

The Falmouth Enterprise

Friday, January 26, 2024

Falmouth, Massachusetts

Devoted To The Interests Of The Falmouth Community



COURTESY MICHAEL GALASSO

A rendering shows the public plaza planned for the front yard of the former Royal nursing home property at 545 Main Street.

Falmouth Housing Developer Continues Efforts To Win Zoning Board Support

By ELIZABETH SAITO

Zoning board members, with the exception of Marc M. Finneran, showed some signs of support for a plan to renovate the old nursing home at 545 Main Street into workforce housing at its meeting last Thursday, January 18.

However, the board decided to delay a vote until the developer, Michael B. Galasso, fulfilled two requests: secure additional off-site parking and prove that all of the project's residential units will count as affordable. Mr. Galasso said he is close on both.

Around two dozen people showed up in support of the project, along with several abutters who opposed the plan. The evening included a theatrical presentation from Falmouth's building commissioner, who used two wooden boxes and 100 golf balls to illustrate why the project does not fit into existing regulations and needs a special permit.

The project includes 26 year-round apartments and 45 private rooms to be

rented on a monthly basis, which Mr. Galasso said will serve Falmouth's seasonal workforce.

With a total of 71 units, plus a 24-seat café, the zoning board has expressed skepticism that the site's 59 parking spaces will be adequate. Mr. Galasso believes current parking is adequate, given his plans to provide electric cars that are rentable by the hour, bicycles, and a van to drive residents to work. The building, located next to Saint Patrick's Church, is on a bus line.

Many of the speakers during public comment underscored how urgently rental housing is needed in Falmouth.

Benjamin Weiss, 26, a robotics engineer at the Woods Hole Oceanographic Institution, said that since taking his job three years ago, he has moved six times. "I've lived in people's attics. I've lived in small, shack-like things in people's backyards," he said. "I've shared houses with as many as 12 people, including a baby."

Mr. Weiss questioned if WHOI could

continue to attract and retain talent in the current housing market. "I am truly disappointed to see it not move forward," he said. "I'd rather take a bus than move six times."

Mr. Galasso told the board that—per their request in December—he is in promising negotiations to lease 12 to 20 parking spaces, all within a 10-minute walk.

Sandra J. Brouillette, who lives in an apartment complex across the street, doubted the effectiveness of Mr. Galasso's strategies for reducing the need for cars. She also worried the café would turn into a bar with live entertainment and said the monthly rented rooms make the project more of a motel or rooming house.

"This development is not serving the desperately needed year-round housing needs of families and young working adults, as less than half of these units provide for permanent year-round housing," Ms. Brouillette said, reading from a letter submitted on behalf of several neighbors.

Miranda Vogt, 27, a research assistant



ELIZABETH SAITO/ENTERPRISE

Miranda Vogt, a researcher at the MBL urged the board to approve the project.

at the Marine Biological Laboratory in Woods Hole, saw things differently. "This proposal will be effective in providing both badly needed year-round affordable housing, as well as the seasonal workforce housing that we are desperately short on," she said.

William P. Enos, who owns Cape and Islands Draperies across the street, said customers already avoid his store in the summer for lack of parking and Mr. Galasso's project will make things worse. "It affects my business," he said, adding that the planning board "should be ashamed of themselves" for approving the project.

In August, after months of deliberations, the planning board approved the project under the Mixed Residential and Commercial Overlay District (MR. COD) bylaw, which was adopted by Town Meeting with the intent to allow for denser development of affordable housing along Main Street, where sewers already exist, without the need for a special permit from the zoning board.

However, Gary E. Street, Falmouth's building commissioner, advised the zoning board that Mr. Galasso's project does not qualify under MR. COD and that a special permit is still needed.

Speaking before the board, Mr. Street said Mr. Galasso's plan to combine 26 residential units with 45 rented rooms on the 1.8-acre site violates density regulations. Under his calculations, only 10 rented rooms are allowed in addition to the 26 year-round units. To illustrate his point, Mr. Street put 36 golf balls into a small wooden box, where they fit snugly.

Mr. Street then put 26 golf balls (the residential units) into an identical box and held aloft a bag of 45 golf balls (rented rooms). "Do you want me to dump them out?" he asked. "It doesn't fit the box."

Despite his vigorous defense of his position that a special permit is required—a



ELIZABETH SAITO/ENTERPRISE

Standing before the board, building commissioner Gary Street stacked up books containing the many building bylaws and codes he must enforce.

position disputed by both the developer and the planning board—Mr. Street said he supports the project. "I think it's a great project, and it needs to be approved," he said.

The project has broad support from elected officials. Both state Senator Susan L. Moran and state Representative Dylan Fernandes wrote letters to the zoning board urging approval. In comments to the Enterprise, Falmouth Select Board member Douglas C. Brown praised the project as a creative repurposing of a vacant building. "When we declare a housing crisis, we all need to recognize the urgency, and do everything possible to facilitate projects that are innovative and think outside the box," Mr. Brown wrote.

Zoning board member Marc Finneran, who has criticized the project as "outrageously" dense, asked Mr. Galasso if he would decrease the number of units.

"I think, Marc, because of the housing crisis and demand, and you hear it here from the audience, it's not the right thing to do," Mr. Galasso replied, also noting that eliminating units will jeopardize the project financially.

Mr. Finneran said public support should not override the board's duty to uphold the law and protect abutters. "We're here to protect the abutters; that's our purpose," he said.

At this point, Selectman Edwin [Scott] P. Zylinski II, who formerly served on the zoning board, came to the podium. "Your duty isn't just to protect the abutters; this is also a board of relief," he said, "which means it's up to your interpretation."

Mr. Finneran then asserted that downtown has a parking crisis. Congestion is "an extreme issue in this town, all the way up and down Main Street," he said.

"With respect," Mr. Zylinski replied, "there will be no congestion if we have no workers to work on Main Street." The audience applauded.



ELIZABETH SAITO/ENTERPRISE

Marc Finneran of the zoning board waved a marked-up copy of the project's traffic study, questioning its methodology.

Zoning board member Frank K. Duffy Jr. asked how the density issue illustrated by Mr. Street's golf ball presentation could be resolved.

Mr. Galasso's lawyer, Robert H. Ament, replied that the building commissioner had chosen to read the MR. COD bylaw in an unnecessarily restrictive way.

"The bylaw does not say that the choice is 20 units per acre, or a mix of residential units and non-residential uses that have the impact of no more than 20. It does not say that," Mr. Ament argued. "It allows mixed-use development, including up to 20 units per acre, and then establishes a set of requirements to determine whether a site is suitable for what's proposed."

The zoning board has the choice to waive parking requirements and agree with the planning board's interpretation of MR. COD and approve the project, Mr. Ament said. "Or you can decide not to approve it. Despite the need for this project. Despite how good it is. Despite our proposal that we will find 12 more parking spaces," he said. "Make the right decision that gets us affordable housing and a good reuse of this property."

Special permits require an affirmative vote from at least four of the board's five voting members.

Zoning board chairman James T. Morse said he wanted to move toward approving the project, but first needed assurance from the state that all 26 residential units would count toward the town's Subsidized Housing Inventory. Once 10 percent of Falmouth's housing stock is on that inventory, the town can block Chapter 40B developments.

Mr. Galasso said this was the case and that state officials would send a letter shortly to confirm it.

The hearing was continued until February 29 to give Mr. Galasso time to secure both the state letter and off-site parking agreements.