

ADU AD HOC SUBCOMMITTEE MEETING MINUTES

10.18.19

Attending:

Committee Members –

Anne Greenbaum & Jack Riemer – Planning Board;

Maureen Burgess & Kristen Reed – Select Board;

Jessica Bardi – Interim Town Planner; Jeffrey Ribeiro – Town Planner

Others in Attendance –

Bob Weinstein, Paul Wundrock, Sue Areson

Public Comment:

Bob Weinstein provided information on Seashore District regulations, legal opinion from 1985 etc.

Minutes approved as amended

Additional Issues identified & prioritized for future discussion

- Section C4- explain/clarify/simplify design standards – possibly differentiate between new structure & existing structure
- Section C.4 – privacy of abutters. Clarify - What does this mean?
- Section C.7 – Change Shall to May regarding inspections by Health Agent &/or Building Inspector
- Remove Seashore District from use table (disallow ADU's in Seashore District)

	Total	Priority
Design Standards	14	High
Abutter Privacy	15	High
Change Shall to May	8	Low
Remove Seashore District	8	Low

Discussion of 3 High Priority Items

- 1) Seashore - Clarify the challenge in Seashore vs Truro regulations & begin to identify potential systemic solutions
 - a) Is there way to set up ADU process for applications from the Seashore District, so that applicant & Planning Board/Town know how to proceed without revisiting the conflicting legal opinions each time.
 - b) Question of whether to do anything until current court case is resolved.
 - i) This would not be legal action/precedent, simply setting up internal procedure. If court decision impacts this, it can be changed.
 - ii) This is working with bylaw as it exists to make it work better for all
 - c) Agreed we did want to provide clear process. Options discussed:
 - i) Require letter from Seashore, allowing the ADU
 - ii) Require applicant to sign letter that makes owner aware of Seashore regulations and confirms they understand potential risks of building ADU.

- iii) Recommendation – as part of application for ADU in Seashore, requiring letter written by Town Counsel & signed by applicant that apprises owner of Seashore Regulations and potential risks in creating ADU in Seashore

2) Homeowners Associations (HOA)

- a) Came to our attention because 2 most recent applicants were in HOA's & brought either letter from HOA or officers from HOA saying ADU was ok
- b) What is realistic, doable and not onerous for applicant or board – goal is to protect applicant, other residents & Town
- c) Options discussed
 - i) Don't add any language regarding HOA
 - ii) Give applicant a heads up by putting statement in procedures section recommending applicant read their HOA documents and check with HOA Board
 - iii) Require applicant to check the HOA covenant and if not allowed provide letter with HOA approval
- d) Recommendation – our preference is putting language in application packet recommending applicant check with their HOA board and covenants before applying.
 - i) Refer to Town Counsel for opinion & potential language

3) Process

- a) Started looking at draft packet – need time to review, delayed until next meeting

Other Discussion

- 1) Issue of decision not appealable – what was/is the rationale?
 - a) Reach out to authors of the bylaw before next meeting
- 2) Amnesty – one rationale for ADU bylaw was encouraging illegal existing units to become legal ADU's and part of year-round housing stock. This hasn't happened. Add discussion of this to our work.

Next Meeting: Date: Tuesday Oct 29 2-4 pm

Agenda Items – High & Medium Priority Items

Process - Design Criteria

Parking - # spaces

Remove notifying abutters

Amnesty – look at Chatham bylaw

Application Packet



Anne Greenbaum

