



Andrew Gottlieb
Executive Director

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Kristy Senatori, Executive Director
Cape Cod Commission
3225 Main Street
Barnstable, MA 02630

RE: Regional Housing Strategy

Dear Ms. Senatori:

The Association to Preserve Cape Cod (APCC) offers the following comments on the draft Housing Cape Cod: The Regional Strategy report.

APCC recommends the following be considered in the final report:

In the introduction paragraph on page 5 that says, "The region's rural and suburban development patterns have resulted in little housing diversity, limited infrastructure, and a car-dependent society that has created and exacerbated Cape Cod's most critical challenges. The current abundance of single-family homes and the policies in place that encourage them do not meet the region's needs," APCC recommends including additional language that describes the critical challenges our region is facing, including workforce shortages, underutilized seasonal homes, traffic, poor water quality and increasingly fragmented habitat areas across the landscape.

APCC strongly agrees with the following statement on page 6: "The region cannot build its way out of this problem and cannot solve this problem by replicating or expanding sprawling development patterns of the past." This approach must be the overarching philosophy behind any regional housing plan.

On page 6, APCC recommends including after the sentence, "With 86% of the region's land area already developed or protected, Cape Cod must be innovative and opportunistic" additional language about the need to carefully manage how the remaining 14% is used, especially since approximately 80% of that 14% is within critically important habitat or within areas that support important and sensitive

natural resources. This point should be included to help support the basis of promoting redevelopment to increase housing.

On page 6, APCC recommends adding “habitat protection” to amend the following sentence: “The Cape Cod community must address regional challenges related to **habitat protection**, climate change, the economy, wastewater and other infrastructure needs and investments to successfully support a vibrant year-round community.”

The summary on page 7 is too heavy on production and needs to introduce the idea of purchasing affordability restrictions on existing dwellings as a leading strategy up front in the discussion. It is likely that many readers of the Regional Strategy will not read past the summary. Not giving buy down strategies equal, if not greater, emphasis to building new units means it will get lost in the narrative.

APCC is cautious about the following statement on page 7: “It is critical that the region facilitate development of one or more entities that can more flexibly acquire, hold and develop or redevelop parcels for the purposes of housing.” APCC wonders what these entities may be and what will govern their priorities and actions. What will be their specific mission? Will they pursue the acquisition of green space and compete with natural resource conservation interests over the same parcels of land? Will they develop market rate housing with the idea of increasing housing stock, rather than providing needed affordable housing? APCC recommends that the role of such entities be carefully and narrowly defined.

APCC recommends that the Guiding Principles on page 9 place greater emphasis on the importance of appropriate locations for housing. The wording here should be stronger in that regard.

In the Key Findings on page 10, does the regional housing demand projected to outpace supply by 11,000 to 22,000 units mean affordable units, or any type of housing? This could be read to mean that the Cape Cod Commission is calling for the construction of 22,000 additional units without mentioning the impact of such development on the environment or whether this number of units is even sustainable with regard to the region’s environment. If this is referring to future affordable housing needs for current residents, it should be framed as needing to be met through a combination of restrictions on existing units, redevelopment projects, and construction within activity centers to meet the remaining gap.

On page 17, the Cape Cod Commission’s analysis “includes a Cape-wide review of parcels to identify specific sites that may be better suited for housing development or

redevelopment, and considers sensitive natural resources, infrastructure availability, and proximity of amenities.” APCC is curious how this analysis would compare to APCC’s determination of important natural resource areas that should be protected rather than developed, according to our “Hanging in the Balance” report and the APCC-HAC GrowSmart Cape Cod mapping project. APCC recommends that the Commission’s analysis incorporate the findings of APCC’s previous analysis, which strives to identify and ensure protection of the Cape’s sensitive and critically important natural resource areas.

On page 18, the report states, “Ultimately, the analysis will identify parcels that may make sense for near-term development or redevelopment, to aid in prioritization for housing initiatives and potential zoning changes. However, the analysis does not negate the possibility of other opportune parcels arising, nor should it necessarily limit all housing development and redevelopment to those areas identified.” APCC is concerned that this broad statement suggests to the reader that the housing analysis offers no strong directive or guidance about where on the Cape housing should and should not go.

APCC believes the discussion on page 22 under “Protective of Cape Cod’s Natural Resources” should be an overarching principle of the housing strategy. Appropriate and inappropriate areas for the location of housing should be better defined in the housing strategy.

In the same vein, the concept surrounding “Prioritize Redevelopment and Reuse” on page 23 should be clearly defined in the housing strategy in order to guide housing to the correct areas and away from sensitive natural resource areas.

On page 27 in the sentence, “Single-family home development is what the region’s land use regulations promulgate, with housing developments with more than two units allowed to be built by-right in only 2% of the region,” should the correct wording be “promote” instead of “promulgate?”

The word “opportunistic” in the heading “Cape Cod must be innovative and opportunistic” on page 34 is troubling. In the context of land on Cape Cod, “opportunistic” is often defined as taking advantage of any and all opportunities that come along to purchase available properties. Following an “opportunistic” approach to land acquisitions is one of the practices that has generated and exacerbated conflict between the housing and conservation communities on the Cape. A better term would be “strategic.”

On page 41 under “Policy and Permitting,” APCC recommends adding “in targeted areas” to “Strategies for zoning and permitting to encourage housing development or redevelopment **in targeted areas.**” Under “Land Acquisition and Development,” this language implies buying raw

land. It should emphasize developed and underdeveloped land first, with raw land as a last resort, and then only land that adheres to the APCC-HAC GrowSmart Cape Cod principles. “In appropriate targeted areas” should be added to the end of this statement as well.

On the recommendations that begin on page 45, APCC strongly recommends that the discussion of recommendations lead with redevelopment and buy down of existing units. The order of the recommendations matters. Having “change zoning” as the first recommendation implies that building our way out of the region’s housing needs is the preferred solution.

On pages 42, 44, and 49, discussion about the establishment of a Community Land Trust and Regional Housing Land Bank could likely be very controversial to the conservation land trust community, depending on the specific mission of these proposed entities. The role of a housing land trust and the kind of the properties a housing land bank acquires could be perceived as a threat to the ongoing environmental protection efforts of conservation land trusts and could create unnecessary animosity and conflict between the housing community and the land conservation community. The roles of these proposed entities must be clearly defined and they must not compete with conservation land trusts over land with local or regional natural resource value.

In the discussion on page 45, form-based zoning should be strongly encouraged for activity centers and downtown villages.

The discussion for the “Streamline Permitting” recommendation on page 47 implies that building new housing is the priority, not retaining existing development or utilizing redevelopment first. APCC recommends that the discussion clearly emphasize that streamlined permitting should be considered only in targeted areas that are appropriate for housing and supported by existing municipal wastewater infrastructure and that, ideally, has redevelopment potential.

For the “Develop a Regional Redevelopment Authority” recommendation on page 51, APCC believes the emphasis of the authority’s mission, and the limit in its scope, should be on the ability to purchase already disturbed land, not green space. This entity should also be charged with buy down authority and provided with funding specifically for that purpose.

The “Provide Financial Incentives to Convert and Preserve Year-round Housing” recommendation on page 53 should be listed first in the section on recommendations.

On page 59, “infrastructure” in the recommendation to “Dedicate Municipal Tax Receipts Towards Housing and Infrastructure” should be more explicitly limited to wastewater infrastructure. Otherwise, funds could go to other less impactful municipal infrastructure.



The discussion for the recommendation to “Explore Housing Potential on Joint Base Cape Cod” on page 68 should include more emphasis on the role and importance of MassDevelopment in this concept.

On page 70 for “Cape communities must change zoning to allow for more diverse housing options in appropriate locations,” the discussion should explicitly emphasize the APCC-HAC GrowSmart concept of directing zoning changes to areas where housing is most appropriate due to wastewater infrastructure, redevelopment potential, etc. and not in areas where increased housing production is not appropriate due to the presence of critical habitats and other sensitive natural resources.

APCC thanks the Cape Cod Commission for the opportunity to provide comments. We would be pleased to discuss our comments further if the Commission has any questions.

Sincerely,



Andrew Gottlieb
Executive Director

