CAPE COD
COMMISSION

Minutes
Cape Cod Commission Meeting
October 1, 2026

The meeting began at 3:00pm. Tom Wilson (Chair) announced that this meeting is being held in a hybrid format, with some members of the Commission participating in person and some participating remotely, as allowed pursuant to Chapter 20 of the Acts of 2021, as extended. He said he was providing opening meeting announcements to help run the hybrid meeting smoothly. He reviewed how to be recognized to speak, specifying that members of the Commission and the public can speak after being recognized by the Chair. He said for those members in person, Committee members and/or staff may raise their hand and after being recognized, push the button on the microphone in front of their seat to speak and push it again to turn the microphone off. He said members of the public attending in person will proceed to the podium during the public comment section of the meeting. He said once recognized by the Chair, please state your name, and make your comment. He said for virtual attendees by Zoom or by telephone, for those online, click on the raise icon at the bottom of the screen, which on some versions of Zoom could be under the "more" icon. He said for those who called in by phone, press star nine to raise hand and star six to unmute and mute yourself. He said you will be recognized by name when it is your time to speak. He also noted they would be taking a roll call on each action today and that the meeting was being recorded for the purpose of creating minutes and asked if anyone else was recording the meeting. He recognized Stephen Buckley who identified himself as recording the meeting. He said those members participating in person and virtually would be announced after the roll call was taken.

Alex Peterson called the roll for attendance and a quorum of members was established as follows:

Tom Wilson (Chair)	Present
Kevin Grunwald (Secretary)	Absent
Catherine Ledec	Present
Robert Frangieh	Present
Elizabeth Taylor	(no initial response to roll, audible at 3:07 p.m.)
Michael McGee	Present (left @ 3:20 p.m.)
Michele Vion	Present
John Druley	Present
Matt Sutphin	Present
Ernest Virgilio	Absent
Douglas Fromm	Absent
Peter Okun	Absent
Anne McManus	Present
David Mead-Fox	Present
Dennis Prebensen	Present
Ronald Bergstrom	Present
John Harris	Absent

Native American Representative	Vacant
Carlos Barbosa	Present

Summary of actions/votes taken

- The draft minutes of the 9/17/26 Cape Cod Commission meeting were approved

Alex Peterson announced that the following members were physically present at the meeting:
Tom Wilson
Catherine Ledec
Robert Frangieh
Matt Sutphin
Dennis Prebensen
Ronald Bergstrom

Alex Peterson then announced that the following members were participating in the meeting virtually via ZOOM:
Michael McGee
Michele Vion
John Druley
Anne McManus
David Mead-Fox
Carlos Barbosa

Public Comment

The Chair recognized Stephen Buckley from Chatham, who said he wanted to comment on the September 17, 2026 Commission meeting minutes. Mr. Buckley stated that he was looking at the question Matt Sutphin asked Luisa Paiwonsky on her MassDOT presentation on the replacement of the Cape Cod bridges. He said he wanted to point out that when he reviewed the video of the meeting, Ms. Paiwonsky indicated that the new bridges will have essentially the same capacity as the existing bridges, and he thinks that is an untrue statement. He asked that when that agenda item comes up that the minutes reflect that the new bridges will be the same capacity as the existing bridges. The Chair said staff would review the minutes and return with this item to the Commission if a change was warranted.

Review and approval of the 9/17/26 Cape Cod Commission meeting minutes

After asking if any members had any changes to the minutes and seeing none, the Chair asked for a motion to approve the draft minutes of the 9/17/26 Cape Cod Commission meeting, which was made by Dennis Prebensen, seconded by Ronald Bergstrom, the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Abstain; Elizabeth Taylor, Yes; Tom Wilson, Yes; Michael McGee, Yes; Michele Vion, Yes; John Druley, Yes; Matt Sutphin, No; Anne McManus, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes; Ron Bergstrom, Yes; Carlos Barbosa, Yes

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Catherine Ledec asked for clarification from the Chair whether the approved minutes could be brought back to the Commission for amendment if staff reviewed the recording and determined that additional information was needed. The Chair said yes.

Ronald Bergstrom said that as long as the minutes are accurate on what was said, can't dispute what was said in the minutes, at least he did not think so in his opinion.

Executive Director's Report: Kristy Senatori

Kristy Senatori began her report, stating staff are continuing work on the regional open space plan, its economic analysis and community engagement. She said you will hear an update from staff today on their planning efforts.

She said registration is open for the 2026 OneCape Summit on November 16th. Planning continues on the agenda and speakers. She told the members that they should have each received a complimentary registration code and to let staff know if you have any difficulty registering.

She said there have been conversations on the Cape you may have heard on the Cape's "carrying capacity" on concerns primarily over the Cape's water supply and its relationship to housing. She said Staff are exploring community engagement efforts.

At 3:10pm, an individual named Roin Herr interrupted the meeting and began speaking in a foreign language, disrupting the meeting. Chair Tom Wilson requested he mute his microphone.

Kristy Senatori thanked the Chair and attempted to continue her report.

Mr. Herr repeatedly and inappropriately interrupted the meeting. Chair Tom Wilson requested that Commission staff mute his microphone.

Kristy Senatori proceeded to continue with her Executive Director's report, stating there is a two-page summary on the Commission's website on some key data points on understanding our aquifer as we continue to share factual information on water supply in the region. She said you'll hear from staff today on water supply and aquifer protection planning.

Ms. Senatori said staff continues to participate in meetings of the Canal Bridges Advisory group and the Cape and Islands Bridges Coalition. She said we were fortunate to have Luisa Paiewonsky, Executive Director of MassDOT's Mega Projects Delivery Office, address this board at our last meeting, providing information about the status of the project. She said on Monday, she and other state and federal officials held a press event in Bourne to announce that $956 million in federal funding was released for the bridge replacement project with another $371 million expected this month. In addition, officials announced that qualified bidders have been narrowed to three teams and will submit their proposals by next spring for final assessment and bid award. With a goal to have construction begin late next year, officials are asking the three teams to develop and propose faster ways to build the new bridge.

Ms. Senatori concluded by saying that you likely have noticed the increase in regulatory projects being scheduled for subcommittee review. She said I know you are all busy but please respond if staff reach out to solicit your participation on the subcommittee. She said we appreciate the time and care you commit to this important work.

2030 Decennial Census of the Population of Americans: Commission staff will provide an overview of changes to the Code of Federal Regulations proposed by the Census Bureau related to proposed residence criteria and demographic questions, their potential impacts to Cape Cod, and how to submit comments. Information on the proposed changes is available at https://www.regulations.gov/document/USBC-2026-0628-0001.

The Chair asked for staff's presentation on this agenda item.

Using a Power Point presentation, Erin Perry, Deputy Director of the Commission, reviewed the proposed changes to the Code of Federal Regulations in advance of the 2030 decennial census. She said public comment on the proposed changes closes on October 13, 2026.

Ms. Perry explained that the proposed residency criteria would define usual residents by the number of days they lawfully spent in a location during a proposed enumeration period of January 3 through April 1 of the census year.

At 3:14pm, an unidentified member of the public unmuted and began making loud noises, disrupting the meeting.

Ms. Perry continued, outlining the potential effect this change would have on seasonal communities, including the possibility that people who leave Cape Cod during the winter could be counted differently. She also reviewed proposed changes to the Census information gathering that would prohibit the collection of race and ethnicity data and sexual-orientation data. She also raised concerns about the effect on the utility and comparability of census information over time, and the potential that people on the Cape would be undercounted.

At 3:16pm, members of the public Johnathan Smith and Charles Reed unmuted their microphones, making loud and inappropriate racist comments and displaying inappropriate vulgar content in their video feeds, disrupting the meeting. After repeatedly calling for them to stop, Chair Tom Wilson paused the meeting while staff addressed the interruption, removing the disruptive individuals.

At 3:21pm, Chair Wilson resumed the meeting. Erin Perry continued her presentation by telling the public information on the proposed changes is available at https://www.regulations.gov/document/USBC-2026-0628-0001.

The Chair asked the Commission members for any comments or questions.

The Chair recognized Catherine Ledec. Ms. Ledec asked why the proposed changes would affect the count given that seasonal migration had occurred for many years. Ms. Perry explained that prior censuses counted people based on their usual residence as of Census Day, whereas the proposed approach would use the January 3–April 1 enumeration period.

The Chair recognized Ronald Bergstrom, who asked what the Constitution originally specified as the population to be counted. Ms. Perry responded that the Constitution specifies "all persons." Mr. Bergstrom observed that this indicated to him that a person should be counted regardless of legal status.

Water Supply and Aquifer Protection Planning: Commission staff will provide a presentation on Cape Cod's water supply, including information related to aquifer capacity, pumping, access, and protection of the water supply. Commission members may ask questions and discuss the presentation.

Ms. Perry introduced the presentation by noting that water supply and quality have long been priorities for the Commission and are addressed in the Regional Policy Plan. Using a Power Point presentation, Tim Pasakarnis, Water Resources Analyst, presented information on Cape Cod's sole-source aquifer, groundwater recharge, water withdrawals, seasonal demand, pumping access, and aquifer protection.

Mr. Pasakarnis explained that the aquifer consists of six distinct groundwater lenses that do not naturally communicate with one another. Groundwater is replenished by precipitation and moves toward the coast. In a typical year, recharge averages approximately 450 million gallons per day. About 70 percent of groundwater flows directly to the coast, while approximately one-quarter discharges to streams and rivers. Public water suppliers currently withdraw about 7 percent of annual recharge.

He reported that the 20 public water suppliers on Cape Cod withdraw approximately 11 billion gallons of water annually through roughly 160 groundwater wells. These withdrawals are regulated under the Water Management Act and are approximately 2.5 billion gallons below the total currently permitted amount of 13.6 billion gallons. He emphasized that these are region-wide figures and that conditions vary among individual water suppliers. Nearly half of annual water demand occurs from July through September, and some suppliers experience summer demand as high as three times their average daily demand.

Mr. Pasakarnis discussed the difficulty of developing additional water-supply wells and the importance of conservation and responsible management. He noted that less than approximately 11 percent of Cape Cod's land area may be suitable for water-supply development. The presentation identified advancing a dynamic groundwater model and aquifer protection planning as recommendations.

The Chair asked for Commission member comments and questions.

The Chair recognized Anne McManus who asked if the 11 billion includes private residential wells and Mr. Pasakarnis said that it does not include private wells, which are not metered. He added that it is an additional demand on the aquifer that is hard to gauge.

Ms. McManus asked if we think that it is a significant calculation and Mr. Pasakarnis said that about 85% of properties on the Cape are served by public water.

The Chair recognized David Mead-Fox who asked for a copy of the slides. He asked what data is available that shows trends over time regarding water available vs water used. Mr. Pasakarnis said that we have limited info about the overall pumping trends that were put together as a result of a drought resilience grant.

Mr. Mead-Fox asked what does degradation of the aquifer mean and is this something that we need to worry about? Mr. Pasakarnis said that level of concern varies from lens to lens and sea level rise will introduce the risk for sea water intrusion. We are likely to see this in private wells first before we

see them in public water supplies. There is a history of landfills to more recent detections of perfluorinated compounds, PFAS compound and those should be on the radar.

The Chair recognized Michelle Vion who asked how the 13.6 billion gallons permitted number is calculated. Mr. Pasakarnis is adding up all the Water Management Act permits for all the public water suppliers on Cape Cod. Each one has a limit applied and those calculations are done in a way prescribed by the Water Management Act and can get complicated due to all the variables. Ms. Vion asked if growth and demand are based on population usage which are different methods that can be used.

Ms. Vion asked whether the difference between annual withdrawals of approximately 11 billion gallons and the 13.6 billion gallons permitted under the Water Management Act represented a healthy buffer. Mr. Pasakarnis responded that the difference represented nearly 20% of the permitted volume and that, based on indications he had seen, a 5–10% buffer was generally considered a minimum. He noted that the buffer varied among individual water suppliers.

Ms. Vion mentioned that she has some experience with water issues in the western part of the US where there are issues like cloud seeding going on to create supply. She confirmed with Mr. Pasakarnis that supply isn't the issues-- it's access. Ms. Vion asked if we are exploring cloud seeding to create the recharge, and Mr. Pasakarnis said that it's not part of our current aquifer protection plan.

The Chair recognized Matt Sutphin who said that his concern is the public and the public's perception of water. He said that it seems like rosy pictures and people are not inspired to conserve. He said costs and impacts of moving the water are important to convey. He said saltwater over time will push on the lens, and that needs to be considered.

The Chair recognized Rob Faley from Chatham who said that there are different expectations and means on water supplies and especially the aquifers. He asked if there would be an appetite for the county to coordinate water use restricts for Cape Cod at least by aquifer? Mr. Pasakarnis said it was a great suggestion that we would have to investigate.

The Chair recognized Ms. Ledec who said that as part of the Local Comprehensive Plan process, is it possible to include a specific analysis of the impact of the implementation of those grown strategies on the water supply and the aquifer? The impact may be different on each part of the Cape. She feels that it's important for us to think about potentially including that as part of the certification process.

The Chair recognized Mr. Bergstrom who said that there are water restrictions in Chatham and there seems to be a lot of debate as to whether or not there's enough water in the ground to supply it or whether or not It's our ability to pump it is the limiting factor. He appreciates the presentation and stated that, for regulatory review, this is the science to determine if water demand would be a reason to deny a permit.

The Chair recognized John Druley commented that is enough water here, but on the other hand, the town water superintendent is saying that he will not recommend any new structures on existing lots and limit building permits due to water supply issues. Is water supply enough for the future? Mr. Pasakarnis noted that it is not a simple answer – the aquifer's available supply is substantially greater than current demand, but the ability of individual suppliers to pump and deliver water may

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be the limiting factor. He noted that Falmouth is distinct because it also relies on Long Pond, a surface-water reservoir.

The Chair recognized Robert Frangieh who asked if this data accounts for the needs of local emergency services? Mr. Pasakarnis said that all the usage data would include those numbers. Reserving capacity for those types of uses is often considered by each water supplier.

The Chair asked if there is any coordination among the 20 individual water districts that work together on infrastructure or are each their own entity? Mr. Pasakarnis said that each one is different and unique, there are lots of examples of coordination and shared infrastructure particularly among neighboring suppliers. The Upper Cape Water Cooperative provides water to upper-cape town water districts.

The Chair asked what the perception of how well the 20 individual districts are set to meet peak demand. Mr. Pasakarnis said that he will reserve the question until we are further along with the aquifer planning.

The Chair thanked Mr. Pasakarnis for the excellent presentation that provided great information. He then moved to the next agenda item.

Regional Open Space Plan: Commission staff will provide an update on the Cape Cod Regional Open Space Planning process, including a description of recent activities related to community outreach and engagement, an economic impacts analysis, and open space profiles for each Cape town. Commission members may ask questions and discuss the presentation.

Using a Power Point presentation, Heather McElroy said the Regional Policy Plan Recommendation is to develop a Regional Open Space Plan. She explained the meaning of open space for the purposes of the plan, described the open space context for Barnstable County. She reviewed data collection for each town and county open space profiles. She said that the regional priorities are sensitive habitats, potential public water supply areas and coastal floodplains. She outlined the draft framework stating that it includes data collection and analysis, map and analyze undeveloped unprotected lands, stakeholders and community engagement, and develop the Cape Cod Regional Open Space Plan. Ms. McElroy reviewed the economic analysis of open space value stating that it incorporates property price analysis, ecosystem services valuation, economic contribution of open space and non-monetary benefits of open space. She reviewed the goals of the project and the economic analysis component. She reviewed public engagement process that included listening sessions throughout Cape Cod and how the feedback consisted of common themes such as water sup0ply protection, permanent protection of open space, protection of habituated and the protection of wetland and freshwater ponds. Some of the regional challenges include funding, competing interests, stewardship and maintenance of protected lands, enforcement, invasive species and wildfire. Some recommendations include public understanding and support for preservation of open space, focus development on redevelopment and education children. Ms. McElroy described the survey and how to access that.

The Chair asked for Commission member comments and questions.

The Chair recognized Elizabeth Taylor who asked what kind of actual protection the state and federal lands on the Cape have and can they suddenly not be protected. Ms. McElroy said that there are many kinds of state and federal lands. State lands are protected by Article 97 and considered

permanent. The national seashore is a park and that is considered permanent. Ms. McElroy said that this is a great comment, and that we'll think about that topic.

The Chair recognized Mr. Mead-Fox who asked for a copy of the slides for future reference.

Ms. Ledec expressed concern about describing lands as protected "in perpetuity," noting that Article 97 protections can be removed by a two-thirds vote of the state legislature. Ms. McElroy said such changes occasionally occur but are difficult in Massachusetts. She also described a state requirement for no net loss, under which land of equal ecological value must be offered when an Article 97 parcel is removed from protection.

The Chair recognized Mr. Bergstrom who asked how we treat marshes and bogs which are not developable. Ms. McElroy said wetlands are included as protected open space because they cannot be built on, while actively cultivated cranberry bogs may be treated as agricultural land rather than wetland. She noted that salt marshes receive substantial protection under the state Wetlands Protection Act.

The Chair recognized Mr. Sutphin who asked about landowners who maintain a conservation or deed restriction in partnership with a local land trust. He stated that there are two entities that are involved in preserving the intention. Ms. McElroy said that happens when there's a partnership between the municipality and the trust. She said that Harwich has had a great partnership for many years and many other communities do as well on the Cape.

New Business: Topics not reasonably anticipated by the Chair more than 48 hours before the meeting.

There was no new business.

Meeting Adjourned:

The Chair asked for a motion to adjourn.

Upon a motion to adjourn the Cape Cod Commission at 4:51 p.m. by Robert Frangieh seconded by Catherine Ledec; the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Yes; Elizabeth Taylor, Yes; Tom Wilson, Yes; Michele Vion, Yes; John Druley, Yes; Matt Sutphin, Yes; Anne McManus, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes; Ron Bergstrom, Yes; Carlos Barbosa, Yes

Documents used/submitted at October 1, 2026 Cape Cod Commission Meeting
Cape Cod Commission Meeting Agenda 10/01/26
Draft minutes of the 9/17/26 CCC meeting
Power Point Presentation prepared by Cape Cod Commission staff inclusive of all agenda items

Approved by the Cape Cod Commission on

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