

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 _____ Felicia Penn _____

PRECINCT NUMBER 13

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:

I support any and all efforts to restrict/prevent Short Term Rentals in town---but especially in Hyannis. It's my understanding that enough housing units exist in town, but the perceived housing 'shortage' is because these housing units are not being used to house our year-round population. Hyannis is the "king" of the 2-3 bedroom ranch...in neighborhoods that sprung up after WWII and then again in the 60's. IF all the units served as primary residents for those living in them, we would not have a housing crisis. The new zoning in Downtown Hyannis was created mainly to allow developers by-pass any input by the public, and to build as much as possible without public oversight. The zoning is flawed and should be amended to fix this problem and the parking problem it will create. Of all the people I've spoken to who live in Hyannis, they do NOT want to become a city. They would like their downtown area to remain as much of a village as possible. This zoning steps all over them. It's really a shame. Might be time for a resident's petition to force Planning & Development to amend the zoning.

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..."

CANDIDATE NAME Felicia Penn

PRECINCT NUMBER 13

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:

Short answer is YES!...Actually, I have no problem with ADU's, but only when the owner lives either in the primary unit or the accessory unit, AND the rental MUST be for a minimum of 12 months. I encourage longer term leases, AND I encourage every single ADU rented m to be “affordable”—meaning that whatever rent charged cannot represent more than 30% of the renter's household income. So, if the hh income is \$40,000/yr, their rent would be \$12,000/year or \$1,000/month. If the hh income is \$85,000/year the rent would be no greater than \$2,125/month. The whole point of ADU's is to serve local workers, and creating units that “infill” properties that are large enough to accommodate them, or create living space out of otherwise unused spaces in existing homes. RE: turning our current residential zones into multifamily zones, I would say no. However, where a zone allows for mixed uses, such as commercial, and residential, I would be in favor of placing living over commercial first floors, and even doing small multifamily developments...no more than 6 units in a village layout with common greenspace, etc.

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 _____

PRECINCT NUMBER _____

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:

I think the town needs to get a handle on short term rentals, and should consider deed restrictions on any and all single-family homes to keep them year-round occupants. This would also cut down on future second homes. I would have to think more about whether or not tax incentives would be a good idea for the homeowner to restrict their home’s future use this way. I would think an incentive for them is a good idea. An incentive for investors who own multiple homes would not be incentivized. It would be meant for the owner/occupant, not an absentee owner.

⁷ <https://barnstablewatch.com>

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

CANDIDATE NAME Felicia Penn

PRECINCT NUMBER 13

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:

I kind of addressed this in earlier question. There is no doubt in my mind that on-site affordable units MUST be a component of each and every housing project, no matter what it is. It's time to focus on the outcomes of our policies and not on the developer's net profit.

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.