

**Affordable Housing Trust Fund Board**  
**Approved Meeting Minutes**  
**March 26, 2019**

A meeting of the Salem Affordable Housing Trust Fund Board was held on Tuesday, March 26, 2019 in the first floor public meeting room at 98 Washington Street, Salem, Massachusetts at 6:00 p.m.

**Members present:** Mayor Kim Driscoll, City Councillor Christine Madore, Ben Anderson, Grace Harrington Napolitano, Mickey Northcutt, John Boris, and Christian Bednar.

**Other present:** Amanda Chiancola, Senior Planner and Tom Daniel, Planning and Community Development Director.

Mayor Kim Driscoll called the meeting to order at 6:10 p.m.

**Reoccurring meeting date and time**

The Affordable Housing Trust Fund (AHTF) Board members agreed to set a regular meeting date and time. Starting in May, meetings will be held on the first Tuesday each month at 6pm.

**Discuss Amendments to the Accessory Dwelling Unit Ordinance**

Amanda Chiancola informed the AHTF that the city is coordinating a community wide housing workshop at 6pm on April 23<sup>rd</sup>. The workshop is phase 2 of the housing forum. The focus will be on the inclusionary zoning ordinance and update to the accessory dwelling unit ordinance. The AHTF has previously informed staff that updated the ADU ordinance is a top priority. The AHTF discussed the following recommendations:

**Ordinance Purpose**

The AHTF members agree that the purpose should be to *“add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing.”*

**Tenant Restrictions**

The AHTF recommends amending the eligibility to not limit it to relatives or caretakers. It is also recommended that ADUs created should NOT be for short-term rentals, as that defeats the purpose. Members ask how this would be enforced. Amanda notes that Sec. 14-4 of the City of Salem Code of Ordinances already prohibits certain units are already prohibited as short-term rentals and there is a process and fine schedule associated with non-compliance. Amanda recommends linking the ADU ordinance to the City of Salem Code of Ordinances. Mayor Driscoll responds that the City has a third-party that scrubs short-term rental websites, thus the City is able to find these units.

**Termination**

Since the units will not be limited to family and caretakers the board members recommend that termination be much more flexible, e.g. the approval should run with the land rather than the owner.

### Owner Occupancy

Amanda recommends this section of the ordinance not change (an owner be required to occupy the ADU or the primary residence). Mickey recommends owner occupancy for the first few years. This would provide flexibility in the even the owner gets relocated or the owner passes away. The AHTF board members concur that flexibility is important and recommend that the owner occupy one the units for a minimum of the first two year, the timeframe the IRS uses to define a primary residence.

### Process

The board members recommend that two permitting paths are provided:

- a. **As of right** not a special permit through Zoning Board of Appeals (ZBA) if certain criteria are met. The criteria should address concerns.
- b. **Special permit** from the ZBA if the certain performance standards are not met.

Amanda provides a list of the concerns identified at the forum shown in bold. Each has been turned into a performance standard to address the concern on the front end. The AHTF board members recommend that in order for an ADU to be allowed by right, the following standards must be met. If any of the standards are not met, an ADU could still be allowed, but through a special permit.

#### **Parking**

- Two off street parking spaces required (1 for the single-family residence, 1 for the ADU). Mayor Driscoll notes that specific criteria for the Zoning Board to evaluate to determine whether the parking can be waived must be included in the ordinance. The AHTF board members agrees.

#### **Loss of Green Space**

- No net increase in impervious ground cover. No net loss of trees.

#### **Neighborhood Character/Opposition to Variances/Too much density (perception of too much density)**

- If new construction is proposed, it must be the underlying zoning. The goal here is to provide an easy process for folks who already have the space to put an ADU. The look of the single family will remain, the ADU will always be subordinate to the single-family- so there will be no physical change to neighborhood character. If new construction does not comply with the dimensional standards, the owner could apply for a special permit or variance- but will need a special permit for the use of the ADU as well.

The AHTF board members recommend increasing the maximum size of the ADU from 800 square feet to 1,000 square feet and allowing the size to be increased through a special permit from the Zoning Board of Appeals. The Zoning Board should determine whether it is appropriate to meet the 1,000 square feet or allow flexibility when the increase in size does not result in an impact to the neighborhood. For example, if a basement is 1050 square feet, rather than blocking off the additional 50 square feet it may make sense to allow the full basement to be converted into a unit. Ben Anderson notes that square footage must be defined, i.e. is it based on gross square feet.

### **ADJOURNMENT**

Motion and Vote: Grace Harrington makes a motion to adjourn, seconded by John Boris. The vote was unanimous with six (6) in favor and none (0) opposed.

Meeting adjourned at 7:15pm.

Approved by the Affordable Housing Trust Fund Board on 05/07/2019

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.