak? All we need is your name and for you to come on up. Any affiliation if you have one.

**HOLLY KUHN** >> My name is Holly, I'm a resident speaking on behalf of some residents who were on the outer Cape. (Inaudible). The modern trust and also, unfortunately, for a lawsuit to maintain access for kite surfing. To give you little background on how we got there, there was a couple of friends of mine in your 2000 when height surfers on the seashore. I bought my place in 2010 because I love the seashore, and I also enjoy the server lifestyle.

If anybody knows what that is about, it's essential not only with a healthy mind, spirit, body, and being one with nature. As we can all appreciate.

In 2014, out of the blue, the Superintendents amended said it was going to be banned across the entire seashore from mid‑March through mid‑October because all Bayside beaches. If anybody knows anything about surfing, the only places in Massachusetts you can serve is the Cape Cod National seashore in the only place that gets consistent waves.

All of this was without any public outreach, without any kind of education or informing us what the consequences would be that we were doing wrong at this, what could happen. There is no written determination. There is no public comment period. There was no– that was 14 years. In 14 years, we felt like there was an established recreational pattern. Usually when there is an established usage pattern and has to be some kind of a post in the federal register about a change in the rulemaking. None of this happened, it just kind of appear quietly.

At that point, that was 14 years, and I do understand that if an impact is severe enough and sudden enough, that (name) has every right to do that thing. If that were the case, then what was the issue? And nobody was able to tell us. What were the damages or the negative impacts. It was just simply that the birds possibly perceived the kites as birds of prey.

We are all intelligent people here and we know that birds are smarter than that, when you see kite flying all around by the boats and with Cape Cod, that they roost. (Inaudible). We also know it doesn't keep them away from barns or runways, this has been studied by the FAA and the USDA. The fact of the matter is, there was no evidence to confirm that they were having any kind of a negative impact.

All we have been asking for to this point is that we abide by Massachusetts guidelines, which is what we had been doing up until the ban, which is 200 meters, sorry, 200 meters, 500 feet of shore birds. We are always happy to abide by that, we didn't need the mean because of the restriction. We did get granted 1.3 quarter miles on the east end. Sometimes I'm talking to people that worked in the town management, that said we are going to use our town speakers. They don't understand that we can't because it falls within the national seashore jurisdiction.

Basically, we had been talking about that and they had been very gracious in discussing this with us. We are still hoping to get answers back to the residence, and how to control a beach. I wanted to bring that back to the Commissioner because I know we met with you before in 2014 and in 2016 to discuss these issues.

I didn't know if any of those people in those towns, had any concerns about activity they've seen from kite surfers or even aware that we are not– we can live in that town, but throughout the summer we can't, those barriers.

>> It's a valid topic. That's why it's public comment. Are there any questions or follow‑up right now? We won't get into this in detail right now, Holly, but is there–.

(Multiple speakers)

>> She's looking into it with scientists, as we have encouraged her to do. We have done something the wind tests are concerned about; we would like to know.

>> Hold on, Mark.

**MARK** >> For the record, windsurfing, parasailing, angle– kite, please describe the actual activity.

**HOLLY** >> It's a water sport where you use a kite to throw yourself across the water, it's a form of windsurfing.

**MARK** >> So it's using a shoot. That is a fixed mast

**HOLLY** >> Yes. Certainly not as big as a paraglider. It only uses the wind.

**MARK** >> So it's a curved sale that you control.

>> Kind of.

>> So that's the distinction.

**HOLLY** >> We don't slide along the beach; we fly them out over the water. As long as we respect the bumper zones, it shouldn't disturb.

>> So, it is a SURFBOARD with a kite.

>> Exactly. It's windsurfing or a form of sailing.

MARK >> And right now it's banned everywhere except for?

**HOLLY** >> Mid‑March until mid‑October.

**MARK** >> There's a place on the Eastham and that's not near bird nesting?

**JEN** >> Yes. The birds go there, and it gets adjusted. They nest there, you can't ignore birds if they choose to be there.

**HOLLY** >> We understand that.

>> But it's not–.

>> Same with any fish and wildlife regulation.

**SHEILA** >> Is it not banned on the Bayside? I see people serving in the bay regularly.

>> We don't have access on Bayside, it was originally the Bayside banned and we are fine with that but once they chose the Oceanside, the only surf spots. The only place in Massachusetts where you can surf.

**RICH** >> When you say surf, you mean–.

**HOLLY** >> Ride the waves. **RICH** >> Surf like a surfboard? **HOLLY** >> We use a surfboard.

**RICH** >> That's an example of what the activity is.

**HOLLY** >> Yes, there are a lot of different boards.

**RICH** >> I have visions of others, people jumping off a cliff, which is hang gliding.

**HOLLY** >> It's a kite and board and wind.

>> We would like to be regulated by any other kind of a kite. If a kite can go there, we would like to go there.

>> It sounds like there's a couple of questions. Charlie?

**CHARLIE** >> Again, a scope question. Not knowing what with the seashore regulations, unsure what they are. I suppose this issue extends to the question of not just kite surfing but also windsurfing and I don't know what windsurfing is allowed or not allowed off the beaches of the Cape.

**HOLLY** >> I can answer that if you want.

**JEN** >> The seashore or the Cape?

**CHARLIE** >> I meant off the Cape onto National Seashore.

>> I don't know.

**HOLLY** >> Windsurfing is allowed. The issue is the kite. They feel that the kite is going to scare the shorebirds. Yes (inaudible). That's what the buffer is for. There is a 500-foot bumper zones to protect shorebirds in the area.

**JEN** >> Holly has raised that issue with me, and I have asked our staff to look at the literature and to talk to our colleagues and other seashore parks that also banned kite surfing and I'm waiting for that to come back to me.

**RICH** >> We can put this on a future agenda.

>> Good. Let's be mindful of time.

**LILLI-ANN** >> Yes, thank you, Holly. She's been very persistent, and I thank you, Superintendent, for meeting with her and talking about it. I think we should be updated about that and if there is anything more formalized like the shorebird study or anything like that, that it should be brought to our attention, but for us to be updated, that would be very helpful. To try to find a solution.

JEN >> Thank you, I didn't mean to interrupt you. I will go back to; this is about development and Seashore is outside the scale of the commission. There is interest and I hear the concern. I'm happy to include it in the future Superintendent update but I don't think this is a matter of the advisory commission based on charter.

**RICH** >> Okay. Thank you for your patience, we will have a further update on the April 7th meeting. Unless there is any other questions, I'm going to wrap everything up. Holly, thank you.

Any other public comments?

>> Any online?

>> No.

**RICH** >> Thank you all. Looking ahead at the schedule, I would like to propose the next two meetings be April 7th.

**JEN** >> Which is already on the Federal Register and we published that we are talking about preservation of the seashore character.

>> Thank you, I needed that.

**LILLI-ANN** >> Can we have the materials sent to us before hand?

**JEN** >> I think Heather referenced some of the materials, there was a study done in 2004 that in working with myself to get you a digital copy of, but this is a topic that has been litigated, discussed, at nausea him since 1962.

**MARK** >> It would be helpful to get some background.

**JEN** >> I will share.

**LILLI-ANN** >> I mean, what kind of questions, why you asked for it to be on the agenda.

**JEN** >> You want me to talk to it a little bit? So, why did I ask for it to be on the agenda, because as we talked about at the very beginning of today's meeting, that the Cape Cod model was established to share responsibility for the park between the towns and federal government. The federal government has a limited toolkit. It was intentional in how Congress drafted it. The majority of the power, the ability to influence what the seashore looks like into the future is lays within the towns. They focus the bylaws zoning on scope and scale, setback requirements, but we haven't talked about fundamentally, what are we trying to save, what are we trying to preserve. As far as I can tell, we don't have, do we have architectural standards, did we talk about design and construction, did we talk about paved roads versus dirt roads, do we talk about what a byway might look like, or mailboxes.

There's much more to character than just size. I think this conversation with this group could be really helpful in thinking about what's within the seashore ability to influence as it gets to other types of impacts to the resource beyond just scope and scale and what happens on private properties. We have town properties, we have seashore, and we have this tapestry of land ownership that doesn't have sort of a solid, a single vision of what we want to be and as we have seen throughout the seashore history, we have incidental moments in time where we focus, sort of with intensity around, where do we want to be. In the 80’s there was a lot of construction on the outer Cape and the seashore plan protection plan was developed and the use guidelines were developed on private property. Many of the towns took a hard look at their zoning bylaws and updated them in the 1990s when the Blasch property was built. It was another call to arms to sort of protect the seashore, protect what makes our towns show, but again, in this next era of development, and thinking about all the things we have talked about, water usage, affordable housing, and do we have the right guardrails in place to make sure we don't lose what is most fundamentally special about the outer Cape.

I'm interested in an opportunity to hear what towns are doing to preserve, not just within the seashore boundaries, but to preserve our community and totality of moving forward.

Leslie Sandburg brought up a couple of meetings ago, some things Providence town was doing with their water rates to encourage people to be more mindful about water and preserve more water. I think Chatham, Tom is gone, has some design requirements. Your town might too, but I think it is worth a conversation about, do we have any common area where we can agree that these are guardrails, we are willing to put in to make sure we don't lose what is most special here.

I had a quote that I read in one of the earlier planning documents that in the 50s of the 240 miles of eastern shoreline, only 6 percent was in state or federal hands in the 1950s and that there were, the resident quoted in one of the earlier documents that said the resources that we were once believed to be inexhaustible are vanishing before our eyes.

We talked about that again today. It seems like once a generation we are having this pause to say, are we really wanting to be into the future and I'm not sure we are. To answer your question Lilli-Ann, I don't know I have a specific outcome. It just feels like a body, that is a valuable conversation to have and to continue to amplify this opportunity to more closely align the seashore and the towns to look at it as one community, not this divided line. Sorry. That was the long answer to your short question, but I didn't know how to answer it in a short way.

**RICH** >> A perfect introduction to a very important critical topic that I think we all want to revisit.

**SHEILA** >> Going through a local comprehensive and with a local comprehensive town of the seashore.

**JEN** >> Heather, that might be a perfect meeting for me not to be the primary Superintendent report. It might be better to hear from Heather about the Cape Cod commission. There's a lot of work the commission has done that shining a light on might be helpful. I think your towns have all done valuable work, it would be an opportunity to amplify it.

**SHEILA** >> There here, but Eastham worked hard to start limiting the size of houses as referred to. And how big. People were buying homes, building big homes, and all of the 1960s, 70s, homes that were cottages but now people are building neighborhoods and are totally changed. They are working neighborhoods. It could be like palisades here where there is this, now all of a sudden things are changing. It's a great opportunity to have this.

**RICH** >> That's excellent. That is a good preview of what we are working on April 7th.

(Multiple speakers)

>> We have targeted a couple more dates. June.

>> I put them on the slide.

>> June 13th.

**JEN** >> 16th.

**JEN** >> Then September 15th. Or October 6th, is that what is on the slide?

**CHERYL** >> June 16th. Then September 15th or October.

>> Sorry, I was writing those down.

**SHEILA** >> I guess we can decide that in June or April.

**RICH** >> We want to get it into the Federal Register as soon as possible. Does anybody have a preference for September or October?

>> I would prefer it to be September.

**LILLI-ANN** >> Me too, I will be away for months. September.

>> Can you make it in September? Okay. September 15th?

>> Yes.

**SUSAN** >> Okay. That's it. September 15th.

>> We are doing June 6th and September 15th?

>> 16th.

>> June 16th.

**RICH** >> September 15th and April 7th. Thank you all for wonderful comments and collaboration.

**SHEILA** >> Chair, would like to make a motion to adjourn.

**RICH** >> I got the motion I wanted. All in favor. Any opposed? No.

**COLLABORATIVE** Aye