

TOWN OF BARNSTABLE TOWN COUNCIL ELECTION 2023**BarnstableWatch CANDIDATE QUESTIONNAIRE**

Thank you for stepping forward to serve the Barnstable community by seeking a seat on our Town Council in the fall 2023 election.

About BarnstableWatch

BarnstableWatch is a community organization initially founded to protect our housing stock for use as homes for locals rather than use by non-resident investors as more profitable short-term rentals. BarnstableWatch supports Cape rental traditions, not the 'Anything goes-Anywhere-All the time Airbnb approach.' Since its foundation, BarnstableWatch followers have asked for information about planning and zoning more broadly. BarnstableWatch therefore follows local public bodies and shares information.

About This Questionnaire

BarnstableWatch provides this opportunity to each candidate running for a Town Council seat in the fall 2023 election to provide 250-word responses to four planning and zoning-related questions below. The purpose of this questionnaire is to provide information that residents interested in planning and zoning may assess for themselves.

Please use this word document to respond to each of the four questions on the following pages. Please include your name and precinct number on each page. Please respond in 250 words or less, and via typewritten text (not handwritten). Please send your responses by 5:00 p.m. on Friday October 6, 2023 to BarnstableWatch@gmail.com.

BarnstableWatch will print all responses (up to 250 words), unedited, and without commentary, or endorsement, at www.BarnstableWatch.com. If you choose not to respond, BarnstableWatch will simply note that fact on its website.

BarnstableWatch will send all responses (up to 250 words) to its email list of many hundreds of residents across the Town of Barnstable. BarnstableWatch will not characterize responses or encourage its followers to vote for or against any candidate. If you choose not to respond, BarnstableWatch will simply note that fact in its mailing.

Thank you for responding to help voters make informed decisions.

CANDIDATE NAME _ Kris Clark _____

PRECINCT NUMBER _ Precinct 11 _____

Question No. 1

Thank you for being direct and concise in 250 words per question.

1. *Context:* The Town Council recently changed zoning in Downtown Hyannis to enable dense building development and increased building height by right.¹ It did this in the name of housing.² Despite housing needs, and the Town's consultant statement³ that the Town could regulate short-term rental use of new housing units in this zoning framework, the Town Council chose not to do so.

Question: To increase year-round housing supply for locals, do you support regulating incremental housing units, made possible by zoning changes to increase building density and height, to be used as year-round housing, i.e., restrict use as short-term rentals? Why or why not?

Answer:

Yes, I do support regulating incremental housing units to preserve year-round housing stock and to restrict uses as short-term rentals. There are Planning tools to consider, but we need the political will and professional guidance to do so.

One such tool would be for the Town to secure (negotiate a gift and/or buy) a deed restriction, similar to a conservation restriction, to ensure that a house which is used as a year-round home remains in the year-round housing stock for the future. I learned about this Planning tool at a meeting of the Cape and Island Municipal Leaders Association where we heard how this strategy was initiated and how well it works in the resort town of Vail, Colorado.

There are other considerations that the Town Council could adopt that would further restrict use of short-term rentals in an effort to preserve housing opportunities for residents who live here year-round. The Town Council can work with town staff to bring forward regulations to maintain the character of our Villages by slowing the conversion of year-round housing stock to short-term rentals. These conversions have essentially removed homes for year-round residents and have been operated as short-term rental businesses in areas of our town that are zoned for residential use. It is discouraging to see the Town working to permit new housing units while at

¹ <https://www.townofbarnstable.us/departments/planninganddevelopment/Projects/Downtown-Hyannis-Zoning-Revision.asp>

² "The focus of the rezoning was to create a predictable regulatory framework that would encourage compact residential development, compatible with traditional development patterns, meeting a range of housing needs."

<https://www.townofbarnstable.us/departments/planninganddevelopment/Projects/Downtown-Hyannis-Zoning-Revision.asp>

³ Town Consultant at Hyannis Zoning Workshop, March 2020: "I mean Airbnb can be regulated of course..."

the same time, we see houses, which have been year-round homes, becoming short-term rental businesses for investors.

ANDIDATE NAME _ Kris Clark _____

PRECINCT NUMBER _ Precinct 11 _____

Question No. 2

Thank you for being direct and concise in 250 words per question.

2. *Context:* When the Town of Barnstable asked people what kind of housing they want more of, the number one answer people gave was more single-family homes.⁴ On the other hand, a housing advocacy organization states that “[s]ingle-family zoning is the ‘heart of the housing crisis’ in its call for zoning changes.⁵ The Town Planning Director calls single-family zoning a “burden” on the community, and said the Accessory Dwelling Unit zoning change was a “babystep” to “pushing back” on the “legacy” of single-family residential zoning.⁶

Question: Do you support keeping single-family zoning in those areas of town now zoned for single-family use? Why or why not?

Answer:

Yes, I do support maintaining single-family homes in areas now zoned for single-family use. But I also supported adopting the Accessory Dwelling Unit (ADU) option for residences to accommodate housing opportunities similar to “in-law apartments” that have been customary on the Cape for years. Places that qualify for ADUs provide a place to live for those, like seniors, single residents and local workers who are not in a position to own a home at this time in their lives, who are willing to live with a lighter footprint on properties. We rely on the members of the Zoning Board of Appeals to respect the ADU regulations and its intent, with language that had been worked out by a Town Council Subcommittee and eventually adopted by the Town Council. Being close to build-out, our Town can work on revitalizing underutilized buildings for growth, improving our community character at the same time. We can consider some novel and creative ideas, especially for elders with existing single-family homes which are too big and too expensive to maintain at their stage in the life. It’s an opportunity for a program that can preserve the elder’s home as a permanent year-round house.

⁴ <https://itlaserfiche.town.barnstable.ma.us/WebLink/DocView.aspx?id=920267&dbid=0&repo=TownOfBarnstable> Local Comprehensive Plan survey at page 5.

⁵ <https://haconcapcod.org/blog/hacbeat-march-april-2023/> at page 3.

⁶Town Council Zoning Subcommittee meeting, June 2020. The Town has taken down the Zoning and Regulatory Subcommittee agendas, minutes, and videos from its website. They are available via a record request. BarnstableWatch volunteers’ meeting transcripts show this passage at minute 56:12 from a recording of the municipal television broadcast.

CANDIDATE NAME _ Kris Clark _____

PRECINCT NUMBER _ Precinct 11 _____

Question No. 3

Thank you for being direct and concise in 250 words per question.

3. *Context:* Across the country, cities and towns - including thriving tourist communities - protect existing housing stock for use as homes by locals. They adopt any one of a number of diverse ways towns can prevent or limit non-resident investors from using homes as more profitable short-term rentals.⁷ There are lots of ways for towns to limit or end the heartbreaking stories we hear each spring about locals getting kicked out of their rentals to make way for more lucrative short-term renters. Town Housing staff said this about incenting seasonal homeowners to rent year-round rather than short-term: “We have a large housing stock. It’s just not being used to house our residents.”⁸ The Town Council has taken no action in this respect to prioritize locals in the use of our housing stock.

Question: Do you support adopting some means to return some homes used as short-term rentals to year-round housing use for locals (*other than by one means a local developer has sought, which is for the town to pay property owners via tax incentives not to short-term rent their property*)? Why or why not?

Answer:

Yes, I do support adopting strategies to return some homes that have been used as short-term rentals to year-round housing use for locals. I believe that some progress has been made with the software that the Town has purchased to utilize for monitoring short-term rentals for better enforcement of the regulations, but it doesn’t go far enough. The Town Council had tackled this controversial issue in the past under Town Council President Paul Hebert. I understand that it was reasonable to give the new software and staff time to let it work in Barnstable, but it’s time to revisit how it has worked and evaluate ways to improve on that effort. We owe it to our residents and visitors to preserve community character that defines the Town of Barnstable. The work by our Local Comprehensive Planning Committee can help us seek options based on input from our residents.

I expect that our Planning and Development Department can evaluate the “diverse ways towns can prevent or limit non-resident investors from using homes as more profitable short-term rentals” and integrate them in the strategies for preserving year-round housing stock for

⁷ <https://barnstablewatch.com>

⁸ Housing Committee [minutes](#) May 21, 2019

Barnstable's residents. Other municipalities are exploring regulatory tools to address the trend of entities purchasing properties for short-term rentals. We can learn from other resort municipalities who have already found strategies to preserve year-round housing stock and to restrict the terms for allowing short-term rentals. There are strategies that we should evaluate for effective applications in Barnstable.

CANDIDATE NAME _ Kris Clark _____

PRECINCT NUMBER _ Precinct 11 _____

Question No. 4

Thank you for being direct and concise in 250 words per question.

4. *Context:* The Town of Barnstable regularly says it needs more affordable housing units. In the recent form-based zoning changes in downtown Hyannis (about which its consultant said “...any near-term development is going to be on the upper end of market rate...that means they are going to be expensive units”⁹) the Town Council did not include any affordability requirement(s). In the Accessory Dwelling Unit-by right ordinance change, the Town Council did not include any affordability requirement(s).¹⁰ When developers wanted a more profitable use of land at 850 Falmouth Road in Hyannis than the zoning code required, the Town Council said yes: The Residences at 850 in Hyannis is today advertised as a *Luxury Apartment Community*. It sits on land that had been zoned to be 100% affordable housing, with a preference for Barnstable residents and Veterans.

Question: Please comment on whether you would leave pricing to developers and property owners, or incorporate affordability into approvals?

Answer:

Although I am cognizant of the rising costs of building materials, I believe that the Town can incorporate affordability into approvals for development through programs developed specifically to accomplish this. After years of lagging behind in addressing privately owned structures which have been left vacant for extended periods, there has been progress made in converting delinquent buildings into renovated structures, moving in the direction of the mixed-use, especially in our downtown areas. Revitalizing our downtown areas relies on developers, but our Town should be the driving force for revitalization. Developers, knowing their industry, can be innovative and creative working with Town professionals to incorporate affordability into their proposals. To increase workforce housing, there are housing programs where the Town can maximize assistance to developers, through state and local initiatives. To support affordability, there are resources like our Housing Production Plan and state programs, like the Housing Choice Initiative. Another innovative project was produced when the Housing Assistance Corporation partnered with the Association to Preserve Cape Cod to feature the best areas for housing production twinned with the best areas to preserve land. Our regulatory boards have their job to do as well, ensuring that proposals for changes to our communities conform with the regulations that have been incorporated into our Town Code.

⁹ Hyannis Zoning Workshop March 2020.

¹⁰ The Planning Department staff said the Town’s Accessory *Affordable* Apartment program was expected to stay on the books, but to have attrition into the new *market rate* ADU program. Source: Zoning and Regulatory Subcommittee December 16, 2020.

The decisions are subjective, relying on the experience and integrity of the volunteer appointees who populate those regulatory committees, as nominated by the Appointments Committee, whose members are assigned by the Town Council leadership.