



# Town of Barnstable

Planning and Development Department

## Housing Committee



[www.townofbarnstable.ma.us/housingcommittee](http://www.townofbarnstable.ma.us/housingcommittee)

Meeting Minutes

October 19, 2021

367 Main Street, 2nd Floor, Hearing Room, Hyannis MA

Chair

Dave Carey

Vice Chair

Hilda Haye

Clerk

Glen Anderson

Members

Paula Breagy

Donald Lynde

Meagan Mort

Associate

Barnstable  
Housing Authority  
Liaison

Lorri Finton

Town Council  
Liaison

Paul Hebert

Staff

Director:  
Elizabeth Jenkins

Housing  
Coordinator: Ryan  
Bennett

Principal Assistant:  
Kate Thompson

**Members present:** Dave Carey – Chair, Hilda Haye, Glen Anderson, Paula Breagy and Donald Lynde

**Members absent:** Meagan Mort

**Liaisons present:** Lorri Finton-Barnstable Housing Authority Liaison and Paul Hebert-Town Council Authority Liaison

**Staff present:** Elizabeth Jenkins – Director, Ryan Bennett - Housing Coordinator; Kate Thompson - Administrative Assistant

**Chair Dave Carey opened the Housing Committee meeting at 8:30AM**

Chair Carey announced that the meeting is recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A, s.20; and inquired whether anyone is taping this meeting and to please make their presence known.  
No response.

**Comments from Public:**

John Crow, President of the Osterville Village Association talks about the time of the meeting not being conducive to the needs of the public. Most public meetings happen at night.

Paula Breagy comments that night time meetings do not work for her. Driving at night for seniors can be difficult.

Bob Schulte, on the Board of Champs House, also suggests that meetings be on ZOOM as well as taking place at night.

Suzanne Craft from Osterville makes a point that during a previous meeting Mr. Lynde suggested that short term rentals (STR) are taking away from our housing stock. Mr. Hebert suggested the committee talk about short term rentals at future meetings. At the sub-committee meeting short term rentals were not discussed because it was not on the agenda. Ms. Craft believes that town staff should not be allowed to determine agendas. Please preserve housing on Cape Cod and don't let staff dictate the discussion. She doesn't recall the Committee having a strong voice with the Town Council when the commercial Airbnb came before it. Prioritize housing for locals.

Ryan Bennett suggests a directive from Town Council before proceeding with short term rental policy

Frederick Risen states short term rentals are a big problem affecting our housing stock. He bought in an article from the New York Times "Where the Suburbs End" to pass around to Committee members. (Exhibit E).

**Housing Coordinator Update:** Ryan Bennett reads emails from the Public:

- We are Ken and Ellen Nosal of Centerville.

The Housing Subcommittee expressed a desire to elicit input from Barnstable residents at you September 28 meeting. However, hosting in-person meetings during the work day does not lend itself to that. We echo the views of others about the importance of holding housing policy discussions for each meeting, not alternating meetings, during non-work hours and by ZOOM, similar to how the Council, the Planning Board and ZBA are doing public business in a way that enables public engagement. If the Committee wishes to function in an advisory capacity to the Planning Department, it must speak for the residents. The idea of sitting in a tiny room with unmasked people is off-putting to many residents during the continuing COVID-19 pandemic.

During the September meeting of the Housing Subcommittee, Ms. Bennett suggested conversations should avoid discussions of short term rentals. That might work in a community that is not a tourist destination. Here in Barnstable, it is impossible to remove short term rentals from the housing crisis picture. In a 2019 conversation with the Housing Committee about Airbnbs, the town staff acknowledged that we have a large housing stock. It's just not being used by our residents. That, of course, is because the great majority of Airbnb properties are designed as short term rentals, owned off-Cape, and far out of the range of locals seeking affordable housing. Locals cannot afford to live in properties designed to be unregulated cash cows that, despite being in residential zones, are businesses.

The notion of high-density zoning is very popular, to the extent that there are paid radio spots pressing for it. The solution to the scarcity of affordable housing is not to create zoning changes that allow high density housing, with reduced parking requirements. Form based zoning allows developers to determine the appearance of their buildings and the amount of density. We understand that property owners can create duplexes by right, without being required to notify abutters. To that point, one-size-fits all approach to providing housing is not practical in Barnstable. The committee should elicit input from village civic organizations to determine what works in each of the seven villages.

It is our understanding that Barnstable had an Affordable Auxiliary Dwelling (ADU) program in place, but the new ADU rule has removed the affordability component. That is a lost opportunity to provide affordable housing.

Thank you for the opportunity to weigh in on the complexities of housing issues in Barnstable.

Ryan states that many communities are struggling with short term rentals. The Town is in the process of collecting data.

Mr. Hebert – two items on short term rentals were withdrawn from Town Council. They felt they didn't cover enough. It's a timely thing that needs to be brought up again.

Ms. Bennett reads the second e-mail from Barnstable resident, Heather Hunt.

- On May 21, 2019, when this Committee talked about the use of homes as investor owned Airbnbs, Town staff said this to you: "We have a large housing stock. It's just not being used to house our residents."

It goes on.

Please talk about preserving our current housing stock for use by locals as homes. As some Committee members have observed directly, the Town doesn't do that yet. It should be the first order of business before talking about tax breaks or other financial incentives to offer long term rents.

Please also protect and preserve housing we are supposed to have per current zoning and rules.

Here is just one example: today on land I believe zoned for residential use (and a small part for retail, would conform to the "live work play" goals we hear about), the Town let a developer build a warehouse. It's a big storage facility used for things like flooring. So, instead of homes on land zoned for homes, there is a giant warehouse (on land not zoned for warehouse use, I believe; I'd like to be wrong about that). Every time I go by I envision instead lots of homes there in my village-the intended use. When you talk about moving away from zoning based on land use, expect developers to meet their nearest term economic goals, and not the community's needs, like homes for locals.

Two quick words on form-based zoning on your agenda today.

The Town's consultant said in March of 2020 to expect form-based zoning to result in housing units that are expensive, at the upper end of the market rate. The Town consultant also said the Town could restrict the use of homes as commercial Airbnb, but the Planning Department's form based zoning proposal chose not to do that. There is work to do here. Next a word on ADUs, also on your agenda, and the ADU issue no one talks about.

The Town has an affordable ADU program. Staff said in a meeting that the Affordable ADU program is expected to stay on the books, but to basically disappear by attrition into a market rate ADU program. When a Councilor later asked about that program and what will happen to the Affordable ADUs, staff didn't address retaining affordable units

Staff also said to this Committee that while residents renting Affordable ADUs are supposed to be people who qualify for that program. They're apparently all not: (quote) "It's a burden for both (town staff) and the homeowner to be doing this monitoring every year and nobody likes it". And (quote) "We have a large number of over-income people in our accessory dwelling units right now".

As a first order of business, please protect and make the right use of zoning and programs now on the books.

What staff said at the last meeting – to bifurcate short-term rental policy from recommendations around tax policy and incentives for long term rentals – sounds way too much like a tourist town in Colorado now paying landlords up to \$24,000? A year not to Airbnb homes. That town said it knows it cannot build the way out of the commercial Airbnb problem, so they are looking to pay their way out.

We hope this Committee will tackle these issues in a better way.

Thanks for listening.

Ryan and Dave will discuss how to address the issues raised. Ryan can provide an update on the Accessory Affordable Apartment Program.

Mr. Hebert states the Council looks for advice from this Committee. We're losing year round rentals and we also have to protect year round housing. Controversy over Jake Dewey was a misunderstanding. Mr. Dewey put in his letter of resignation, which Mr. Hebert opposes.

There are tools available to regulate short term rentals which the Town is looking into. An update to the Committee will be forthcoming and input from the public is important. Mr. Hebert and Ryan can make this happen.

Paula states that Jake Dewey was a breath of fresh air on this Committee. She believes we need him so we could get things done. He should be sitting up here with us and his breadth of knowledge.

Suzanne Croft provided additional comment stating that short term rentals are businesses and they don't belong in neighborhoods. Also no one should be on a Board that has a personal interest.

There was discussion from Committee members about Jake Dewey being a valuable member of the Committee and always recuse himself if there was a conflict of interest.

Kris Clark stated that an 8:30 am meeting is inconvenient for some during normal working hours.

Mary Wilson states that no one should be on a board that has a conflict of interest.

Ryan reports that the Conflict of Interest Laws have guidelines to help with Committees.

**Vote on Rescinding the Sub-Committee:**

Dave Carey makes a motion to rescind the Sub-Committee Hilda Haye seconds. Aye All.

**Election of Officers:**

Dave Carey-Chair  
Hilda Haye- Vice Chair  
Glen Anderson-Clerk

Dave Carey makes a motion to accept the election of officers. Hilda Haye seconds. Aye All.

Ryan will investigate options for an alternate meeting time.

**Tax policy for year-round rentals**

Research how/whether existing year round resident tax exemptions for homeowners could be extended to year round rentals.

**Inclusionary Ordinance review**

Requires 10% for affordability for residents earning up to 65% of Area Median Income (AMI). There is growing public interest in expanding the affordability requirements under this ordinance. This is something the Committee could take up.

**Downtown Hyannis Zoning Revision**

Staff is preparing for a first reading to Town Council in the near future.

**Housing Incentive Programs**

Staff researching other incentive programs to bring forward.

**ADU Program Update**

**Motion duly made by Dave Carey and seconded by Donald Lynde to approve the minutes of Vote: Aye All. Minutes approved as is.**

Next Meeting Date: TBD

Closing Comment: None

**Motion duly made by Dave Carey and seconded by Donald Lynde to adjourn the meeting**

Meeting adjourned at 9:20 AM.

**List of documents / exhibits used by the Committee at the meeting**

Exhibit A: Meeting Agenda dated October 19, 2021

Exhibit B: Meeting Minutes dated September 21, 2021

Exhibit C: Email letter from Ken and Ellen Nosal

Exhibit D: Email letter from Heather Hunt

Exhibit E: New York Times article

Respectfully submitted,

Kate Thompson – Planning and Development Department

Public files are available for viewing during normal business hours 367 Main Street, Hyannis

\*\* Further detail may be obtained by viewing the meeting video via Channel 18 on demand at <http://www.town.barnstable.ma.us> \*\*