

# ***Committee to Assess and Recommend Strategies for Housing Creation Within the Town***

Selectmen's Conference Room 2<sup>nd</sup> Floor Town Hall Building  
367 Main Street Hyannis, MA 02601

Rick Presbrey: Chair  
Councilor Paula Schnepf  
Councilor Betty Ludtke  
Councilor Charles Bloom  
Councilor John Crow  
Councilor Gordon Starr  
Maryann Barboza  
Hilda Haye  
Laura Shufelt

December 30, 2024  
3:00pm

## **MEETING MINUTES**

Town Council Administrator opened the meeting of the Committee to Assess and Recommend Strategies for Housing Creation Within the Town and made the following announcement:

This meeting is being recorded and will be rebroadcast on the Town of Barnstable's Government Access Channel. In accordance with Massachusetts General Laws Chapter 30A, Section 20, the Administrator must inquire whether anyone else is recording this meeting and, if so, please make their presence known. This meeting will be replayed via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Government Access Channel live video on demand archives on the Town of Barnstable's website: <https://streaming85.townofbarnstable.us/CablecastPublicSite/?channel=1>

The administrator to the Town Council took Roll call, all members present in the Selectmen's Conference Room except for Councilor Starr; Councilor Crow, Maryann Barboza Also in Attendance James Kupfer, Director, Planning and Development. Mark Forest, Joe Pacheco

**PURPOSE:** Recommend strategies for the creation of housing to serve year-round residents and seasonal workers. The committee shall review the Cape Cod Commission's Regional Housing Strategy, <https://www.capecodcommission.org/our-work/regional-housing-strategy> and the proposed Massachusetts State Housing Bond Bill <https://www.mass.gov/lists/housing-bond-bill> and the Town's Housing Production Plan, <https://www.townofbarnstable.us/Departments/planninganddevelopment/Projects/Housing-Production-Plan-Update.asp> with a goal of recommending 2-4 strategies for the Town to adopt, along with recommendations for implementation and resources needed.

Chair of Committee opened public comment and wanted to leave public comment open for the duration of the meeting. There was no public comment in person.

Paul Phalan: Thanked the Committee for doing the hard work. He has learned a lot but does not understand when this committee was formed the anger the rage and fury that the last leadership faced when they were trying to fix issues within the town. This committee seems to be working diligently to fix the issue of housing. Mr. Phalan wanted to apologize to Councilor Schnepf who along with him got pickled last week, that comment had nothing to do with alcohol, so if you don't know what the comment meant, you can look it up. The other issue he has is the issue of the Town not reaching the 10 percent minimum affordable housing, he believes Barnstable is at 4 percent, it seems like we are not going to get to 10 percent, hopefully under the new leadership of the Council can get us going in the right direction, and start to put pressure on these developers like the other communities in Massachusetts has done.

Chair of Committee mentioned that Barnstable is at 6.5% of the affordable housing towards the 10% since the 40B passed in 1969 and to have local control over your zoning. The problem is of course that

not everyone agrees because it's a democracy, and not everyone agrees that or is concerned about the situation others are on, they are concerned about their own situation, and it's a battle to get people to universally agree and to be happy what President Carter did, so Mr. Presbrey is trying to make decisions based on equality and sell those ideas and decisions of helping others is good for everyone. It will be beneficial to everyone on the labor force on Cape Cod.

Chair of Committee explained why he has invited Mr. Forest to the meeting today, at the end of the last meeting we had there were about 15 items this committee thought of that needed to be addressed and discussed before sending them to the Council for consideration. One of the ideas that was brought up was the idea of moving the Cape Cod Gateway Airport to the base which would free up that land for housing. Chair of Committee also mentioned that it may not be this committee's prevue to have this discussion because there are a lot of people involved, and it is something that will take some time and will not happen overnight. Mr. Presbrey also had heard of housing at the base, so he asked Mr. Forest in to talk about that. Mr. Forest introduced Joe Pacheco, who runs the Human Services Department in the County which includes housing, and mentioned it is a priority of the County. Mr. Forest is also going to speak about the Master Planning at Joint Base Cape Cod and where housing fits into that. Mr. Forest introduced Mr. Pacheco to talk about the housing initiatives in the County. Mr. Pacheco stated the re are two main functions of the housing department within the County, the first one is the Home Program, and Ms. Shufelt is very familiar with this program which is federally funded through the Housing and Urban Development Program to which Ms. Shufelt is a member and was just recently reappointed to serve another term. This program serves large scale residential programs throughout Barnstable, and Ms. Shufelt has been a long-time member, unfortunately that program just got some of their funding cut from the federal government and we are hoping that is not a trend and will lose more, it's a very successful program that has given people access to rental help and home ownership. Through Mr. Forest's leadership we also have a program that is called the Shared Regional Housing Program; there was a presentation recently given at the Home Advisory Council meeting; the County was able to fund this program through the \$308,000 appropriation of ARPA Funds that was awarded to them, and they were able to do this pilot program. The program provides technical support to all 15 communities in Barnstable due to sunset on June 30, 2025, and they are meeting to do a strategic review to find the best path forward for sustainability for communities if they choose to go beyond the sunset date. We have created a date base through a consultant group called Barrett Planning Group who is the program consultant, The Barrett group has helped create databases and one of the Commissioners asks was the sustainability of these programs and the impact it has on the community not just in short term, but also long term. When this program was chosen the Commissioners wanted to make sure that even if the communities decided not to buy into the program, they could at least take the database with them and maintain it on their own with their own resources within.

Councilor Ludtke asked about the tangible example of the second plan you explained. Mr. Pacheco explained there are several templates being created and databases for affordable housing, deed writers, which will need legal review that's in the process, and making sure the SHI data is accurate and up to date, there is also I weekly office hours open free of charge to come into the 15 communities. Councilor Ludtke asked who is Barnstable's Representative. Mr. Pacheco answered Corey Pacheco and James Kupfer, Director of Planning and Development. Councilor Ludtke mentioned the SHI is critical information and how accurate it is that, and who maintains that. Mr. Pacheco answered that would be a communally sustained membership in the program that could be a task assigned to the program, alternatively if a community that chooses to not participate, they would be given the database and must maintain it on their own internally.

Ms. Shufelt stated that the SHI data has been accurate and updated for all the communities other than Barnstable. The data for Barnstable is not accurate and has not been maintained in years. The Planning Department is working to get units and the numbers accurate now, but it was not maintained for years so there are units that must come off the count before the town does anything else. Councilor Ludtke asked when will the data be accurate for Barnstable because we can't function without it. James Kupfer, Director of Planning and Development answered the Regional Housing Service is critical for us, in the

Housing Production Draft Plan is was identified as one of the key strategies, and it is also one of the strategies the Planning Board recommended, and it is also one of the discussions I have been having with some of you as well to get us back on track with not only our housing inventory updating it continually, but Mr. Kupfer would also like to go back to try and understand where everything is or where it went and why; as far as the monitoring moving forward that is a primary scope and one Mr. Kupfer was hoping for and it sounds like it is going to be in the regional scope of the Housing Services Office. The monitoring is key to us, we do monitor a lot of them now, but we do not have the staff to continually do it. Mr. Kupfer stated he feels comfortable with the current numbers that are around 700, that is not to say we have not lost a handful of them several years back because of the expiration of the affordability, we also have some that we are trying to get online still, but it's a relatively small number of units we are trying to tackle. Mr. Kupfer mentioned that the database is critical for Barnstable and hopes that the town can continue with it. He also hopes the rest of the communities do the same. Mr. Kupfer stated if you Google Regional Housing Services Office, it will bring you to the Metro West Regional Housing Services Office, and Mr. Kupfer was part of that when it was first established, and it is doing great things now. Councilor Ludtke stated the town has not had a Housing Coordinator for about three years now, and she also noticed that the County is looking for one as well, so if we do not have one, what can we do to make this program work here. Mr. Kupfer answered an intermunicipal agreement template that can be used to file. The template spells out the cost for each town, and how to start the process. We in the Town of Barnstable are lucky with our form of government, in that we can come at anytime and have the conversation with the Council, other towns have to wait for their Town Annual Meetings, so the scheduling gets tricky, but we would come before Council with an Intermunicipal Agreement to be the lead community, and then hire a consultant, or third party such as Barrett Planning who are the ones currently maintaining the database and data, new applications, administering lotteries. So, if Barnstable would like to take the lead on this, Mr. Kupfer has experience in doing so and would like to be the lead community. Barnstable would take it over after the pilot program ends. Mr. Pacheco stated we are going into year three of the program which is deciding who will be the lead community on this project.

Chair of Committee had a statement regarding in the years since 40B was passed some 60 years ago, he has never seen a developer prosecuted for not adhering to the landlord or the seller of a home to the regulated amount that it could be rented for or sold for. We are aware it has happened a lot, so he believes a part of this job is a real problem because you're fighting with landlords, property owners that may have broken the law, and they do not care and legal battles will be lengthy and costly, and we have not engaged in that for 60 years, why would anyone now. Mr. Presbrey stated it is well known that nothing is enforced even when they sell the home at full value, and they know they should not have. So convincing people to do the right thing is not always easy. Mr. Forest said that is what we are trying to change, and he believes there is a lot of support for it.

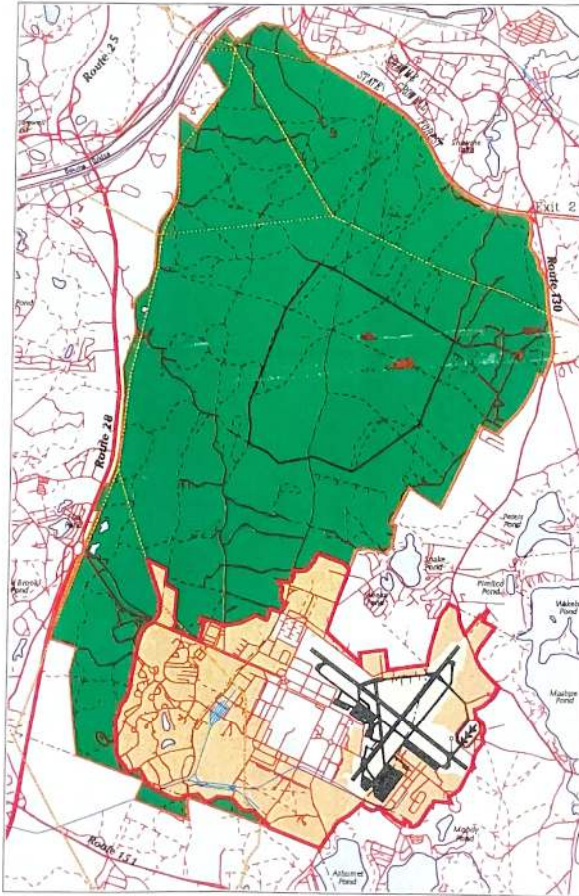
Councilor Schnepf mentioned at other times when she has seen the Regional Housing Plans that there was a timeline so that you could meet the termination date of the pilot program but would continue in some sort of form or fashion and would think you are at a critical juncture right now, Councilor Schnepf asked what the next steps are in the process. Mr. Pacheco answered we are having those internal discussions right now, and provide the Housing Advisory Council updates of those internal meetings weekly regarding the engagement process with town leadership is going to be recognizing that some of the potential costs would not be from a communities General Fund, having the funds come from Community Preservation Funds or Affordable Housing Trust Funds, etc. Councilor Schnepf asked the cost of the program; Mr. Pacheco answered no more than \$10,000 per community for the base package but will get a more accurate cost number when he has his paperwork in front of him.

Chair of Committee welcomed Mr. Forest to discuss Joint Base Cape Cod and the Master Planning that is going on there, this was a topic that was brought up at the last meeting and it was the possibility of moving the Cape Cod Airport to Joint Base Cape Cod and using that land for housing. Mr. Presbrey also had heard that in the Master Plan there was also discussion of housing, so that is why Mr. Forest is here, to discuss both. (Below is a map that Mr. Forest handed out which represents the land at Joint Base Cape Cod.

*Massachusetts Military Reservation  
Master Plan Final Report*

September 8, 1998

Forest  
EXECUTIVE SUMMARY



Prepared in conjunction with the Community Working Group  
by the Cape Cod Commission

Mr. Forest explained the map is a variation of the easel he displayed for the public to see from home. The question he always gets whenever anyone talks about building at the base is where is the pollution or where are the flumes, or can you do that there, so that is why when he does presentations he uses the ariel view map of the area. The large area in green is approximately 15,000 acres and is the Upper Cape Water Protection Area where most of the water for Barnstable comes from there. The area below that is called the Cantonment Area which is 5,000 acres and subject to the Master Plan update in 1998. There are a significant amount of services provided in the southern portion as Mr. Forest explained. Mass Development has been brought in to help with the planning at Joint Base Cape Cod. The base is currently looking at investors to look at the base for options, this will help keep the base open for the future. The Pentagon is looking to shrink military operations in the U.S. there is a lot of excess military infrastructure for what the Pentagon needs are. What does help us here on Joint Base Cape Cod is diversity in Armed Forces. Chair of Committee asked about wastewater, and what sort of treatment do they have out there. The wastewater treatment plant is run by the Air National Guard and has been for years since they took it over from the Air Force. The Air National Guard has privatized the waste water

treatment plant and the maintenance of it. Mr. Forest said the company is called Converge. Mr. Forest stated that in looking at the Master Plan they needed to take under consideration the needs of the tenants already there, and also the need for housing which is critical and a significant need for the families that are serving in our military and living in our communities. There is a critical need for the Coast Guard, their housing allotment does not meet the rising cost of housing in our area, so the Coast Guard is having difficulty recruiting because there is no housing. In the southern portion we used to have approximately 800 to 1000 units of housing, but they are no longer there, either because of condition or other purposes. Mr. Forest mentioned it would be great to do an exercise on how we can meet the needs of our military and the needs of our community in the housing plan. Mr. Forest believes the public engagement in the process is going to model after the first report done in 1998 with community working groups with representatives from local towns and should start in the Spring. Mr. Forest stated housing is critical not only to the military but to the surrounding communities. Chair of Committee asked about how many military people are looking for housing. Mr. Forest did not have an exact number tonight, but his best guess and estimated amount would be 800 to 1000 people living outside of the base that are having difficulty finding housing. Mr. Forest did also mention he had heard of discussions about moving the current airport out to Joint Base Cape Cod, and he knows the Air Force is interested in talking about that, he is aware that there are such civilian and military bases that co-exist. Mr. Forest can't comment further other than the Air Force has said they would be interested in discussions regarding that but that further examination and studies would need to be done. Councilor Ludtke thanked Mr. Forest for keeping Barnstable in the loop with information. Councilor Ludtke thinks moving the airport would be an amazing opportunity, and hopes the discussions continue with the Air Force, and look into the data and capabilities are at the base. Chair of Committee asked about the sustainability long term of the base. Mr. Forest he believes there is a long term presence there because of what they do currently in tracking long range missiles. This base has been here since 1933. Councilor Schnepf asked about a timeline for completion of the Master Plan and what that looks like. Mr. Forest answered it is expected to be completed in 12-18 months. The process has not started yet, but expected to start in April or May. Councilor Schnepf asked about the funding for the two bridges, one bridge supposedly has the funding the other we don't know yet, so if those are not replaced it's unimaginable to think that significant economic development or additional military uses would be advisable. Mr. Forest strongly believes the bridge will be replaced, it's a significant asset to Cape Cod and its economy.

Chair of Committee went over a list of what he thought was our priorities introduced by Committee members. Councilor Schnepf was asking the Chair about the intent of this list because most of these ideas either come from our Housing Production Plan or other documents presented before to us, so what is the intent of the list and where we are headed. The Chair of the Committee would like the members to work in pairs with someone else to do the research the topics. Councilor Schnepf would like to work back from the completion date of March 31, 2025 and determine what our expectation of deliverables of strategies are to the Council. Councilor Schnepf's concern is we keep expanding the list without working towards any solutions. Chair of the Committee stated his list is the last expansion of ideas, and understands there is a lot of work to do.

1. Use of the Armory for longtime residents of the Cape that are homeless (has to be used for Municipal purposes or a for profit museum) (Maryann suggested)
2. Regulating Short Term rentals as a response to our year round housing (Councilor Crow suggested)
3. Transfer Tax on Real Estate Councilor Schnepf and Councilor Starr suggested) Councilor Schnepf and Councilor Starr may bring this forward to the Council by a Home Rule Petition, and could be bundled with increased percentage of preservation funds.
4. Use CPA Funds for affordable Housing. (Hilda Haye also agrees if there is extra monies available we should use them for housing)

5. Town owned Assets for housing (land and buildings) Committee member Laura Shufelt mentioned Article 1
6. Hire staff member to monitor affordable housing (County is currently doing a study as a pilot program as explained in the presentation earlier) Councilor Ludtke would like to recommend that we Barnstable take the lead on the pilot program. Committee member Laura Shufelt mentioned we need a full time housing coordinator on staff year round
7. Zoning flexibility to allow duplexes
8. Creating affordable units in residential neighborhoods
9. Deed restrictions
10. Increase percentage of affordable housing units

Councilor Bloom would like to see the following:

1. Housing coordinator person hired for the Town
2. Be the lead municipality with the Cape Cod Commission
3. Recommend this committee support the Home Rule Petition being discussed and worked on by Councilor Schnepf and Councilor Starr

Councilor Schnepf also mentioned that we need the money to be able to support our recommendations to the Council. Hiring someone is the Town Managers responsibility, but we can recommend the positive in hiring someone, but we can't as a committee do that. We also need to look at the zoning in the town, and to have strategies which will make it easier to build units in Barnstable. Councilor Schnepf would also like to know what is in our inventory, we don't know. Committee member Hilda Haye agrees with Councilor Schnepf.

Committee member Laura Shufelt suggested this committee also look at the Inclusionary Ordinance and also an Economic Feasibility Study needs to be done, the Inclusionary Ordinance needs to be taken out of the General Ordinances and put in the Zoning Ordinances which is enforceable. Right now the General Ordinance is not enforceable. Committee member Laura Shufelt mentioned that developers don't use 40B because there is no profit in 40B. Chair of Committee mentioned it has been around for a long time and it gave cities and towns the path to make affordable housing. Councilor Ludtke mentioned that maybe the town could contract out the Housing Coordinator job, or at least look into it if we can't fill the position. Councilor Schnepf mentioned also that contracting out you lose the passion and the advocacy for the job, there are probably some parts of the job that could be contracted out, but for the most part you need someone in house.

Councilor Schnepf would like to get these on paper with concrete ideas with strategies, goals and objectives.

The Committee members decided to meet on January 16, 2025 at 4pm

A motion was made by Councilor Paula Schnepf, this was seconded by Committee member Hilda Haye, all members voted in favor of adjournment at 5:05pm

ADJOURNMENT 5:05pm