

Rise up against the commissariat

There are a thousand stories on the Naked Sandbar; this is one of them.

A nursing home owner was in business 20 years. Nursing homes are a challenging business, but Cape Cod abounds in old people, so demand was good even if margins were slim. He owned a large piece of land next door, so he decided to build a 50-unit assisted living complex. Golf course down the street, VFW next door, the complex would be popular, and provide needed services to seniors called "over housed," stuck in three-bedroom ranches they bought for retirement, which they now found difficult to keep up. The nursing home next door would allow the offer of more extensive care, as well medical staff in close proximity.

It seemed like a no-brainer until the Cape Cod Commission came along.

Though a residential development, over which they have no authority, the commission deemed it a business. Usually, they deal with big corporations like Stop and Shop (since smaller businesses build a 9,999 square foot building to avoid commission review) who can afford to install a new "mitigating" traffic light (where the town doesn't want one) as a cost of doing business. This was a quieter road, so the commission decided on "affordable housing" as the goal. The development must have 10 percent affordable housing.

The owner offered to set aside five apartments for nursing staff as private residences. No, he was told, he must purchase land and construct five new stand-alone dwellings that would be sold at commissariat-established affordable prices, bearing no resemblance to even the land price, let alone construction costs. Of course, no preference would be given to his own workers, as the commission had a larger social mission to fulfill.

The owner eventually funded several studies for commission staff and was allowed to build, years later, without creating the housing.

My favorite story about the commission is from years ago, when a gambling boat tied up in Hyannis Harbor. Because town officials didn't like it, they referred it to the commission as a Development of Regional Impact, because the square

footage was over 10,000 square feet. A boat. On the water. Your tax dollars at work.

The original language to create the commission said it would be an advisory body, an impartial broker with appointed members, to help the 15 towns cooperate and cope with developments which straddled town borders - hence, the Development of Regional Impact designation, which recognizes that if Barnstable has an airport, Yarmouth might be affected.



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Its prime focus was to be on regional economic development. At the last moment, a fatal word - "regulate" - was dropped into this benign mix like a tablet of cyanide,

giving the commission its regulatory and extortionate powers. It also created the need for many unelected bureaucrats, to do said regulating, to suit the elusive community good - nowhere defined, but the bureaucrats would know it when they saw it (or were able to wrest enough money to see it).

A group began to examine the continued need for the commission last fall. Then, as before, the commission announced it would search its soul and offer a report on how it would change. The group went on hiatus until the report was offered. The report turned out to be written by the original boosters and authors of the commission, and explains why it has been so misunderstood, offers a few bones towards reform, and makes a bid at empire building, expanding its jurisdiction to cover more issues, like affordable housing and wastewater, instead of that pesky economic development.

After meeting in late January, the reinvigorated anti-commission group has taken two steps. It has developed sample language for any person to take to their own town meeting to see if the town would like to vote to leave the commission. They have also begun a blog and ask that those interested in ending the sway of the Cape Cod Commission, or at least making it work for, instead of against Cape Cod, share your story and help decide if the time has come to escort the commission into oblivion.

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