

February 17, 2022

# To understand Cape Cod's housing crisis, look at what's happening at Twin Brooks

**Jeannette Hinkle**

Cape Cod Times

[View Comments](#)

Every single day, Alisa Magnotta says, the staff at Housing Assistance Corporation in Hyannis sit down with renters looking for help after learning their home had been sold by its owner.

Lately, the staff have few options to offer.

“They have no place to go,” Magnotta said of the displaced renters. “We have no capacity whatsoever for rentals. In Yarmouth, there was a lottery for 50 affordable units and there were 600 applications. There are some apartment complexes with waiting lists that are four or five years long.”

That’s partly why Magnotta, who has long been at the center of the Cape’s housing crisis as HAC’s CEO, was so fired up when she saw that Barnstable Land Trust had published its own plans for 35 Scudder Ave. in Hyannis, where a developer was already in the process of getting local approval to build 312 apartments.

“I’m shocked that somebody would spend the time and the money to create an alternate plan on a site that they have no control over,” Magnotta said recently. “It’s not acceptable.”

Land trust Executive Director Janet Milkman says the plans were a good faith effort to help produce a project for one of the largest remaining parcels of green space in Hyannis that would add both housing and conservation land.

"If contributing our ideas to the process is considered 'derailing' it then what kind of the process is it?" she said. "If we continue to develop every piece of open space that's left, we are going to lose everything that's the basis for our economy. We're going to kill the goose that laid the golden egg. We're in the process of doing that."

### **Barnstable Land Trust** hires firm to design alternative vision for Twin Brooks project

Town and regional governments are working to produce strategy documents that answer the questions of how much housing Cape Cod needs and where that housing can go without degrading the region's fragile environment. Many of those efforts are focused on downtowns and village centers the Cape Cod Commission calls "community activity centers," which include the Scudder Avenue parcel, according to the developer's application.

But the controversy at Twin Brooks shows that, while private developers might design projects based on regional plans, those projects will still face resistance in a place where environmental issues and old-school charm make large-scale apartment complexes a difficult sell — no matter how bad the housing crisis gets.

## **Conservation vs. Cape Cod housing**

The land trust does not own the land where Lennar Multifamily Communities, which bills itself as the fourth largest apartment developer in the U.S., is proposing to build the market-rate apartment complex it's calling Emblem Hyannis.

The 54.5-acre parcel of land — which includes both the Resort and Conference Center at Hyannis and the Twin Brooks Golf Course — is owned by The Finch Group, whose founder entered into a purchase and sale agreement with Lennar in 2020.

Per the agreement, Lennar will have the option to buy the 40-acre golf course parcel from Finch Group after the apartment proposal reaches a certain point in the local permitting process.

**Twin Brooks owner:**other proposals are "non-starters"

Lennar's project elicited a response as soon as word spread to neighbors, who formed a group called Save Twin Brooks. The neighbors, who want to preserve the land as green space and worry a 312-unit development would further degrade bordering wetlands, add traffic and hurt the area's character, began raising the alarm about the project with anyone who would listen.

When Milkman looked at the property, she saw the land as worthy of conservation, the land trust's primary mission. But she was also aware of the near-weekly drumbeat of dire headlines about the Cape's housing crisis.

She thought Lennar's project — which would feature studio, one-, two- and three-bedroom apartments broken up into 13 three-story buildings clustered around surface parking lots, as well as a clubhouse with a fitness center and pool — was too big. But she wondered if there was a middle ground between Lennar's proposal and that of the Save Twin Brooks group that would further the community's conservation and housing goals.

When Cape Cod Commission staff explained that the form of regional review Lennar's project would take allowed for more negotiation than a typical development of regional impact review, Milkman asked the land trust's board if the organization could step outside of its traditional role to explore how it could help negotiate a conservation-oriented housing development residents might be more likely to accept.

## **Barnstable Land Trust proffers new Twin Brooks plan**

In September, Barnstable Land Trust hired Boston-based planning firm Utile. This month, after months of gathering community comments, the land trust published Utile's renderings.

The plans, outlined in a recorded presentation, feature between 150 and 200 units designed as cottages or townhouses. All of the plans — which consultants said would have at least 20% affordable housing — would involve redeveloping the Resort and Conference Center at Hyannis, of which owner Wesley Finch has said he wants to retain ownership. And all of the plans would turn the vast majority of the golf course into conservation land.

**Twin Brooks status:** Six projects are before the Cape Cod Commission. Here's where they stand.

“These ideas are just ideas, and they're really meant to inspire conversation among the decisionmakers about this project, to see whether there's a vision that is better for the community than what the developer has proposed,” Milkman said. “I hope that it will inspire some good back and forth, some negotiation, because this is a negotiated agreement.”

Andrew Gottlieb, executive director of the Association to Preserve Cape Cod, called the Land Trust's approach conceptually creative.

"I think the BLT is perfectly within their rights to talk about a scenario that they think is a better answer given their organizational mission and perspective, just like anybody else is justified in having an opinion on this project," Gottlieb said. "If that's enough to scare somebody away from developing it, then I question how serious that developer is about the whole initiative in the first place."

**‘Right out of the NIMBY playbook’**

Magnotta saw something else in the land trust's renderings: a well-funded, well-coordinated push to derail a viable development proposal that had the potential to help families with nowhere to go find a place to live on Cape Cod.

“This is 100% right out of the NIMBY playbook,” Magnotta said, using the acronym for “not in my backyard.” “Every single project that we bring before any planning board where we have opposition, that’s my number one critique: I’m for housing, just not that much. I’m for housing, but not exactly like that.”

**Low Cape inventory to blame:**Double-digit declines in home sales predicted for 2022.

Other Cape Codders knee-deep in the housing crisis were upset about the land trust’s renderings, too.

Ryan Castle is the CEO of The Cape and Islands Association of Realtors, which recently published a gloomy report on the Cape’s housing market that warned the historically low amounts of new listings are “a bad precursor for Cape Cod’s economy.”

Like Magnotta, he worries that the renderings will get people excited about something that he doubts is financially possible.

“What’s the expectation you’re setting when we have no idea if this proposal is economically feasible for the developer?” he said, adding that, on the surface, the land trust’s plans seem like “a dangerous assault on the private property rights of these owners.”

**More Twin Brooks background:**312-unit Hyannis apartment complex undergoing state environmental review

Milkman said the land trust did not study how much it would cost to build the plans Utile proposed, or how much it would cost to operate the housing complexes if constructed as designed.

Utile's Matthew Littell did caution that "these more creative approaches may require other funding sources and may not be wholly supportable by market-rate activity."

In other words, the land trust's vision would likely need additional public or private funding to become a reality.

## **Twin Brooks' 'perceived open space'**

Milkman argues that finding the right balance between housing and conservation at the Twin Brooks parcel — even if striking that balance requires waiting for local, state and philanthropic funding to come through — is worth the time, expense and effort.

She sees the parcel as precedent-setting in terms of Cape development because it represents a land type the land trust calls "perceived open space" — places such as golf courses, ballfields and farmland that are officially classified as developed but feel to residents like green space.

As Utile designed alternative plans for Twin Brooks, Milkman and others concerned about overdevelopment approached the Cape Cod Commission with a request to amend the regulations for recreational, agricultural and institutional lands, which fall into the 86% of Cape Cod land that is already either protected or developed.

### **COLUMN: Here's a plan to solve the Cape Cod housing shortage**

After receiving the land trust's request, Commission staff put together a working group tasked with researching the development pressures facing these types of parcels and offering recommendations about how local governments and others can better balance natural resources and open space protection with pressing development needs, according to Cape Cod Commission Executive Director Kristy Senatori.

The working group, which includes both Milkman and Magnotta, as well as town planners, a cranberry grower and a camp owner, had its second meeting this month.

Milkman sees the land trust's participation in the working group and in the Twin Brooks development process as parallel efforts.

“We believe there is a housing crisis,” Milkman said, adding that the land trust hasn't opposed Lennar's proposal. “But the way to address a housing crisis is not to create an environmental crisis.”

## **State denies more intensive environmental review**

Magnotta says Lennar’s proposal for 35 Scudder Ave. will pass through existing environmental reviews put in place to protect the Cape’s natural resources, and that the complex’s construction is being wrongly used as a boogeyman to gin up fear about the destruction of the region’s environment.

The developer asserts in its application that the project will not impact freshwater resources and would instead reduce unmanaged stormwater runoff and nitrogen loading as compared to the golf course, resulting in “net-positive improvements in water quality to the Stuart’s Creek watershed and the associated habitats.”

After residents asked for more intense state environmental review, the Massachusetts Environmental Policy Act Office determined — after looking at Lennar’s plans — that the project didn’t need it.

### **TikTok: Anthony Varela uses international platform for good from Cape Cod**

The development’s proposed layout would ultimately increase the buffer from wetlands as compared to the existing edge of the golf course, Lennar says, and Magnotta pointed out that the company is proposing to designate portions of the property as restricted open space.

“They’re being extraordinarily reasonable,” Magnotta said of Lennar.

The project would also rely on existing sewer lines instead of septic systems to manage waste.

That’s a big deal, Gottlieb said.

### **Cape Cod Commission survey:**Who bought homes on Cape Cod during the pandemic?

Gottlieb, who is also a member of the Commission group looking at “perceived open space,” has been working with Magnotta for more than a year to map parts of Cape Cod that are able to accommodate development without negatively impacting the environment. The maps will be published soon, he said.

“There aren't easy answers, but areas like the Twin Brooks site are the types of sites that are showing up in our joint mapping exercise as appropriate for some more development,” Gottlieb said, adding that his organization hasn’t yet taken a position on Lennar’s proposal. “That doesn't mean the whole site needs to or should be developed to its full potential, but these are the types of areas that do have some access to infrastructure, that can sustain some additional intensity.”

### **HAC says apartments are needed now**

Instead of furthering the Cape’s degradation, Magnotta said, the complex proposed for Twin Brooks would actually help prevent a different ugly future than the one Milkman described, one where the region loses the people who make the environment liveable — nurses, first responders, retail, restaurant and hospitality workers and teachers.

Without them, she said, the Cape will become a museum, devoid of the living culture that working people provide.



**'Remarkable': Habitat Cape Cod's eco-friendly homes score high on energy efficiency**

Rents at Lennar's project are expected to range from the mid-\$1,000s to the upper-\$2,000s, according to the developer. The complex would also, by law, include 32 units of affordable housing.

Apartments like the ones LMC is proposing do not exist on Cape Cod right now, Magnotta said.

The county's vacancy rate for rentals is 0%, partly because there are few homes for sale — of any price. In January 2020, there were 986 homes for sale in Barnstable County that cost less than \$1,000,000. In January 2022, there were 88, according to data from the Cape Cod and Islands Association of Realtors, which is led by Castle.

The pandemic upped the ante on the Cape's housing crisis.

Barnstable had the fourth-highest percentage of in-migration in the country in 2020, according to the New York Times, which analyzed U.S. Postal Service change-of-address statistics.

That wave of newcomers was generally wealthy, Castle said.

“More people with more money are moving here,” he said. “They're driving up the existing housing prices, and we're not building new housing, so we're displacing year-round Cape Codders with new year-round Cape Codders because we don't have anywhere else for them to live. We need more housing, period. That will eliminate the pressure all the way down the line.”

Magnotta says the need for housing is so great that the Cape needs at least some developers with deep pockets to propose denser housing. And she is worried that the land trust, with its Twin Brooks proposals and push to preserve more “perceived open space,” will scare away not only Lennar, but other developers like it.

“We’re concerned about this becoming a practice other groups who are opposed to housing take on,” she said.

It's a fear Castle shares.

“One of the big reasons why the Cape hasn't had development in decades is because the process is too long, too hard, and people just decide not to invest,” Castle said.

“People who say the Cape is over-developed are wrong,” he said. "We don't have enough people living here because businesses can't find employees and employees are moving off Cape. It's obvious that we don't have enough people living here to service the people that we have here."

*Contact Jeannette Hinkle at [jhinkle@capecodonline.com](mailto:jhinkle@capecodonline.com).*