



TOWN COUNCIL
Committee to Review Zoning and Permitting Regulations
Joint Meeting with Planning Board members
Selectmen's Conference Room

Thursday May 2, 2019 – 6:00pm

Councilors:

Councilor Eric R Steinhilber Chair
Councilor Paul Neary
Councilor Jessica Rapp Grasseti, Precinct 7
Councilor Philip Wallace, Precinct 11
Councilor Matthew Levesque, Precinct 10
Councilor Deborah Dagwan, Precinct 8
Member at large Hank Farnham

MEETING MINUTES

PRESENT: Councilor Eric R Steinhilber, Chair; Councilor Jessica Rapp Grasseti, Precinct 7; Councilor Philip Wallace, Precinct 11 **ABSENT:** Councilor Paul C Neary, Councilor Matthew Levesque, Councilor Debra Dagwan, Member at Large Hank Farnham; **OTHERS IN ATTENDANCE:** Brian Florence, Building Commissioner, Assistant Town Manager, Andy Clyburn, Planning Board Members Pat Foran, Walter Watson

Chair opened the meeting at 6:05pm and announced because the Committee did not have quorum, this would be an **informational meeting only**, no votes will be taken.

Chair of the Committee asked Ms. Jenkins to speak on the Short term rental issues facing Barnstable, and to listen to what other Communities are doing to handle this issue. Courtney was introduced from Michigan, has worked in New England for a very long time, the bulk of her business is Zoning and Planning.

Courtney has been working on the Short Term policy and Procedure for Barnstable for approximately 2 weeks, there are some hurdles that exist and the need to clean up the regulatory process is first, then try look at the local codes and clean those up and then look at the State and their regulations, and together with all those try and come up with regulations for the Town of Barnstable. One of the challenges for Barnstable is being able to provide year round vs part time living so that your residents have a reason to stay in Barnstable.

The complaints that she has been receiving is individuals buying the housing stock up and using the home as a fast turnaround for renting which results in homes being used as hotels. We need to strike a balance between the year round and the tourism side of Cape Cod and come up with regulations that strike a balance, Neighborhoods being turned into short term rentals with lots of individuals coming and going every two weeks, so you have a once quiet neighborhood that now has a lot more traffic and people.

The process that will be established and used is interviews need to be set up with stakeholders to get the concerns of everyone and then compile that information as a platform for designing, so we can understand the regulations that need to be

Elizabeth said the goal is to set up regulations that we can enforce that at the end of the day are enforceable and communicated to our residents. We need to send a clear message to the residents that the regulations will and can be enforced, and we need to get the registration process tightened up as well.

Assistant Town Manager would like to see the regulations sooner rather than later, but also understands that we need to craft them correctly and not rushed.

Elizabeth stated that once you start opening this up and looking at the regulations currently, it becomes multi-faceted and it leads to more issues, but keeping the focus on short term rentals and to come up with regulations that can be enforced.

Assistant Town Manager said in residential alone there are 14 different residential zoning codes, it's very confusing and needs to be cleaned up.

Brian Florence said that he would like to see regulations that are actually enforceable, currently we have regulations but no enforcement criteria, so it makes it very difficult for me or my staff to enforce.

Councilor Rapp Grasseti stated we need to inform the public about the zoning that our residents currently live in, there are a lot of residents that have no idea about what type of zoning they have in their residential neighborhoods, informing the public is vital in this. Is there anywhere on the website that may explain this to our residents. Elizabeth stated no currently there is not anything on our web site but we can certainly look to put a condensed version of an explanation up for people to look at. We have regulations currently but they do not address someone renting there house out for a weekend or for a week or two days, there is nothing that we can use currently to enforce.

Councilor Rapp Grasseti stated we need to look at the Accessory Apartment program other communities are looking at this as a way for an elderly couple to rent out the main house year round while they stay in the Accessory Apartment attached to the main home. Elizabeth mentioned she has seen an uptake in the questions regarding Accessory Apartments recently, so she will look into those regulations as well to make sure they are not too constricting, or if the regulations need softening.

Councilor Phil Wallace asked what the definition of short term rental is; Courtney stated 14 days max is considered a short term rental. Courtney stated the short term rental in other communities are defined by operating characteristics, some communities say the owner needs to be on premise; others have defined it not having to be on premise, so there is a lot of ways to craft regulations for Barnstable using the difficulties that come up. Most of the complaints she receives from other communities are different people in the area all the time, not the same neighborhood, they do not know the individuals or their neighbors anymore. There are a lot of line zoning in your zoning that needs to be changed, so she will take each one and address it in a local ordinance. Courtney stated the only thing the State has looked at was the room tax, and not the rental length of stay portion because the State can't say locally what each community does with their regulations, the State leaves it up to the local towns, it would be nice if the State issued some sort of guidelines for all this to happen, but she has not seen anything as of yet. For the next meeting

- Interview stakeholders to get perspective
- Create regulations that work for Barnstable
- Look at the 14 current Residential Zoning
- Present material from other Communities on how they handle this issue
- Public outreach in form of a survey to ask questions of the residents and stakeholders

ADJOURN: 6:55pm