

DENNIS PLANNING BOARD

Minutes of Meeting held

August 21st, 2023

The Planning Board meeting, having been duly posted, was called to order at 6:36p.m. by Chairman Paul McCormick Jr. in the Nathan Stone Hearing Room at Dennis Town Hall.

Present: Paul McCormick Jr. (Via zoom), Brad Bishop, Rick Hamlin, Jeffrey Eldredge, Elizabeth Patterson (via Zoom. stays briefly then leaves), Alternates: Adam Dunn

Absent: Chris Hedetniemi, John Terrio Jr.

Staff: Paul Foley (Town Planner), Anna Pannell

Chairman Paul McCormick Jr. opened the meeting, introduced the members and outlined the procedures and process of the meeting.

ADMINISTRATIVE BUSINESS:

1. Committee Reports

2. Planning Board Minutes August 7, 2023-Deffered to August 28th meeting

3. ANR's – None

Public Meetings:

1. Chandler Drive and Courtney Lane – Brief Update

Town Planner Paul Foley started by saying he had received a letter from Dan Ojala of Down Cape engineering that while he was unable to attend the meeting he believed that they were on track to completing the project. However, he did mention that after the time of the deadline then the Board could discuss if they needed to take the applicants bond or not.

Board member Jeff Eldredge reminds the Board and the public that there isn't really much the Board can do at this time. A deadline has been already agreed upon and there was much that that they could do until then.

Tom Rennell, an abutter who had been actively following the project from the start, indicated that despite this going on for months, that the work still hadn't even started and that they were rapidly approaching the deadline. He claimed that while the engineer and developer of this project had ample time to do so, he had seen no proof of quotes that should have been solicited in regards to price of the project. Additionally, he saw little to no activity on the street. He claimed that he saw D. Ojala once on his own, but claimed that there should have been contractors all up and down the street on a daily basis. He claimed he understood that they had until the deadline in September to get the project done, his concern was that he didn't see that happening and wanted to know what was going to be done and what would happen to the street should it be proven that no work was done or even started.

Board member Rick Hamlin, while sympathetic to the frustrations of the neighborhood and other

abutters, disagreed with the claim by Mr. Rennell that the work can't get done, but also reminded everyone that the Board couldn't do anything until the deadline of September 30. However, he once again asks the Board why they were still there discussing the matter when a deadline date had been already set? In regards to the Bond a suggested timeframe was put out and adds that if the work is essentially done and the road is paved and they were just waiting on engineering, then that was a different issue than the simply not being done or even started. He then makes the following motion.

Motion: End discussion for the evening

Jeff Eldredge 2nds

VOTE: Unanimous 6-0-0

Motion Verdict: Passed and proceeded to the Discussion portion on the Agenda.

Public Hearings:

NA

DISCUSSION:

1. Multi-Family Housing Overlay Bylaw DRAFT – Note: this will be a discussion in preparation for the public hearing to open on Monday August 28, 2023.

Board Member Elizabeth Patterson, who had been present for the Public Meeting section via Zoom, announced that she would be stepping down for the rest of the evening.

P. Foley, the Town Planner, mentioned that due to a scheduling snafu, the public hearing for this bylaw was going to begin just before the ZBA meeting on August 28, 2023 and be continued to September 11th 2023 as well as to the 18th if there was need to do so. He noted updates that were made to the Planning Departments web page, as well as gave a short overview of the goals of the Select Board as well as a summary of some of the key points that were stated at the previous meeting on August 7, 2023. For the benefit of both the public as well as the Board, he goes down the list of the edits that were made to the Bylaw back in December of 2022 as well as the new edits from July 18. He reiterated the fact that Dennis had an aging population as well as that over 50% of the homes in Dennis were seasonal, adding to the growing prices of homes. He also mentioned the already existing Bylaws that are intended for the creation of affordable homes.

He went on to describe the general area of the proposed district in question as well as the most recent changes to the Overlay District Bylaw. He went in sections, Development Standards, and Design Guidelines. The Development Standards(14.3) changes were, but not limited to:

- 1) *Clarified Intensity of Use for projects utilizing MFHO Bylaw*
- 2) *Clarified Parking for commercial uses in M-U projects follow Parking Schedule (3.1)*
- 3) *Different Density for M-U (20 res. units/acre) versus residential only (15 units/acre)*
- 4) *Noted desire for range of bedrooms.*
- 5) *Strengthened year-round requirement with NO Short-Term Rentals (STR) with language from ADU Bylaw.*
- 6) *Clarified setbacks with 10-foot vegetated buffer.*

And the Design Guidelines(14.3.3) proposed were:

- 1) *Added for general guidance see Dennisport Village Center Site & Architectural Guidelines.*
- 2) *Added definition for Smart Growth – Create walkable neighborhoods w/ sense of place...*
- 3) *Added definition for Complete Streets – provide options for all travel modes and abilities...*
- 4) *Added definitions/ desire for Open Space; Sustainability; and Universal Design.*

As he went down the list, he provided verbal definitions of words added for the benefit of both the Board and public alike as well as providing a proposed number of units per acre within the proposed overlay district. With the additional request of having a percentage, but in any case, at least one home to accommodate for mobility impairment and one to accommodate for hearing impairment. After providing a quick comparison to the changes made from December of the previous year to the most recent changes, the discussion was turned over to the Board.

Board Member Brad Bishop was looking for clarification on what the most recent changes to the Bylaw were versus what was done back in December, and wondered if going in sequential order would be something more beneficial for evening. To which the Town Planner pulled up a document that showed all of the past changes as well as the most up to date changes made on the Bylaw.

Board Member Rick Hamlin, while he didn't think it was time effective to go through also wanted confirmation about what type meeting was happening for the night. While they don't typically hear from the public during discussion meetings, where no official vote was to be held, it was confirmed by all members that they would still like to hear what the public had to say about the proposed project and if there were any questions that needed answered, despite the official public hearing being held the following week on the 28th of August.

B. Bishop also mentions about the increased parking but still indicated that there was need for more parking over the majority of the town. The Town Planner adds that for any commercial within mixed-use projects they would have had to abide by the current parking schedule. There was some further clarification about parking before proceeding forward.

Board Member Jeff Eldredge spoke of one of the changes in particular which discussed the number of bedrooms per unit, which he thought should have been increased a bit more due to how restrictive only 2 bedrooms could be to a family, indicating that it should be up to the developer on how many bedrooms are put in. There was also some question as whether rentals would be allowed or not, as Eldredge goes on to express that many people simply can't afford to buy, either due to cost or their credit. Additionally, he mentions the 10-foot setback for the parking and continues to that may not be applicable. He does agree that they should still look nice and avoid having them look like boxes. There were some other points that he agreed with such as the sustainable water for their properties. For the Solar, he didn't agree that they should be required, as it tends to cost more than what most people can handle, as well as had some design issues with it, but did think that the homes, if designed well enough could potentially have the capability to hold solar panels if the inhabitant decided to add it later. He reiterated, as stated before in one of the previous meetings, that these will be separate projects and parcels owned by separate individuals. While he agreed that it was a great spot to have a handicap accessible home, he felt that the language in the Bylaw needs to reflect that the home could be outfitted

to accept handicap accessible accommodations, but felt that building a home whose only function was to be a handicap accessible home, would be limiting not just in the design, but for who could live there as well. He agreed that handicap apartments were needed, he just wasn't sure how to market them if they were even marketable to begin with.

R. Hamlin stated that in regards to going line by line it didn't seem very time effective to do so, and to just allow for the evening to let those from public simply come up and say what they were looking to say. He also commented on the number of bedrooms, and agreed with Eldredge that a two-bedroom home was too limiting not just for a buyer, but for the developer as well. He also helped provide some clarification as to the wording of who could be in the homes. He stated that that it was his understanding that there could be renters, it was just no Short-Term renters. Whether the home is purchased or rented, the inhabitants needed to be full time, either as a home owner or renter. He also once again reminds the Board and the public that goal was to provide housing, not just Affordable housing, and provides a personal connection to this exact issue. He wraps up by saying that the town had an opportunity to create housing for those in the work force but for the elderly, future population, and so on.

Mr. Foley clarified that the language says that the Town desires a mix of from 1 to 3 bedrooms but that the average should be two-bedrooms per unit. The reason for this was so that we could better quantify the numbers involved. He added that at this time the issue of whether units would be owned or rented is left up to the developer.

There was some additional agreement from Chairman Paul McCormick Jr, and Board Alternate Adam Dunn, both of whom were on Zoom, that this was a chance for the Town of Dennis to lead the way for other towns to also take some kind of action in regards to the housing crises, as opposed to just talking about it without making any kind of action to back up their words. To which the rest of the Board also agreed that this was a step in the right direction.

B. Bishop reminded both the Board and public alike that this was not one project by one developer or contractor. This was 40 to 50 pieces of property with the intent to encourage residential development.

There were some summary remarks from J. Eldredge both reiterating what his fellow Board members had been saying about the need for housing, but also added that the Planning Board also had their first ADU. Eldredge also states that the wording needed to be crystal clear on their intent in the language provided.

Arnie Lett, who came from a meeting of the Zoning Board Study Committee (ZBSC) states for the Board what the ZBSC's goal was. He went on to state a concern on traffic control. His concern was with number of cars if there was agreement to have a large number of units. He then proceeds to go down a list of perennial problems that these homes could have. As well as the concern of increase in taxes due to these homes. He also states concern about the increased number of people at the already crowded local beaches and the lack of enough parking spaces for them as well. He was also under the impression that there was a grant under State funds for \$100,000 to look into the issues. While he agreed there needed to be more affordable housing he felt there needed to be more study on the impact of the town before

any action is taken. Also, on the proposed homes he brought up his concern on how the restrictions that were suggested were to be enforced if it was even possible. He added the additional concern about the parking per unit, as he claimed, people fight over parking spaces and it could end up as a real mess if there wasn't going to be enough. He really felt that the public should be thoroughly informed about what was going on before proceeding forward.

Christina Greer spoke about her and her husband moving to the town back in 2018, going on to say that she did grow up in the area and when her and her husband moved away eventually she had told him that she really wanted to move back to Dennis. And while she did find a teaching job in the town, however she was renting and stated that her lease was up in December of 2023. At the school she was working at she said that they had a hard time filling the positions because as she put it, "If you don't already have a house here, you can't afford to live here." While she had hoped that her home in Dennis would be the home she would retire in, she was facing the harsh reality that it probably won't be. While her partner was against her going to speak as these proposed homes would be for someone 20, 40 or many more years down the line, she had hoped that maybe her speaking would help reinforce just how much an immediate need there was. She closes by saying as great as having a brand-new school was, it won't be any good if the town can't have families and teachers alike who want to work, but who can't afford to live, and by default work in the community.

Henry Kelly, a member of the ZBSC, spoke about a statement that was drafted that day which was a response to at the time the most current proposal on affordable housing, to which he claimed that both the Planning Board and the Select Board would be receiving a few days following the meeting. He then goes into some detail as to what that document would entail. He reiterated that the ZBSC has consistently stated that the town needed more affordable housing, and agreed that the general area proposed was a good area to have the potential to do so. He believed that there were those who thought that a person is either for or against affordable housing. He claimed that the ZBSC saw it more in grayscale area and not quite so black and white. He also claimed that the document that the Board was going to receive outlined concerns that the ZBSC had in regards to the language that being proposed and where it needed to be improved. He asked exactly how many units were the Planning Board going to provide, and claimed that the ZBSC hadn't received an answer. He also asked about how many people would be housed per the number of units. He claimed that was the number that would tell them what kind of structural and environmental impact the units would have. He added that with every change that was made meant less time for the public to be able to gather the information. He added a concern that just because whatever language is written that allows a developer a bit more range in creative freedom so to speak, doesn't mean that it would do the public any good in the long run. He emphasized a claim that rentals were more important to those in need than sales units were, as his concern was if the deciding factor on if the units were going to be rentals or sales, was the developer, then the Board should take that into consideration when they decided to vote. He went through some of the specific language and the ambiguity of some of the wording, and the possible issues that could come from it. Using the ADU language as an example. He wanted to know the requirements for the units and the renters or owners. Making the point for the need for specific language in the Bylaw. He made some additional points before hitting on the point that while meeting with the Town Planner had been helpful, he believed that it was to be more beneficial if the ZBSC and the Planning Board sat down face to face to

come to an agreement. He closes with adding that the town had applied for a \$100,000 grant to get public input and design standards.

Tom Hunter of Dennis port, mentioned the possibility of these homes being sold as condos or apartments, and while the baseline unit fee might be affordable his concern was about things like the utility fee, which he claimed needed to be affordable as well. He also asked about how the bank would offer these people mortgages. He went into what the individual owner's personal budget might look like as well as what their fees to live in these homes could look like.

After the public spoke B. Bishop mentioned that he had attended most of the ZBSC's meetings to which he was under the impression that they were presenting concerns about how the Planning Board was doing things. He stated that they would never satisfy those who were looking for perfect. He also wonders if there was a way to balance the urgency of needing homes with the desire to make them look nice. He also agreed with the concern that if there were too many restraints, and that could make it hard to find any one to build, either internally or externally.

R. Hamlin spoke about how 75% of people need housing. He saw the proposed changes to the Bylaw as guidelines instead of restrictions but did agree that parking should be done as per bedroom instead of per unit.

J. Eldredge also agrees with the suggestion to have a group meeting with the ZBSC, and proceeded to discuss the development of individual parcels.

After some additional comments from the rest of the Board, the meeting draws to a close.

No Official motion was made during this time.

R. Hamlin makes a motion to end the meeting.

Meeting Adjourns at 8:36 pm

Minutes approved September 11th, 2023