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CAPE COD  
COMMISSION

## Minutes

### Cape Cod Commission Member Workshop

August 7, 2014

The meeting was convened at 2:30 p.m., and the Roll Call was recorded as follows:

Town	Member	Present
Barnstable	Royden Richardson	✓
Bourne	Michael Blanton	✓
Brewster	Elizabeth Taylor	✓
Chatham	Michael Skelley	✓
Dennis	Richard Roy	✓
Eastham	Joy Brookshire	Absent
Falmouth	Andrew Putnam	✓
Harwich	Jacqueline Etsten	Absent
Mashpee	Ernest Virgilio	Absent
Orleans	Len Short	✓
Provincetown	Austin Knight	✓
Sandwich	Harold Mitchell	✓
Truro	Kevin Grunwald	✓
Wellfleet	Roger Putnam	✓
Yarmouth	John McCormack, Jr.	✓
County Commissioner	Mary Pat Flynn	✓
Minority Representative	John Harris	✓
Native American Rep.	Vacant	Vacant
Governor's Appointee	Vacant	Vacant

The Cape Cod Commission Member Workshop was held on Thursday, August 7, 2014 at 2:30 p.m. at the Cape Cod Commission, 3225 Main Street, Barnstable, MA. A quorum was established with 14 Commission members in attendance.

## ■ SUMMARY OF ACTIONS TAKEN/VOTES:

### Proposal to Reorganize Commission Standing Committees

Discussion and vote by the full Commission to approve the proposal to reorganize the delegated functions and responsibilities of the Commission's Standing Committees and the establishment of an ad hoc committee for the five-year review of the Regional Policy Plan.

## ■ PROPOSAL TO REORGANIZE COMMISSION STANDING COMMITTEES

Jessica Wielgus, Commission Counsel, gave a brief PowerPoint slide presentation on the reorganization of the Commission's Standing Committees. She said the reorganization proposed is due to the fact that the current standing committee structure has been the same since its creation by a vote of the Commission on April 25, 1990, the Attorney General's advisory on a quorum, the Standing Committees need to meet a quorum, and the five-year update to the Commission's Regional Policy Plan (RPP). Ms. Wielgus outlined the structure and responsibilities of each of the current three standing committees—Executive, Regulatory and Planning—and said what is being proposed is that the standing committees go down from three standing committees to two standing committees—Executive and Regulatory. She said the idea is to remove the Planning Committee and to redistribute its responsibilities. They would then create an ad hoc committee to take up the five-year review of the RPP. She said today the Commission is being asked to consider motions to adopt the changes to the standing committee structure outlined in the Executive Director's memo of July 31, 2014; a motion to direct staff to draft amendments to effectuate the approved July 31, 2014 changes; and a motion for the Commission Chair to solicit interested members and appoint an ad hoc committee for the five-year update of the RPP. She then outlined the structures and responsibilities of the proposed two standing committees—Executive and Regulatory—and the proposed ad hoc committee utilizing an outline of each committee's functions that she displayed on the screen.

Executive Director Paul Niedzwiecki said staff focused on two reasons for the reorganization: the quorum issue and the opportunity to serve. He said in order to engage the Commission needs to move the ad hoc committee to serve the RPP, the 208 Water Quality Management Plan and the Comprehensive Economic Development Strategy (CEDS). He said the Executive Committee tends to work as a management committee and the Regulatory Committee works on external issues that necessarily do not go to the full Commission so a Regulatory Committee is still needed to serve in that quasi-judicial role. Mr. Niedzwiecki said these are only suggestions and the decision is left to Commission board members to decide on what they are comfortable with.

Roger Putnam suggested that the Standing Committee meetings and the full Commission meetings be held on the same day.

Austin Knight inquired about changes to the Executive Director's duties.

Jessica Wielgus said they already exist as they are delegated now and said it's more administrative.

Paul Niedzwiecki same it's primarily the same that exists now and said they are trying to clarify those things.

John Harris asked if these changes needed to go to the Assembly of Delegates.

Jessica Wielgus said those changes in the Administrative Regulations do not. She said any changes that deal with the Code of Commission Regulations such as DRIs and Growth Incentive Zones, etc. would need to go the Assembly of Delegates; only those that are codified as ordinances.

John Harris asked if there was a timeframe to do this.

Paul Niedzwiecki said the only timeframe is for the RPP ad hoc committee. He said there is no timeframe for the others and it can be taken up whenever the Commission is comfortable with what is being proposed.

Commission members discussed possible time changes and asked how standing committee business could be communicated to other Commission members who are not on standing committees.

Paul Niedzwiecki said standing committee business could be an agenda item on the full Commission meeting agenda.

Chair Richard Roy said Jack Etsten, who was unable to attend today's workshop, suggested to him that all minutes from the standing committees be made available to the full Commission.

Roger Putnam said he would suggest that the standing committee meetings and the ad hoc committee meet on Thursdays; the same day as the full Commission meeting.

Elizabeth Taylor said they should not include the ad hoc committee to meet on just those Thursdays as the ad hoc committee is different and they may need to meet at times other than the same day as full Commission meetings. Andrew Putnam agreed with Ms. Taylor.

Kevin Grunwald asked if the organizational structure changes could be made prior to the meeting time change vote.

John Harris said the RPP ad hoc committee meeting time and dates should be fluid, not fixed like standing committees. Andrew Putnam and Austin Knight agreed.

Royden Richardson said he agrees with standing committees meeting on Thursdays immediately before Commission meetings so long as the public has notice so that the public who'd like to attend can attend.

Michael Blanton said consideration should be given that work the regulatory committee does may be timely passed on to the full Commission if the full Commission also has to act on a matter, and with enough advance notice. Also wants to ensure that merging the Regulatory and Planning Committee does not water down planning functions or authority.

Paul Niedzwiecki said he believes the recommended changes will lead to a more efficient and effective Commission, with better engagement by members and a better alignment of planning and regulatory functions. He notes that the ability to have back to back Regulatory Committee meetings and full Commission meetings may be advantageous to expediting certain regulatory reviews where both bodies must review a project.

Roger Putnam moved that the standing committee meetings move to Thursdays prior to full Commission meetings. Andrew Putnam seconded the motion. The motion passed with a unanimous vote of the Commission.

Jack McCormack moved that the Commission adopt the changes to the standing committee structure outlined in the Executive Director's July 31, 2014 memo. Austin Knight seconded the motion. The motion passed with 13 votes in favor and one opposed.

Jack McCormack moved that the Commission direct staff to draft amendments to effectuate the approved July 31, 2014 changes. Elizabeth Taylor seconded the motion. The motion passed with a unanimous vote of the Commission.

John Harris moved that specific proposed changes to the Enabling Regulations and Administrative Regulations be referenced. Roger Putnam seconded the motion. The motion passed with 13 votes in favor and one opposed.

Andrew Putnam moved that the Commission Chair solicit interested members and appoint an ad hoc committee for the five-year update of the RPP. Elizabeth Taylor seconded the motion. The motion passed with a unanimous vote.

Roger Putnam wanted to confirm that the proposed regulation changes did not limit the establishment of other ad hoc committees (i.e. in addition to the RPP Committee).

Andrew Putnam asked whether the Commission Chair alone could establish ad hoc committees, or whether the full Commission establishes them.

Jessica Wielgus said the proposed changes (that deal with existing delegations) do not limit or alter the Commission's ability to establish other ad hoc committees.

Len Short said he would like updates on Commission projects in individual member towns.

Paul Niedzwiecki said an email with a paper report of Commission activities is now being prepared on a town by town basis and will be distributed to Commission members. It will be monthly and maybe more frequent in the future.

Royden Richardon said he likes this new format and thinks it will assist in Commission member updates to towns.

John Harris suggested that meeting minutes be distributed as part of a communications strategy.

Elizabeth Taylor echoed that it's important that each Commission member know about all Commission activities (planning, technical services, regulatory or otherwise) within their town.

A motion was made to adjourn at 3:35 p.m. The motion was seconded and voted unanimously.

Respectfully submitted,

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Harold Mitchell, Secretary

### **List of Documents Presented at the August 7, 2014 Commission Member Workshop**

- Handout material: August 7, 2014 Commission Member Workshop agenda.
- Handout material: July 31, 2014 memo by Paul Niedzwiecki, Executive Director.
- Materials presented: PowerPoint slide presentation on the Commission's Standing Committee Reorganization prepared and presented by Jessica Wielgus, Commission Counsel.
- Materials presented: Summary outline of each committee as reconfigured, prepared and presented by Jessica Wielgus, Commission Counsel.