

Eric, Betty and Great Streets: what the records establish

Verification note | October 4, 2026 | Six primary-record pages follow

Early knowledge is established. Eric's attendance at the early meetings is unconfirmed. Betty's authored email is in the original production, and later records show her forwarding correspondence to the FOIA mailbox herself.

Eric knew about the planned conversion by January 2024

On January 10, 2024, Eric circulated a letter signed by Eric Schwaab, John Julius and Chris Kuhn. It explicitly anticipated Old Colony Road becoming two-way. Betty was copied; Eric wrote to her directly the next morning. Betty forwarded part of the chain and its attachment to Marylou Fair on March 5, 2024.

The letter challenged the parking plan for 307 Main Street. It establishes knowledge of the conversion and traffic concerns about that development. It does **not** establish opposition to Great Streets itself, attendance at the 2022 or 2023 meetings, or what Eric told Barnstable Unofficial then.

Original request and later production must remain separate

Original PRR #2025-0263, page 2, contains Betty's January 14, 2025 email to Eric from her Town account. Her own words were therefore produced. The reviewed original production does not identify a Betty-to-FOIA submission or prove which custodian supplied that email.

Later PRR #2025-0472 contains identifiable forwarding headers from Betty to the FOIA mailbox: August 22, 2025, in Package 15, page 1; and August 25, 2025, in Package 13, page 14. Those establish that she supplied records, but they do not prove her response to the original request. The record does not support alleging that she refused, concealed records, or supplied nothing.

Attached source pages

Packet pages 2-5: Package 15, PDF pages 1, 2, 6 and 9 (printed 1235, 1236, 1240 and 1243): Betty's forwarding chain, Eric's January 10 header, the two-way paragraph and the joint signature.

Packet page 6: Package 13, PDF page 14 (printed 1061): Betty's August 25 forwarding header.

Packet page 7: Original PRR #2025-0263, PDF/printed page 2: Betty's January 14, 2025 shelter email.

Attendance remains unconfirmed after checking related minutes, uploaded correspondence, the available early-recording material and the August 27, 2025 captions. Absence of a verified identification does not establish absence from a meeting.

From: Precinct3 Ludtke [REDACTED]
Sent: Friday, August 22, 2025 5:08 PM
To: FOIA Mailbox
Subject: Fwd: 307 Main Special Permit Request by Winn Development
Attachments: 307MainParkingConcerns_01102024.docx

----- Forwarded message -----

From: Precinct3 Ludtke [REDACTED]
Date: Tue, Mar 5, 2024 at 1:49 PM
Subject: Fwd: 307 Main Special Permit Request by Winn Development
To: <marylou.fair@town.barnstable.ma.us>

Marylou,

This is a partial email trail to get the attachment to attach. I could not get it to attach to the entire thread.

Betty

----- Forwarded message -----

From: Betty Ludtke <[REDACTED]>
Date: Tue, Mar 5, 2024 at 1:45 PM
Subject: Fwd: 307 Main Special Permit Request by Winn Development
To: Precinct3 Ludtke <[REDACTED]>

Sent from my iPad

Begin forwarded message:

From: Eric Schwaab <eschwaab@gmail.com>
Date: January 11, 2024 at 9:36:49 AM EST
To: Betty Ludtke [REDACTED], Chris
[REDACTED]
subject: Fwd: 307 Main Special Permit Request by Winn Development

Good morning, Betty

I copied you on this email yesterday, but I wanted to give you a little more detail. I think this situation will require some negotiation with the owner of this property before it is resolved. I remember you met with him a few years ago.

You may have noticed that I hesitated to get involved in the parking debate around 307 Main St., but there was no avoiding it. After over a week of study and multiple rounds of peer review by some very knowledgeable folks, I can say that the plan that we're being offered is worse than I imagined. The developer is cheating by a foot here and a foot there everywhere. As Headley Smith has said repeatedly, the math doesn't work and he's right.

There is not enough parking. The underground parking is too tight. The parking along the west side of the building by the Cape Cod Times building shouldn't be allowed, and the parking by Old Colony is 10 feet too close to the road. The required setbacks are not being observed.

There isn't room for more than 70 parking spots which is 50 below the required amount and probably 100 less than you need.

I support the transition to a carbon neutral downtown, I don't think you get there by ignoring reasonable set back requirements and simply eliminating on-site parking requirements. Winn has filled for a special permit to waive parking, but what they really need are variances which are only available through a regulatory agreement.

The whole point of form based zoning is that your project has to fit into a predefined box. The box Winn has proposed is bursted at the seams.

Chris Kuhn has been an invaluable resource on this effort. I'd like to encourage you to reach out to him.

Stay warm and be well,

Eric Schwaab

----- Forwarded message -----

From: **Eric Schwaab** <[REDACTED]>

Date: Wed, Jan 10, 2024 at 2:51 PM

Subject: 307 Main Special Permit Request by Winn Development

To: Kupfer, James <James.Kupfer@town.barnstable.ma.us>, Jenkins, Elizabeth <elizabeth.jenkins@town.barnstable.ma.us>, Chris [REDACTED]

>, John Julius [REDACTED]

Cc: Lovell, Cynthia <cynthia.lovell@town.barnstable.ma.us>, Nober, Karen <Karen.Nober@town.barnstable.ma.us>, Kristin Terkelsen

Winn has proposed a 25' wide Fire Lane. Isn't there language in the By-Law which prohibits having parking spaces that require vehicles to back directly onto a "Way", let alone a Fire Lane?

At some point Old Colony Road will become two way and we expect there will a huge problem with all of the traffic trying to enter and exit this complex onto Old Colony Road very near the traffic light on Main Street.

Can you provide a record of Police and Fire signing off on this traffic plan?

Also, it may be necessary for the Town Attorney and the Building Commissioner to be asked about any possible future liabilities. We should be concerned about the Town being accused of having permitted an unsafe situation, and associated liability that will ultimately fall on taxpayers. Wouldn't you agree?

Winn's Claims of "Special Circumstances" Give Rise to Additional Questions

The Winn memo referenced above argues that the Planning Board should grant the Special Permit in light of "special circumstances" of the "zoning subdistrict and the Project itself" that "minimize, if not eliminate, residents dependent use of automobiles....".

To support its Special Permit case, Winn points first to the statement of intent of the new zoning provision: "The Downtown Main Street District is intended to promote the continuation of a walkable, pedestrian-oriented downtown environment with continuous active streetscape." This is nonsensical and contrary to the plain requirements in the code on parking. There is no stated intention beyond the four corners of the established parking requirements for residential units in the zone to "minimize" or "eliminate" the "use of automobiles". The Town's intention to have a "walkable, pedestrian-oriented" downtown does not negate the code's express requirement for there to be specific parking spaces based on the intended use. If the Town had a goal of "eliminating" or further "minimizing" parking, it would not have adopted the specific parking requirements.

Winn next argues that Winn will have assigned parking spaces and cars not parking in the assigned spaces will be towed. So what? It is extremely common for apartments and condos to have assigned parking. That has no bearing on parking requirements or reducing them.

Finally, Winn argues that this property is proximate to the Regional Transit Authority and that the location was selected by Winn to "lessen, if not eliminate, the cost burden of automobiles" Even if it is true, hypothetically, that Winn has a private heartfelt objective to eliminate the use of cars at its developments, it needs to select land to develop housing where there is not required parking for each residential unit. Its corporate goal to eliminate cars and thus parking does not overrule the Code's specific parking requirements. And it doesn't turn Hyannis into the south end of Boston. Moreover, the

Main Street, should the Form-based Zoning Code remain as is. It is critical, in our view, that you get it right for the community.

We're hoping your responsiveness can assist in narrowing and focusing concerns before we refer this matter to our newly elected Town Council for consideration. We plan on speaking about this matter at the January 18th Town Council meeting and the January 22nd Planning Board meeting.

Best regards,

Eric Schwaab, John Julius, and Chris Kuhn
Residents of Barnstable

CC: Hyannis Councilors Ludtke, Penn, Bloom, Mendes and Terkelsen
CC: Cynthia Lovell – For distribution on January 18th
CC: Town Attorney

Table 1:

Relief for parking space and access aisle dimensions:

Parking Space Dimensions	Number of Spaces Proposed
9' x 20'	50
8.5' x 18'	59
8.5' x 16'	13
Total	122

24-foot access driveways into site

22-foot parking aisles, with two areas in parking garage at 21'9" and 21'2"

From: Betty Ludtke · 
Sent: Monday, August 25, 2025 7:30 AM
To: FOIA Mailbox
Subject: Fwd: hyannis design

Sent from my iPad

Begin forwarded message:

From: Betty Ludtke
Date: February 21, 2025 at 11:47:37 AM EST
To: heather hunt
Subject: Re: hyannis design

Heather,
You have hit the nail on the head. What you describe happened in Athens Greece. Jackie O saved the historic district. I had a conversation with a second generation shop keeper about it on one of my trips to Athens. First off, we need to stop the current zoning, or else developers keep coming. But I suppose nobody will support changing the zoning unless they understand your point. Of course it needs an open mind to be receptive to this idea and that is the enormous stumbling point with our current council makeup.

Betty
Sent from my iPad

On Feb 21, 2025, at 11:20 AM, heather hunt wrote:

I watched part of the Hyannis Main Street Waterfront Historic District Commission meeting. It brought to mind how there are so many places that have economic draw based on preservation and aesthetic.

Take Charleston SC. A tour guide there said five mad ladies basically saved the place a million years ago when someone proposed redevelopment. The ladies said no and got the community around them. Now, its draw is its aesthetic. Same for tons of beautiful preserved villages in Europe. Contrast that to my sister's area in Texas, a former tumbleweed field that has sprouted some anywhere USA form based code

Fair, Marylou

From: Ludtke, Betty <Betty.Ludtke@town.barnstable.ma.us>
Sent: Tuesday, January 14, 2025 10:18 AM
To: Eric Schwaab
Cc: Kupfer, James; Tamash, Craig; Clark, Kris; Ells, Mark [REDACTED]; Penn, Felicia
Subject: Re: HAC West Main Street shelter move - comments welcome
Attachments: image004.jpg; image002.jpg

Eric,

I will comment. I ask that you please not release this story. I am not convinced that "throwing grenades" on this proposal and the individuals involved in it is the best approach.

I believe the wiser approach, for the moment, is to work behind the scenes to see how we got here. I think releasing this as you have written it will actually make matters worse by making the players retreat to their respective defensive camps.

I'll give you credit for being sensational and adding humor. I am as disappointed as the next resident of precinct 3 that this is where this project has landed but I think a more nuanced response is warranted.

While you are not presenting a legal argument in a courtroom I am dismayed by your liberal use of hearsay. There are already problematic references in official press releases concerning the "Town's" position relative to the siting of the shelter. Your piece will only add to the confusion as to the Town's role (or lack of a role) in this.

Let's say you print this. There are no solutions or alternatives offered in the piece. Nothing for folks to grab onto other than outrage. Folks will gravitate toward the sensational aspects of your piece, which to a degree may be accurate. I did see a freshly pitched tent off the side of Old Colony Rd as I drove to the open house at Stu Bornstein's new apartments. Here we go again to tear down yet another tent along Old Colony.

With all of this said, you are free to publish anything you want but you have already got the word out on this subject so people are aware and that is good. I recommend you take a breather for a week or so as there is no new substantive information to relay at the moment.

There is still much to sort out. Who's in charge, HAC or the diocese? I would like to explore the relationship between the county and town governments to see how the town was apparently left out of the loop entirely. I also expect that HAC and/or the Catholic Church will use the Dover amendment as they are looking for this to be a "campus." This will all but assure the shelter will relocate to this site.

We need a more surgical approach to this so I do ask that you not print this.

Thank you for the opportunity to comment,
Betty

Sent from my iPhone