CAPE COD
COMMISSION

Wilkens Housing Phase 2, Barnstable (CCC File No. 24026)
Development of Regional Impact Review
Subcommittee Hearing

Minutes | December 9, 2024 at 5:00 p.m.

Virtual via Zoom

APPROVED 02/10/2025

Summary of Actions Taken:

- The subcommittee continued the public hearing to January 14, 2025.

The Chair, Harold Mitchell, opened the Subcommittee hearing by reading the hearing announcement at 5:00 p.m. He said the subcommittee hearing is being held virtually via Zoom with all members participating remotely.

The Chair then took attendance by roll call.

Roll Call:

- Harold Mitchell, *Chair*, Present
- Jacqueline Etsten, Absent
- Douglass Fromm, Present
- Catherin Ledec, Present
- Richard Roy, Present
- Stephen Mealy, *Alternate*,

A quorum of members of the subcommittee being present, the Chair asked the Applicant for their presentation.

Applicant Presentation:

John Twohig of New England Development introduced the project team and provided a history of his company. He said that they have a history of working with healthcare organizations and discussed the history of the site, which was purchased from Cape Cod Healthcare. With the assistance of a slide presentation, Mr. Twohig described the Project Site. He then asked Atty. Michael Ford to further discuss the Project.

Atty. Ford explained that the current application for a portion of a former Development Agreement site has been submitted as a Development of Regional Impact (DRI). He said that based on discussions with Commission Staff the 15-acre Project Site could be removed from the Development Agreement through a Minor Modification.

Atty. Ford discussed the underlying local zoning, which was adopted in 2021 and allows for the proposed use with a Special Permit from the Zoning Board of Appeals. He said the zoning requires 10% of units restricted to those earning 65% of Area of Median Income (AMI) with an additional 3% for those earning 80% of AMI. He said the zoning requires the Project remain rental and cannot be used as short-term rentals.

Mr. Twohig discussed the earlier development neighboring the Project Site that developed 277 units of rental housing. He said that 77% of units were rented despite the project only being fully open for a few months. He said that there is a very high level of need for the Project.

David Hall of the Hanover Companies said that the neighboring development has been a large success. He said that response has been extraordinary and many people signing leases have been in dire housing circumstances.

He said that the Project currently proposed was similar to the first project, but the site is significantly larger. Despite having more units, he said that the Project is less dense than the first phase. He said there is a clubhouse building, five residential buildings, and eight parking garages. He said that the Project design is simplified as compared to the first phase but still high quality. He showed renderings of the Project and described the buildings, layout, and amenities. He said that the Project includes large lawn spaces for recreation.

He said that the Project would provide housing for Cape residents. He said that the first phase was largely occupied by people who work on the Cape. He said that the Project was designed to be consistent with Commission requirements for design and energy efficiency. He said the Project would use all-electric heating and cooling. He said that the first phase was the company's first all-electric project nationally, and it has worked well and served as a model for other developments.

Mr. Twohig said that the Project would be one of the most environmentally sensitive developments on the Cape due to the requirements of the Commission. He said that the Project would produce significant revenues to the Town and the Barnstable Fire District. He said that the Project will have good transportation connections. He said that they would continue to work with the Commission staff and local departments. He thanked the Chair for being allowed to present the Project.

Staff Comments:

The Chair asked Jeffrey Ribeiro, Regulatory Planner, to provide staff comments.

Mr. Ribeiro said that he would provide brief comments primarily touching on procedural matters. He said that Staff was continuing to work with the Applicant on a few remaining issues, and comments on Regional Policy Plan consistency would be provided later.

Mr. Ribeiro provided background on the history of the site including the 2003 Development Agreement for the site that proposed a medical campus for Cape Cod Healthcare and the 2022 Major Modification that divided the land and approved the built residential project adjacent to the Project Site. He said that the modification decision did not approve any development on the Project Site, but future development was anticipated.

Mr. Ribeiro went over the Development Agreement requirements, and he stated that the Project was most appropriately reviewed as a Development of Regional Impact (DRI). He provided a review of the DRI review requirements and procedural aspects. He provided an overview of the agenda for the rest of the meeting and turned the floor back to the Chair.

Subcommittee Discussion:

The Chair asked the subcommittee members if they have any initial questions.

Mr. Roy said that he was pleased to see that the green features like EV charging would be carried over from the first project to the one proposed. He asked if there would be additional affordable housing units required similar to the prior project.

Mr. Twohig stated that the Project would meet the requirements of the zoning. Mr. Ribeiro added that the requirements of the zoning exceed Commission requirements for DRIs.

Mr. Fromm asked to hear more about whether solar panels could be installed as part of the Project, the location of EV chargers, and wastewater treatment. Mr. Ribeiro replied that would be discussed at a future hearing.

Ms. Ledec said she would like to know more about the comment letter from the Barnstable Fire District regarding water availability. Mr. Ribeiro replied that staff would further investigate.

Ms.Ledec said she was concerned about the proximity of the site drive to that of the neighboring development. Mr. Ribeiro said that would be discussed with the applicant.

Ms. Ledec said that she would like more information regarding the pedestrian network to allow for safe crossings and recreational connections. Mr. Ribeiro said that Staff had discussed this issue with the applicant, and he noted that a pedestrian connection was required as part of the first phase.

Ms. Ledec asked for information on how this site connects to the regional bike network and public transit stops. Ms. Ledec said she would like to see the affordability requirement increased from 13% to 15%. She said she would like to know if the building would be visible from Route 6.

Public Comment:

Federal, Local, and State Officials

The Chair asked for comments from any federal, local, or state officials.

Kate Maldonado, Senior Planner, Town of Barnstable, provided comments on the Project, which were submitted in writing for the record. She provided an overview of the Project's consistency with DRI review requirements, including the Town's Local Comprehensive Plan and local zoning.

Barnstable Fire Chief Beal said that his concerns would also be addressed in local Site Plan Review, but he noted that the plan should be modified to maintain or improve access for emergency vehicles.

Town Councilor Gordon Starr said that all public comments should be addressed. He said that meetings should be in a hybrid format. He said that the review timeline should not start until all application materials were provided. The Chair asked Chief Regulatory Officer Jordan Velozo to respond. She said that there were materials up for review and supplemental materials were expected. She said comment would be considered. Mr. Starr said the meeting video should be available to the public. He said that the Project is too large. He said there isn't enough open space. He said that the Project does not address the housing needs for the Town. He said he would provide further comments in writing.

Town Councilor Betty Ludtke said that she agreed with Mr.Starr. She said the Project will not look like Cape Cod and thus should be covered in solar. She said that landscaping should not use drinking water. She said only local species should be used in landscaping. She said that more affordable units should be in the first buildings to open. She said that 15% of units should be provided as affordable. She said that she would like to know why the Applicant is not seeking public subsidies to provide more affordable housing.

Barnstable Water Superintendent Sean Anderson said that there is limited water availability. He also submitted written comments.

General Public

John Lipman read multiple letters from members of the public who were not able to attend. The letters said that the Project is needed to address the lack of housing on Cape Cod. He submitted the written letters in the record. He said he was also in strong support of the Project.

Cynthia Cole said that the Project was more dense than other areas on Cape Cod. She said the Project is more attractive than the neighboring development, but she said the Project is still not attractive. She said that she feels the review of that development did not properly address public comments. She said that meetings should be held in a hybrid format. She said that the Project can be improved. She said that 15% of units should be required as affordable. She said that market rate housing does not address the local need. She said that a traffic signal at Kidd's Hill Road is not desired by the community. She said that she was concerned that there would not be adequate open space for recreation. She said she was concerned about pedestrian connections. She said that a playground should be proposed. She said solar should be installed at the time of construction. She said that there was not adequate drinking water.

Jocelyn Marshall said that there is a housing crisis that is hurting the economy. She said that she works in the service sector and service workers are particularly hurt by rising local rents and the unavailability of stable housing. She said that as a parent she was very concerned about the ability of local people to remain on Cape Cod and often leads to displacement.

Eric Scwaab said that he would like more information about drinking water capacity and wastewater treatment capacity. He said that analysis should be done on pedestrian and bike accessibility.

Barry Albert said that he is involved in housing advocacy and serves on multiple local boards in Orleans. He said that the Project is a significant opportunity to provide housing for working residents of Cape Cod. He said that it is a benefit that this project does not require public subsidies. He said the Project will help issues such as the lack of healthcare workers. He said that housing is necessary even if not perfect. He said obstacles to housing should not be created.

Henry Ramage said that he is a lifelong resident of Barnstable Village. He said that he is reliant on public transportation, and access to transit is important particularly to those with disabilities. He said these connections should be considered.

Further Subcommittee Discussion:

The Chair asked for further questions from the subcommittee.

Ms. Ledec asked whether the amenities would be shared between the proposed Project and the neighboring project. She said that she would like the Applicant to consider a shuttle to nearby shopping and village centers.

The Chair recognized Ms. Cole again. She said that she would like to make the Project better but does not oppose the Project.

Hearing no more subcommittee comments, the Chair asked for final comments from the applicant and staff.

Mr. Twohig thanked the chair and said all comments would be carefully considered.

Mr. Ribeiro said that staff would continue to work with the applicant. He said that he will research the potential to have a meeting in a hybrid format. He suggested that the hearing be continued to January 14, 2025 at 5:00pm to be held virtually. He said a hybrid meeting could be held after that hearing.

Motion to Continue:

After conferring with the members and the applicant, the Chair asked for a motion to continue the hearing to January 14, 2025 at 5:00pm to be held virtually via Zoom. Mr. Fromm made the motion and Mr. Mealy seconded. The Chair took the roll.

Roll Call:

- Elizabeth Taylor, Chair, Yes
- Douglas Fromm, Yes
- Catherine Ledec, Yes
- Richard Roy, Yes
- Stephen Mealy, Yes

All members voting yes to continue the hearing, the motion carried, and the meeting was continued at 6:49 p.m.

Materials Used:

- Subcommittee hearing notice/agenda
- Staff Memorandum, dated 12/5/2024
- Applicant PowerPoint Presentation
- Staff PowerPoint presentation