



TOWN COUNCIL  
Committee to Review Zoning and Permitting Regulations  
Selectmen's Conference Room

Tuesday February 09, 2021 – 5:30pm

**Councilors:**

Councilor Eric R. Steinhilber  
Councilor Nikolas Atsalis  
Councilor Paul C. Neary  
Councilor Gordon Starr  
Councilor Kristine Clark

MEETING MINUTES

**PRESENT:** Councilor Eric R. Steinhilber; Councilor Nikolas Atsalis; Councilor Paul C. Neary; Councilor Gordon Starr; Councilor Kristine Clark; Cynthia Lovell, Administrator, Town Council; Gloria McPherson, Planning and Economic Development Coordinator; Elizabeth Jenkins, Director, Planning and Development

1. **Join Zoom Meeting** <https://zoom.us/j/98170637835> Meeting ID: 981 7063 7835  
1-888 475 4499 US Toll-free

- Nomination and Election of Chair:

Administrator of the Town Council announced that nominations from the Committee members for the Chair of the Committee begin:

Councilor Eric R. Steinhilber nominated Councilor Paul C. Neary, this was seconded by Councilor Nikolas Atsalis, hearing no other nominations, Administrator of the Town Council took a Roll Call vote:

Councilor Eric R. Steinhilber	yes
Councilor Nikolas Atsalis	yes
Councilor Paul C. Neary	yes
Councilor Gordon Starr	abstain
Councilor Kristine Clark	yes

Total 4 yes in the affirmative/1 abstention/ passes. Administrator announced the new Chair of the Committee as Councilor Paul C. Neary. Chair of Committee made the following announcement:

“Looks forward to learning about Zoning and what it has in store for the town moving forward, also thanked the previous Chair Vice President Paula Schnepf for all her work so far on this Committee”. This meeting is going to be recorded and aired at a later time, The Chair also declared the following statement: **In Accordance with MGL, Chapter 30A, Section 20, I must inquire whether anyone is recording this meeting and if so, to please make your presence known;** The Chair also declared the following: Tonight's meeting is with Remote Participation Instructions Alternative public access to this meeting shall be provided in the following manner:

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Chair of Committee introduced Elizabeth Jenkins, Director, Planning and Development to give the;

**Update on Inclusionary Zoning; Elizabeth Jenkins, Director Planning and Development:**

When the Economic Development Task Force was first developed it was initially tasked with looking at the potential barriers to economic development within the town, from a number of prospective, but more of a regulatory prospective and the one thing that the Economic Development Task Force discovered was the inclusionary affordable housing ordinance that was adopted around the year 2000 which is now over twenty years ago, this ordinance was more expansive requirements which states that development of 10 or more units and 10 percent to be deed restricted affordable, it was more expansive when it was first started and was litigated by some, so there were some parts that were struck down, what remains in force today continues to be implemented still today by the Planning and Development through the Regulatory Process is the requirement of the development of 10 or more units and 1 of the units be affordable rent at 65 percent and the others at 80 percent affordable, the town has moderately been successful with this tool, however a good example is Everleigh of Cape Cod where there were some of the units made affordable for our residents. There are a number of other projects coming through the process now that this can be a requirement of those projects; however smaller unit developments that do not have the ability to spread out the costs on a larger project makes the affordability of the rent not an option; so if a developer is doing a much smaller project it becomes more difficult for the developer to make these affordable because of building costs. The Economic Development Task Force Committee is currently collecting data to look at what the ordinance has produced to date and the housing stock currently available and are looking to make recommendations to look at the affordability for the workforce housing in our area.

Councilor Clark would like to see some presence of the Economic Development Task Force Committee have a web page on the Town website so the public can see the work they are doing. Councilor Clark thanked her for the overview, and would like a link either placed on the webpage or sent to her to see the ordinance before and after the Items were struck down so she could see what did not work in the Ordinance

Elizabeth Jenkins, Director, Planning and Development to give the Committee an update on Rt.132 Zoning;

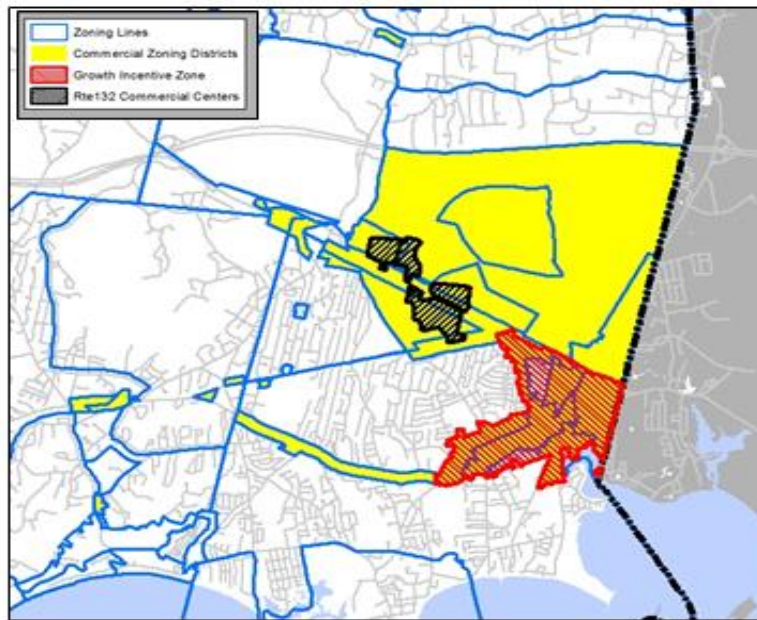


## Route 132 Discussion

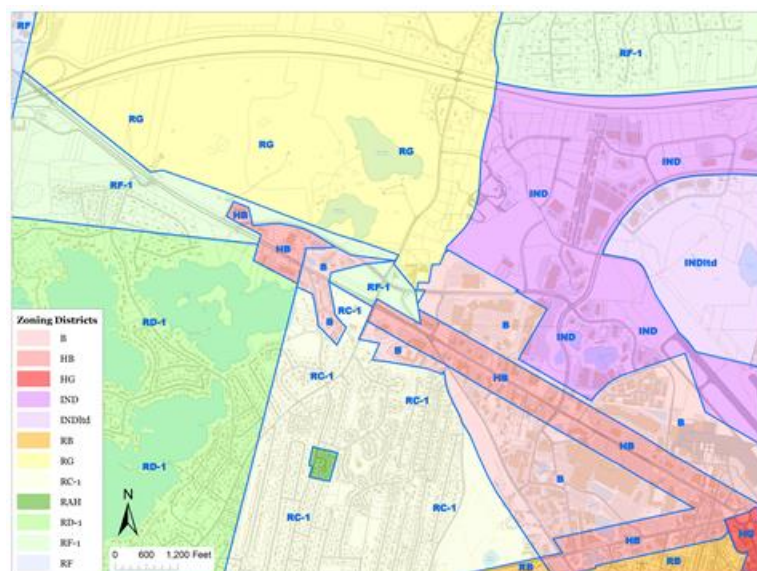
Zoning & Regulatory Subcommittee

February 9, 2021





Amending the highway business districts was a focus point of the prior Zoning and Permitting Committee when the Committee first was formed. This area was very restrictive in the past. It is important to bring this up again as we have a changing way of how retail is viewed and the thought of creating density housing in this area was discussed. The area in yellow is the Commercial Zoning Districts, and the zoning in this area has not been talked about in about 10 years. This is an important corridor into Hyannis with the Cape Cod Mall, Festival Plaza, and the new development with WS Development at the site of the KMART Plaza. These plazas are also going through a growth to address the changes since Covid, so they are forever changing. The area in red is the Growth Incentive Zone



This map shows parcels that, some are under one ownership, but are in multiple zoning districts; so in this area as we can all see needs some help and attention to clean up the zones. We need to take a Comprehensive look at this area and decide what our vision is for this area, and the type of development we want to see in this corridor; create a first class type of retail in this area. The map below is an aerial view of the map above to show the types of mixed use this property has.



### **Route 132 Objectives**

- Review and update desired land uses
- Clearly define how housing development objectives are incorporated
- Reconcile HB updates with B and IND Zoning
- Recognize regional commercial centers as a unique development type with need for specialized regulation
- Establish a Capital Plan for Route 132 that addresses roadway, bike, pedestrian, transit, streetscape, green infrastructure, and connectivity to adjacent areas
- Align Town and CC Commission planning and regulatory efforts to recognize the unique economic role Route 132 plays in the region and establish the corridor as an attractive environment in keeping with the high quality of experience expected on Cape Cod
- Create an efficient and predicable regulatory environment that incentivizes investment, redevelopment and infill resulting in greater economic activity, job growth, and expansion of the non-residential tax base
- Recognize that zoning for regional centers and DRI review should work together

### **Route 132 Next Steps**

- Affirm objectives
- Update land use, zoning and infrastructure analysis
- Develop work plan and engagement strategies

Chair of Committee asked the Committee members if they had any questions or concerns regarding the presentation;

Councilor Steinhilber would like a document explaining Highway Business/ Business Zone so the Committee members can get a sense of what they are and the meaning.

Councilor Starr asked about what Director Jenkins meant about the retail environment is changing, Director Jenkins explained that the town had a pre pandemic focus really that had a strong shift that was focused on place rather than destination, so in combining that shopping into an experience rather than just shop and buying; an example is Ryan’s Family added bowling and dining into the arcade experience and a greater focus on convenience and contactless shopping,, but we also do not know how



long this will continue, so a diverse type of shopping is what the retailers are looking at so is it shopping and housing or is it shopping and experience, so there is a lot of options with this going forward to think outside the box.

Councilor Steinhilber mentioned the odd zones and parcels that the County owns along RT 132, the development is crucial on this corridor for the town to get some of these parcels on the tax roll, so we need to clean up some of the parcels as well before they are developed.

Councilor Neary asked about when was this project looked at before; Director Jenkins and Ms. McPherson looked at the history on this corridor before tonight's meeting, and from what they both found was the last time it was discussed was 2011, the Town along with the Cape Cod Commission did a study regarding land use, transportation etc. So Ms. Jenkins thinks the next steps would be to engage the community and get thoughts on this area and identify the efforts we can tackle immediately and those that need deeper discussion and start to have those discussions. The Planning and Development department did a lot of work in 2018 with data regarding land use, and with the other report from the Cape Cod Commission we have a lot of information to start at least the initial conversation.

Councilor Neary asked if there was any way to codify the information on the map with what looks like 12 different zones. Is there a way to put all that information into a spreadsheet of some kind to explain the differences in each one? Director Jenkins can do that for the Committee.

#### Public Comment

<https://zoom.us/j/98170637835>

There was not any public comment from the members that joined from the Public.

#### Comments from Councilors:

President Lévesque thanked everyone for the presentations and for coming tonight and looks forward to the discussions moving forward for the areas on discussion.

Councilor Starr asked Director Jenkins about the Town joining and becoming part of the Street Scapes, Director Jenkins answered that her staff is looking and working with the other departments to find out how and what is needed to be designated as a Street Scape Community, there is an application process. Councilor Clark would like to know if the Comprehensive report the Town and the Cape Cod Commission is on the web site for her to access and look at. Director Jenkins will make sure it is.

Chair of Committee asked for a motion to approve the meeting minutes of December 16, 2020, Councilor Kristine Clark made the motion to accept the meeting minutes of December 16, 2020, this was seconded by Councilor Gordon Starr; Administrator of the Town Council took a Roll Call vote:

Councilor Eric R. Steinhilber	yes
Councilor Nikolas Atsalis	yes
Councilor Paul C. Neary	yes
Councilor Gordon Starr	yes
Councilor Kristine Clark	yes

Chair of Committee asked for a motion to adjourn, Councilor Steinhilber made the motion to adjourn, Councilor Starr seconded; a Roll Call vote was taken by Administrator to the Town Council

Councilor Eric R. Steinhilber	yes
Councilor Nikolas Atsalis	yes
Councilor Paul C. Neary	yes
Councilor Gordon Starr	yes
Councilor Kristine Clark	yes

ADJOURN: 7:05pm