

**City of Salem Planning Board and City Council  
JOINT PUBLIC HEARING MEETING DRAFT MINUTES  
Monday, April 13, 2020**

The purpose of the public hearing is to provide interested parties with an opportunity to comment on the proposed three (3) separate Zoning Amendments summarized below:

1. An Ordinance Amending Zoning Section 3.1 Table of Principal and Accessory Use Regulations of the City of Salem Zoning Ordinance to delete the “Accessory Living Area” Accessory Use in its entirety and inserting an “Accessory Dwelling Unit” (ADU) Accessory Use in the RC, R1, R2, and R3 zoning districts.
2. An Ordinance amending the Salem Zoning Ordinance relative to accessory dwelling units in the following three ways:
  - a. Amending Zoning Ordinance Section 10 Definitions
  - b. Amending Zoning Ordinance Section 3.2.4 Accessory Buildings and Structures
  - c. Amending Zoning Ordinance Section 3.2.8 Accessory Dwelling Areas
3. An Ordinance amending the Salem Zoning Ordinance by adding a new Section 5.4 Inclusionary Housing and amending Section 10 Definitions by adding definitions related to the Inclusionary Housing ordinance.

The complete text of the three (3) proposed amendments to the Zoning Ordinance are on file and available for inspection by calling or emailing the City Clerk’s Office, 93 Washington Street, Salem, MA at 978-619-5610 or [isimons@salem.com](mailto:isimons@salem.com) or the Department of Planning & Community Development, 2nd floor, City Hall Annex, 98 Washington Street, Salem, MA. 978-619-5685 or [mwells@salem.com](mailto:mwells@salem.com).

Presiding City Councilor Bob McCarthy opens the meeting at 7:00PM

***City Council Members Present:***

Robert K. McCarthy	Ward 1 Councillor - Council President
Christine W. Madore	Ward 2 Councillor
Patricia Morsillo	Ward 3 Councillor
Timothy G. Flynn	Ward 4 Councillor
Josh H. Turiel	Ward 5 Councillor
Megan Riccardi	Ward 6 Councillor
Stephen G. Dibble	Ward 7 Councillor
Domingo J. Dominguez	Councillor At Large

Ty Hapworth	Councillor At Large
Conrad J. Prosniewski	Councillor At Large
Arthur C. Sargent III	Councillor At Large

***City Council Members Absent:*** None

***Planning Board Members Present:***

Ben Anderson  
Matt Veno  
DJ Napolitano  
Noah Koretz  
Kirt Rieder  
Matt Smith  
Carole Hamilton  
Helen Sides

***Planning Board Members Absent:***

Bill Griset

***Others Present:***

Mason Wells, Senior Planner  
Amanda Chiancola, Senior Planner  
Tom Daniel, Director, Planning Department  
Maureen Fisher, Assistant City Clerk  
Mayor Kim Driscoll

Councilor Dibble motions to continue the meeting to May 18, 2020 given the state of emergency.

He lists the same reasons presented at the last meeting:

- Some members of the public have not been able to weigh in via zoom platform, others not at all.
- ADU Ordinance may only yield 5-6 units/year
- ADU Ordinance may take single family neighborhoods and make them 2 family
- Developers will take advantage
- Serious, permanent zoning change
- Inclusionary zoning not as controversial, that one is acceptable to move forward with now

The motion is seconded by Councilor Flynn.

Councilor Turiel notes that the Council and Planning Board went through this same drama for nearly 45 minutes at the last meeting. He understands the seriousness of the state of emergency, and that everyone has lots going on. However, many people in Salem are in a difficult state, however Councilors are not on furlough, not laid off, and are still doing the jobs they are paid to do for Salem. These matters are given to the Council, which is clearly acting within the law. The City Solicitor made that clear after being challenged. The matter was presented to the Council before COVID-19 became a crisis, in a judicious manner, more than 6 weeks ago. The Council has had plenty of time to read and review the material, so starting the meeting with a dramatic attempt to halt the Council's work is unnecessary.

Presiding Councilor McCarthy notes that Councilor Dibble is entitled to motion, but feels putting off the discussion is unnecessary.

Councilor Dominguez echoes Councilor Dibble, expressing his need to focus on a more relevant topic that will help more people [inclusionary zoning].

Councilor Prosniewski points out that the Council is here now, and that the information should be provided to those who are here. There will probably not be a vote to pass anything tonight, and all matters will still be under discussion.

Presiding Councilor McCarthy clarifies that a yes vote will continue the matter to the above date certain, while a no vote means the Council will continue tonight's discussion.

Councilor Dibble	Yes
Councilor Dominguez	Yes
Councilor Flynn	Yes
Councilor Hapworth	No
Councilor Madore	No
Councilor Morsillo	No
Councilor Prosniewski	No
Councilor Ricardi	No
Councilor Sargeant	Yes
Councilor Turiel	No
Councilor McCarthy	No

*With 11 voting Councilors, the matter fails to carry, 7-4 against.*

Councilor McCarthy notes that people reached out with questions and concerns via email. Public comments have been sent to the Council that the Planning Board did not yet see, but they have been forwarded. Tom Daniel and staff have reviewed and incorporated suggested language changes.

Amanda Chiancola presents changes made to the ADU Ordinance:

- Outlines language changes, specific suggestions. Edits do not change intent of ordinance, just provide clarification
- Recommending exception to setbacks b/c accessory structure such as a shed is allowed to be closer to the lot line than the primary structure. ADU Ordinance now specifically states that setback for ADU would be what is required of principal structure, even if principal does not comply. ADU must comply regardless.
- "Accessory Living Area" changed to "Accessory Dwelling Unit" (ADU)
- "Principal dwelling" now consistent throughout
- Substantive changes previously occurred between submission last summer and now - overview of major changes is provided
- ADU supplemental programs (tax reduction, loan program for owners) filed at same time as this Ordinance. Requires unit be affordable and the two supplemental programs cannot be used concurrently. Ex. if participating in loan program, homeowner is not eligible for tax incentive until loan is paid off, but this could be modified by the Council

Mayor Driscoll adds that the ADU and Inclusionary Zoning (IZ) Ordinances are two separate matters for the Council to vote on.

Councilor Turiel clarifies that the affordability provisions are in committee right now, and while they are not part of the public hearing, the Council must know what the language is.

Kirt Rieder asks about setbacks. Any ADU must conform to the underlying zoning setback, not that occupied by the principal dwelling, if that does not conform. It may be that the principal unit is not parallel to the lot, and may converge on adjacent property, but the ADU should not match it in that case but, fall under the underlying zoning. Amanda Chiancola notes that the language was changed to clarify this. ADU setbacks must comply with what the Principal Dwelling unit would have to comply with (whether or not the principal dwelling unit does actually comply with the setback).

DJ Napolitano isn support of Ordinance; he hears that some councilors who are against it, and wonders about their claim that it is a “permanent change.” If zoning is permanent, why are we here discussing it? It is never permanent but is meant to change with times and will change as a City grows. That is why we are here and have Planning Staff. Councilors can’t claim in one breath that this will have a large impact on the City, that R1 zones will become R2, then say “why do it if it will only create 5 units annually?” These are two opposite ideas. As Council and Board, we must be able to walk and chew gum at the same time. When this is over, we must have appropriate policies in place so as to not leave most vulnerable residents and general residents in a bind.

Councilor Dominguez is in favor of passing the ADU Ordinance but feels the Council must examine all sides of the issue, that there must be compromise and that all must be able to participate in the public hearing process. The democratic process must be preserved and everyone should be heard.

Matt Smith agrees that the situation is unprecedented, but notes that, as last time, this platform provides a way for many to participate that could not otherwise, due to unmet needs such as childcare. Anyone can email comments or call in. Technology can be advantageous to allow people to participate; whether they choose to is another issue. Many Board members and Councilors are working from home and are more challenged but are still taking the time to participate in these meetings, so should respect other people’s time to be here. They may not otherwise be able to participate, and he asks that the Council please move on since it has been voted on.

Councilor Dibble agrees that the zoom platform should be used more, but states for the record that his voice has kicked in and out, been garbled, and he was disconnected.

Councilor Prosniewski asks about the dimensions of the ADU, which the Ordinance lists as being able to have a maximum height of 18 feet. He wonders about the footprint of an 800 square foot ADU and the distance it must be from the abutting property. Councilor McCarthy opines that it would be approximately the size of an average two car garage, 20’ x 20’. Such a garage could reach 18’ tall if a unit was on top. Setback from a neighboring property depends on the zoning district. Front, rear and side yard setbacks for both neighbors apply. For example, if you have a 15’ setback from your property line, your neighbor also has a 15’ setback. Many buildings in Salem were built prior to zoning and do not comply. If someone is in R1 and has land available to build a standalone with proper setbacks, how do neighbors weigh in? Amanda Chiancola replies that if the proposed ADU complies with everything outlined in the zoning Ordinance and the builder is not requesting any waivers, then they can apply for a building permit as of right, with no special permit process needed. Neighbors do not have a hearing to weigh in. If they are asking for a waiver, there would be a public hearing process and neighbors would be notified.

Councilor Turiel comments that when the ADU Ordinance was originally before the Council, he thought it should be entirely within the special permit process. While he has since changed his mind for the most part, he outlines three scenarios:

1. Using existing space within dwelling, to convert to ADU (minimal dimensional changes to primary structure) - no special permit should be required
2. Use existing accessory structure such as carriage house, garage - not changing character of lot, ok as of right

3. Building a standalone ADU on a property perhaps *should* go through a special permit process, as it will result in significant visual change and may affect abutters

Helen Sides notes, as architect and Planning Board member, that she has been asked to design such things, and typically it is someone that asks, “What does it take to convert a garage to an apartment?” Even if the town allows this, the process is expensive and complicated. The ADU must tie in to all City services, and it is not a cost-effective thing to do. They are more likely to be a connected structure or within an existing house, and this is where the value will come from. Residents who have that amount of property and meet all those setbacks (for a separate structure) will be few and far between.

Councilor Flynn feels that people may not be aware that an Ordinance is already on the books allowing units for relatives and caregivers. He reiterates that residents are concerned that R1 homes will become R2s and feels that allowing ADUs in the R1 zone should be removed. He wonders how many neighboring communities have the same type of ADU ordinance as what is proposed (open to anyone not just family). Amanda Chiancola does not have abutting town Ordinances in front of her but there are 37 communities that allow for ADUs w/out tenant restriction, in the greater Boston area. Salem’s Ordinance is unique in that we have by right and waiver options. Marblehead has that option; Salem has looked at best practices from many communities and modified them to make it best for Salem. Councilor Flynn would like this information; Amanda Chiancola has sent both the Council and Planning Board a letter with a link to a report referenced by Amy Dain, which outlines best practices, and lists not only those 37 communities but also others across Massachusetts, that have ADU ordinances.

Councilor Madore adds that Beverly and Swampscott allow ADUs by special permit. In Beverly, no units have been produced yet, but since the report was written in 2018, even if 2 or 3 units were produced, to be able to offer one to a homeless family, it would help them. Regardless of the number of units produced, it takes significant investment to produce one unit, however each will help someone who needs a home. She hears a lot of the same questions and comments that both the Board and Council have discussed, in similar hearings that have been going on for more than a year. She hears, “the public doesn’t get to speak/provide input.” She asks that Councilors please minimize repeated comments and questions, in order to let the public speak. Some attendees have raised their hands, and want to provide input.

Councilor Hapworth would like to move on to Inclusionary Zoning and feels the Council should let the public speak on the ADU Ordinance. As for neighboring towns, he notes that Portsmouth NH has ADU’s. it has grown historically, responsibly, so many in Salem look there for a model of historic growth. Their ADU Ordinance is similar to what is proposed.

Councilor Turiel notes that questions and clarifications have been answered/provided since the last meeting. He prefers to begin the process for Inclusionary Zoning, then open public comment and focus on that for the moment. Both matters will be kept open to allow everyone to process the information. Then, the Council will move into another session and get more work done, while hearing from people on both matters.

President McCarthy opens to public comment, noting that it should be limited to commenting on the ADU Ordinance only at this time.

Tom Daniel, Planning Board, reminds caller s who are phoning in, that they can raise hands by dialing \*9.

Public comment:

Steve Kapantis, 23 Wisteria St., is concerned about the instructions given for how to use the “raise hand” feature. ADU comments: He is clear that this is about ADUs not affordable housing. He understands that if the ADU Ordinance is passed, another will follow, with incentives that will lead to affordable housing. If Salem is serious

[about adding affordable housing], put affordable housing in the ADU ordinance, and subsidize ADUs. The City Council should not pass multiple Ordinances to ensure affordability.

Steve Stevens, 53182 Beach Grove Dr. [Zoombomb, muted and removed from call]

Nadine Hanscom, 10 Bay View Circle, is vehemently opposed to the ADU Ordinance. She feels very strongly that the new Ordinance will take away choices from homeowners who wish to live in single family homes, by allowing them to become two families. She berates the City Councilors, stating, "Your job is to run the City, not promote your own personal beliefs" and that "No one has asked for this change." She comments that no one she spoke to would rent to someone they didn't know. A Flipper she spoke with said "It would be great if the ADU passes, my adult daughter can live in the house, then I can make the downstairs an ADU and rent it."

#686 Carole Carr 7 River St., echoes Nadine Hanscom and also wonders which neighboring communities have this and how it benefits Salem. She notes lost connections.

Farwaz Abusharkh ("Fuzzy") notes that this meeting was listed as an "affordable housing public meeting" by the League of Women Voters, but this is deceptive. Councilors should not be sharing misinformation or typographical errors and should take care to be accurate on their personal pages. Please be clearer and explain to constituents what it is that you are sharing. Is concerned about internet/access issues and feels that these discussions can wait. Their choice to not come/not comment, but this format takes that choice away.

Changing the zoning in many places, R1 and R2 alike, concerned that SF will become 2 family homes. 800 sf is 28.5 x 28 sf and 18' high, is a whole building. For a developer this is feasible. They will not be making these units affordable. Developer does not have to live there, just put their address there. Make affordability component here, don't have multiple Ordinances. This was voted down before but is before us again, deal with it. It should not pass this time. Same comments b/c it is the same Ordinance b/c they will not take no for an answer (Kim Driscoll).

Chair says please limit comments to Chair, must go through him, if attacking mayor or individual Councilors or PB he will be muted. Don't make it personal. Fuzzy says spoke about this before: spoke about what other Cities and communities did to solve these issues, Newton, Seattle, Indianapolis (or Annapolis), what has been happening is that they are looking again at the entire City, not spot zoning.

Eric Duhamel 15 Symonds St. Time to get something passed on this issue, one roadblock after another, if want affordable housing must create supply or subsidize, if the latter, only giving housing to a lucky few. Once supply approaches demand, rents will become more affordable. If choke off supply, rents will increase. How to create supply w/ minimal impact to neighbors. Would be good in R2R3 already accustomed to additional density. Off street parking is always a sticking point. This must be a hard requirement. Incentivizing ADUs to be built, owner must occupy 2 years, good it is now permanent. Expensive to build unit, households grow and shrink, does not want to be forced to occupy a larger unit than needed to not have to destroy \$120K ADU.

Pat Gozembka Salem Willows 17 Sutton Ave. Hopes PB and CC will take advantage of zoom to allow public to chime in. Both CC and PB have been at this a long time, requests that they vote on this issue tonight, don't defer. Pat also spends 4-5 months/year in Hawaii where she is stuck :) Broad reach of availability of platform

Bonnie Bane Massey 12 Carlton St. appreciates these meetings, expects leaders to have this conversation now, her family is in financial uncertainty, appreciates accessibility of meetings.

*Stacy Kilb 39 Northend Ave - had hand up, not called on*

*Housing crisis is valid*

*Been discussed:*

*Ways to weigh in*

*This does not directly address affordability, nor can it - but it will "incidental" - as discussed in previous meetings*

*I don't consider an 800 sf internal apt as proposed "changing SF to 2 family" this is disingenuous  
Please read minutes before commenting and do not make same comments*

Sargeant: besides Lynn, we have most affordable housing and rental units on North Shore, ADUs should be limited to family. Cheaper to build an ADU when building a new house, we don't have 1 family left but new built are less likely to be SF.

McCarthy: There is concern for world matters, unprecedented, respects anyone living in an R1 and the investment, but when we look at our housing market and population trends, around great Depression Salem was at highest population, we have more housing, but our family units are getting smaller. Owners of SF, what we are doing for our seniors, not all of them, but a senior may need a phone call or shopper b/c family who may help them is stuck out of state, can't come visit/check in/shop, this is not going to be an opportunity that every R1 or home in Salem will put in an in-law apartment; it is a conversation we need to be thoughtful about, but in perspective of pandemic, wouldn't it be great if could socially distance in basement apt and still check on you, if live in a house by yourself b/c husband died and 6 kids moved on, put it in perspective. What's primarily listed as owner occupied; 50% are not o/o off the top, those are off the table.

### **Inclusionary Zoning discussion**

Tom Daniels

- Work on inclusionary zoning has been extensive, goes back 2+ years/trying to craft a smart inclusionary zoning (IZ) Ordinance for Salem, got a grant from State, worked with MAPC since fall 2018, that process is described. Also met w/ AFF Housing trust fund Board, large public forum, also discussed other aff housing strategies. Team of local advisors were providing information to MAPC staff. Also examined best practices and data, so the process has had extensive engagement. Ordinance is tailored to Salem's market, informed by data including local housing advocates, housing developers, etc. Thanks Amanda Chiancola for her efforts.

Dibble: Points out he has not been able to hear through audio, connected to phone. Points out that this is a separate matter, OK with opening during ADU but we should state and review documents to make it clear it is a separate matter.

Amanda Chiancola is about to describe this. Chair clarifies that we are taking up matter of Inclusionary Zoning Turiel motions to waive reading of entire Ordinance.

Amanda Chiancola, Planner:

- (Attach PowerPoint) Policy that requires a portion of new housing units in new developments to be affordable
- Definition of terms: affordable: costs 30% or less of household income.
  - Subsidized housing: ex. through housing authority.
  - Naturally occurring: ex. ADU.
  - Income-restricted housing.
- IZ requires a portion of units to be income-restricted, meaning households may not earn over a set income level, different Ordinances require different levels. Rent is based on 30% of that income level. Can be very "jargon-Y"
- AMI (Area Median Income): Used to determine a household's eligibility for income-restricted housing, based on metropolitan statistical area. AMI 2019 for Salem area is \$113,300
- Local Median Household income (Salem 2019) is \$65,528, approximately 60% of AMI
- Max Income, Rent and Sale Prices (chart). Formula changes based on household size; larger household has more expenses. 60% AMI is more reflective of Salem's needs Diff 60-80% AMI \$300 per unit, Diff between market rate and affordable is also \$300/month

- Local Action Units (LAUs): affordable units built by local action, e.g. Planning Board decision
  - 218 permitted in Salem since 2018. PB had requested 10% as affordable but there is no Ordinance requiring any to be affordable. 91 LAUs built, 60 under construction, 67 permitted
- Inclusionary zoning basics:
  - Requires a % of new housing units to be income restricted affordable
  - Relies on private developers to create affordable housing w/no public subsidy; private developers provide public good; costs just as much to build affordable housing but they make less money so...
  - Must balance elements of policy to minimize cost, or there is a risk of increasing rents or dampening development
- Inclusionary zoning Finances: “Even modest rent reductions NOT recovered through incentives significantly reduce the financing a property can secure. The “cost” of an inclusionary policy to developers depends on how many affordable units are required and the allowable rent levels for those units.” i.e. if we require too much affordability they will have to raise market rate units to make project feasible, or they will cancel the project if they can’t get finances
- Financial Model (tailored to Salem)
- Reviewed by Solicitor, Planning, MAPC, Affordable Housing Trust Fund
- Inclusionary Zoning considerations:
  - Consideration (Salem Ordinance)
  - Geography (Citywide for Salem, not limited to one area)
  - Voluntary vs. Mandatory (Salem’s will be mandatory)
  - Project Size (0-50 units; kicks in at 6 units threshold for SPR in Salem)
  - Income Target (60% AMI)
  - Affordable Units (10%)
  - Affordability Length (99 years)
  - Alternatives (No alternatives; this is unique to Salem; units must be built on site)
  - Incentives (25% density bonus as of right; developer will be making +/- \$600 less per month than they could get if charging market rate)
    - Special Permit Incentives: Parking reduction, Dimensional relief of 20% setback reduction, increase 1 story but no increase in height
- Review of Max Income, rent and sale price. We could ask for a higher % of affordable units but would have to raise income level. could do 15% at 80% AMI. Requiring 10% at 60% AMI to provide greater affordability with no opting out

Turiel: Details of density bonus?

AC: Means that if the developer or zoning district allowed a parcel to be built out at 10 units on the property, for example, based on dimensional requirements, lot area per dwelling unit, it makes it so you could build 25% more; so if 10 units, could have 25% more.

Hapworth: W/in 1 mile of train station, can apply for parking reduction. Is this any train station or a specific one, South Salem one may come online? Would it also be within 1 mile of that to qualify for parking reduction? Under current draft, any train station built and running would qualify. Also 1-% at 60% He thinks 60% is impressive, 10% he is unsure about; what is the furthest we could push that forward and maintain viability for developers? The intent to the round number of 10% was to make sure the ordinance would be easy for anyone to read and calculate, the 10% is a minimum, that was the starting point. Played with financial model, one model they could get more units but would be tiered and most units would have to be at 80%. Could not get more units at 60% AMI without increasing the density bonus. This is the furthest she is comfortable recommending. 10% at 60% with 25% density bonus

Madore: Discussed 2 diff requirements rentals vs. ownership? Why just across the Board now not distinguished? Most communities who require IZ ordinance for ownership have a higher affordability unit. We started 80% for ownership, but Affordable Housing Trust Fund Bd wanted deepest levels of affordability for ownership as well, so



this creates flexibility on the back end. Is a household at 60% going to qualify for a mortgage? Don't want aff units to sit vacant b/c they cannot get approval. Sec. 5.4.6 goes to resident selection and marketing plan. If Applicant agent cannot find buyer w/in 180 days, in accordance w/ Fair marketing plan, can go to 80% AMA w/ Affordable Housing Trust Fund Board (AHTFB). Madore: Concerned about Salem dipping below 10% inventory after Census. IS there anything we can add to Ordinance to strengthen against 40b projects? (DEFINE 40b projects(<https://www.mass.gov/chapter-40-b-planning-and-information>) Could add in higher density bonus, can get those numbers but when asked in focus groups and meetings, there was not support for a greater density bonus.

Tom Daniels: CDC will help keep us above 10% w/ Immaculate and St. James schools, will add to inventory. Also get through other housing development partners in addition to inclusionary zoning

Carole Hamilton: Is affordability based on number of units to be provided, based on before or after density bonus? After

Dibble: Feels that this ordinance will positively impact those who need this type of housing. Local Action Unit numbers are cited. Total of 218 so far. 10% at 80% AMI is not Salem's income level, this is the difference between region and Salem's AMI. Those 218 are not really affordable at that AMI. 60% is good. Also: does 30% of income going to housing include rent/mortgage? For Sale includes property tax, interest rate, utilities. Includes utilities for rentals, not property tax b/c that is included in rent. Threshold at 6 units to trigger for Inclusionary and SPR: Needs to say 6 or more units (please clarify). At 10% it's just not enough units we are building, we need more than 10%. We don't want our amount to go below 10% citywide. Even at 12% we are above the minimum. 25% density bonus by right concerns him. Feels it is too much. For 200 units proposed this would be an additional 50 units, parking relief and setback could also be sought, are we being too generous? Current 10% at 80% is not actually affordable. Developer will take advantage of 180 days, re-do wording otherwise he will take density bonus, market for 180 days, but may start marketing before unit is even built, does that 180 days include pre-construction marketing so could sell at 80% AMI right off the bat once built? **(Wondering if he read the language and if it actually does say this)** Feels ADU does nothing for affordability. McCarthy suggests Councilor puts thoughts into email.

Mayor: worked on this for more than a year, this has been tailored to Salem. To meet our income thresholds, we need 60%. 80% units see more demand than supply, not fair to say 80% is doing nothing, just a different income level. 60% just ensures more people can afford and pay not more than 30% of income. Looked at cost of creating a unit, cost of land, construction are biggest factors in why building housing is so expensive, land and construction costs are high. Thus, more than 10% and deeper than 60% is difficult. We did look at other communities; none of nearby cities have as strict guidelines as Salem; they do allow payment, offsite units, we do not. Our goal is to allow new housing to be created; we do have new housing, most is redevelopment of vacant, blighted sites, so don't hold up as bad for our community, this tool creates affordable housing with private developer's money, no public money will go into creating those units. This will ensure that we allow housing to be developed and allow as many affordable units as possible to be created. We would love higher % of units and lower % of income. But everything started was pre Covid 19; this may be risky in the "new normal," we don't know. Hope we don't pick away at numbers trying to find perfect and hurting overall housing development. If no new housing is created, we cannot address affordability. If not built, demand will outstrip supply even further. Once public hearings are closed, there is a long process afterward, PB recommends to CC who brings it up at 2 council meetings, looking at summer before anything gets approved. Want to get it done this fiscal year.

Madore: Clarifies re 10%, was referring to the number that the state requires us to have Subsidized Housing Inventory. 10% in Ordinance is what we require developers to build; other communities are requiring developers to build 15-20%, a diff # than what the state requires us to have, if we dip below that 10% developers can use 40b to come in, ignore us, lose complete local control, and they can build affordable units. Thanks' Amanda Chiancola for

all work done so far, she was on AHTFB and AC has put in a lot of work. Done work that make these meetings effortless. We could not have gotten this far without her work.

McCarthy: notes no action is expected to be taken tonight,

Matt Smith: Also salutes great work done, exciting to see a community looking at its own affordability level, not boilerplate. 60% AMI is progressive, meets a greater need than any Inclusionary Ordinances he has read; there is a bottom line issue, if you raise the percentage it makes it much more difficult for private developers to create a feasible project.

Dibble: Would like public to weigh in.

McCarthy opens to public. Amanda's intent was to do a more in-depth presentation at the next meeting, perhaps bringing in someone from the state.

Chrissy Derby 73 Tremont St. How many units will be ADA compliant? Cost is larger, but they are a marginalized population that might be being overlooked in the 10%. Question will be taken under advisement and answered at the next meeting.

Steve Kapantis 23 Wisteria St. In favor, well written, this is what the City needs. Geographical location of train station: where will it be in 99 years? what if it's not a train? Tough to manage that far into the future, clearly define where station is with a geographical point.

Jennifer Lynch, President, League of Women Voters, lynch.sheehan@gmail.com reads league of women voters endorsements - Quotes Programs, policies, regs to address housing needs of Inclusionary zoning is one tool, should be built in and not good faith negotiation LWV Salem was at the table (attach letter?)

Fawaz Abusharkh, at 80% most rentals are rented, this means we are not attracting the type of income level we want. We don't know what post-COVID market will look like, could be risky, why do this now when we don't know if it will backfire? Geographic/train station: please clarify. "Another tool in the box, just one aspect, not THE solution" then why are we always using tools that benefit developers and real estate, not what would actually work with our community? (Ugh, how can he say that when they've had umpteen meetings about this, and the Planners have so thoroughly reviewed??) Feels we can do better than what is currently proposed.

Lori Stewart, 7 Barnes Rd. In favor, echoes comments of LWV, supports all aspects of proposal

Pat Gozemba 17 Sutton Ave. 3:40PM in Hawaii. (address in Willows) appreciates work being done at this point despite overwhelming economic issues, Ordinance will give Salem a leg up on dealing with the issue of affordable housing. Urges CC and PB to stay positive and vote to move forward.

*Turiek: Motions to continue hearing of both items to May 4th, 7PM, seconded by Proseniewski*

Mayor Driscoll: Wants feedback from Councilors re May 4 hearing date, in either event, is there an ability to close public hearings on that date to let people know that they have 3 more weeks to comment. If we keep hearing open again, we go into May, budget season, which will have to go on regardless. Close at least one hearing at next meeting, get to PB, then back to Council. AC can you get changes back to CC in the next week?

DJ Napolitano agrees w/Mayor, why can't we close ADU portion, had 2 meetings, not meeting now until May, at this point, ADU portion has been fully discussed, vetted, commented on, more than a year, close that then focus on Inclusionary zoning which has more agreement, to keep ADU going would be counterproductive.

Dibble (of course) wants to keep ADU open. Should close IZ after next meeting, ADU needs more work for something that will have less impact.

Sargent: Re IZ: When development by right, 10% is good, but with special permit they should be required to do more (12-15%) because will get more density with variances.

Move all 3 matters to May 4th 7PM:

Matter carries

Motion Sargent to adjourn, meeting adjourns 9:50PM