



Minutes
Cape Cod Commission (CCC) Meeting
Mary Pat Flynn Conference Room
Barnstable County Complex
3195 Main Street, Barnstable, MA 02630
December 14, 2023

The Chair called the meeting to order at 3:00 p.m. and asked the Clerk, Lisa Dillon, to call the roll.

The roll was called accordingly:

Town	Member	Attendance
Barnstable	Fred Chirigotis	Present
Bourne	Stephen Mealy	Present
Brewster	Elizabeth Taylor	Absent
Chatham	Tom Wilson	Present
Dennis	Richard Roy	Present
Eastham	Joy Brookshire	Present
Falmouth	Vacant	Vacant
Harwich	Jacqueline Etsten	Present
Mashpee	Ernest Virgilio	Absent
Orleans	Doug Fromm	Present
Provincetown	Peter Okun	Present
Sandwich	Harold Mitchell	Present
Truro	Kevin Grunwald	Absent
Wellfleet	Richard Elkin	Absent
Yarmouth	Dennis Prebensen	Present
County Commissioner	Ronald Bergstrom	Present
Minority Representative	John Harris	Absent
Native American Rep.	David Weeden	Present
Governor's Appointee	Vacant	Vacant

Executive Directors Report

Freshwater Initiative

- ERG is drafting findings from the economic analysis.
 - APCC has completed field season for monitoring; complete lab analysis from Center for Coastal Studies expected this winter.



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- Beginning a broader stakeholder engagement process late winter/spring
 - Continuing work with APCC and Univ of MN to develop automated remote sensing methods for mapping pond and lake water quality

Regional Housing Strategy

- The Regional Housing Strategy is being presented today.

Canal Bridges/Transportation

- Continuing to follow progress on the Cape Cod Bridges Program; new grant proposal submitted
- Expecting responses by 12/21 to the RFQ for an economic impact analysis of bridge closures
- Presented Station Avenue work at a public meeting yesterday

Broadband

- MBI digital equity planning grant: Finalizing report for the town of Bourne, successful workshop in town of Sandwich last week; beginning work with town of Orleans, engaging with town of Falmouth next.
- Will coordinate with MBI on additional funding planned for towns to implement recommendations from these planning grants.
- Continuing to work with CTC Technology & Energy on regional broadband needs assessment, gaps, etc.; held business and educators focus groups
- Presentation on Broadband work to Assembly of Delegates last week.

Climate

- Continuing work with Eastham on GHG inventory and climate resilience planning
- Met with Wellfleet climate committee and town staff of local climate action plan development
- Continuing work with Woods Hole Group on Low Lying Roads project in Chatham, Falmouth, Mashpee, Harwich, and Provincetown. Have begun the process of identifying alternative solutions for 2 road segments in each town. Presented progress to Assembly of Delegates last week.
- Drafting wetlands regulations and model zoning bylaw to help towns regulate development in the floodplain; will be completed this spring.

Administration

- Planning an economic summit in early 2024; CEDS planning process to follow/must be complete by June 2024
- Working with landlord on building renovations – MassSave lighting upgrades and painting to begin mid-January, carpet to follow.

Cape Cod Regional Housing Strategy

Using a power point, Kristy Senatori outlined the purpose and guiding principles of the Regional Housing Strategy and introduced Erin Perry and Chloe Schaefer who continued the presentation.



Erin Perry provided the baseline information, discussed research conducted, and reviewed the stakeholder engagement process. She reviewed the draft recommendations that included:

change zoning, streamline permitting, develop a community land trust and regional housing land bank, develop a regional redevelopment authority, provide financial incentives to convert and preserve year-round housing, finance housing affordable to 80% - 120% AMI, provide low or no cost loans for ADU's, dedicate municipal tax receipts towards housing and infrastructure, develop a regional local government investment pool, establish a permanent regional housing services office, develop a regional capital plan, develop a regional home sharing program, and explore housing potential on Joint Base Cape Cod.

Chloe Schaefer reviewed the local zoning recommendations and the need to target communications to advance local action and advocate for state level changes in implementing the plan. She said that progress will be measured by long-term trends, implementation of metrics and a short-term action plan. She explained the resources currently under development include model bylaws, model deed restrictions, model procurement mechanisms and a decision support tool.

The Chair thanked staff for their presentation and asked for questions from the members.

Member Questions/Comments

The Chair recognized Peter Okun who stated that Provincetown is different than other areas on the Cape and feels that there is difficulty competing with other Cape towns. He feels that rather than a regional approach we should look at each section of the Cape: Upper, Mid, Lower and Outer Cape. Provincetown is currently evaluating the effects of short-term rentals as housing is being purchased by off Cape people who use it occasionally. Owners are investing money in short-term rentals and won't recover that cost in the year-round market. He suggested looking at programs for homeowners to upgrade their property for year-round rentals.

Ms. Perry commented that Provincetown is unique and that the CCC has been in close contact with the Town of Provincetown discussing how the issues you mentioned can be incorporated into the plan. We can certainly think more about the programs. Mr. Okun thanked Ms. Perry and stated that his points have been heard.

The Chair recognized Ronald Bergstrom who commented that there is legislation at Beacon Hill that would allow ADU's in all zoning districts. The issue is should the state preempt local zoning, this is something that hasn't been done in a long time. We are a home rule state so they allow towns to govern their own zoning laws, so while we are looking at this the state is taking an aggressive approach, which means the state will mandate different changes. He feels that we should show that we are aggressive, or the state will take it out of our hands. He stated that there are two kinds of people, one that live in apartment then finally buy, and they find out that their residential neighborhood that are increased in density. Other people have a house, raised their kids, and in retirement buy a house on the Cape. He said that the purpose of zoning is that a neighborhood is going to stay the same, you are getting a guarantee that the neighborhood is going to stay the same. We are pushing against that tradition and he feels that there will be pushback. There is a recent push to buy a year-round restriction on the houses. As more and more houses go into these restricted areas, someone will have to be looking. It's one thing to conceptualize what you want to do, but you have to look forward and ask what are the issues/challenges that will arise. He feels the redevelopment of



Commercial property is the best. He said that there are a lot of issues, with a lot of challenges. He thanked staff for their good work on the strategy.

The Chair recognized Doug Fromm who thanked staff for the presentation but feels that this is an overwhelming task. He would like a copy to spend some time with and to bring back to locals in his town that are working on these issues. He asked as commissioners, what role will they have?

Ms. Perry said communication is our best tool. She said that the full draft will be complete soon and will be distributed to the members.

The Chair recognized David Weeden who asked how we are going to limit small cottages being built into Mansions and feels that this is driving up assessments. Ms. Perry responded that local zoning recommendations are included in the plan. Ms. Schaefer stated that staff worked with Eastham last year on potential amendments to their zoning bylaws for building larger homes on small properties and where they may look at some changes. She added that this is something that has been looked at previously and will continue to play a role as we continue to look at other zoning opportunities.

Mr. Weeden asked if we are looking at IA systems with the changes in the Massachusetts Law/Title 5? Ms. Perry stated that through the recent changes in Massachusetts law towns are being encouraged to look at watersheds. The watershed-based permitting approach is critical to this issue and targeting infrastructure in locations where we are also looking at housing development and redevelopment is important. IA systems are another element that is important in the permitting strategy. She said that the County is looking at strategies to manage those IA systems as we move forward. There are potential opportunities to look at funding strategies. There is a specific program through the County - the septic plan loan program.

Mr. Weeden commented that when he hears potentially lowering minimum lot size it could be challenging for larger systems asking if that is being factored into the strategy. Ms. Perry responded that in terms of recommendations for lower minimum lot sizes, the recommendations that we made are typically coupled with infrastructure investments. Ms. Schaefer added that in many cases it looks at allowing a duplex on the same size lot you would have a single family home and thinking about that.

Mr. Weeden asked for further clarification regarding streamlined permitting. Ms. Perry stated that it is about predictability not only for the developer, but predictability for the community. For example, communities could adopt preapproved plans that a developer could utilize and that meet the expectation of the town. There are also other ways that permitting can be streamlined to identify opportunities for that. It was identified that it was more about navigating the process and making it more accessible.

Mr. Weeden commented that the Tribe declared a state of emergency on homelessness and wanted to share that information. Ms. Perry stated that she is aware of that and it is incorporate that into the plan. Staff would appreciate his review to confirm it is incorporated in an appropriate way.

The Chair recognized Jackie Etsten who said that she hopes that we continue our review. She likes the approach in Orleans where we identified what would fit. She feels that affordable housing is going to have to be built by non-profit organizations to stay affordable. She is bothered by the lack of perpetuity by private development of affordable housing, please make them affordable in perpetuity and make it



available to the towns as they currently don't have that information at their fingertips. She has concerns about form-based code and feels that it can do harm to residential areas. She feels that they are highly controversial if applied literally. Most commercial use requires a large population to serve them, which could have an effect on the traffic to that area. She is also concerned with incentives; she noted that larger complexes have the worst conditions. Large houses converted to apartments is not the best and feels that a multi-use condition is the worst of all housing and suggested that we take care as to how to apply new techniques and codes.

The Chair recognized Tom Wilson who said that he feels encouraged by property in Wilkens Lane but what is discouraging is that a majority of these apartments are at market rate. He feels that we need to be focused on year-round rentals and focus on deed restrictions for year-round housing to meet the crisis. Yarmouth has taken steps to develop things that look appropriate to offer housing alternatives. Very few people can afford to buy on the cape.

The Chair recognized Fred Chirigotis who thanked staff for their work. He said that what will stabilize prices is availability, He has concern he hears are we building housing for residents and feels that more inventory drives the price.

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

The Chair recognized Tom Wilson who requested a future agenda item to review minor modifications on DRI's to help us understand appropriate time frames.

Meeting Adjourned:

The Chair asked for a motion to adjourn at 4:17 all members voted yes and the motion carried.

List of Documents Used/Presented at the December 14, 2023 Cape Cod Commission Meeting

- Cape Cod Commission Agenda, December 14, 2023
- PowerPoint prepared by CCC staff inclusive of all agenda items