



CITY OF SALEM PLANNING BOARD

City of Salem Planning Board and City Council JOINT MEETING Tuesday, March 30, 2021

Presiding City Councilor Patricia Morsillo opens the meeting at 6:34PM

City Council Members Present:

Robert K. McCarthy	Ward 1 Councilor
Christine W. Madore	Ward 2 Councilor
Patricia Morsillo	Ward 3 Councilor (Presiding)
Timothy G. Flynn	Ward 4 Councilor
Josh H. Turiel	Ward 5 Councilor
Megan Riccardi	Ward 6 Councilor
Stephen G. Dibble	Ward 7 Councilor
Domingo J. Dominguez	Councilor At Large
Ty Hapworth	Councilor At Large
Conrad J. Prosniewski	Councilor At Large
Arthur C. Sargent III	Councilor At Large

City Council Members Absent: None

Planning Board Members Present:

Kirt Rieder
Carole Hamilton
Helen Sides
Bill Griset
Sarah Tarbet
Todd Waller
Tom Furey
Noah Koretz

Planning Board Members Absent:

DJ Napolitano

Others Present:

Mayor Kim Driscoll

Maureen Fisher, Assistant City Clerk

Tom Daniel, Director, Planning & Community Development

Amanda Chiancola, Senior Planner, Planning & Community Development

Mason Wells, Planner

Accessory Dwelling Unit (ADU)

- A. Amending Section 3.1 Table of Principal and Accessory Use Regulations by deleting the accessory use “Accessory Living Area” in its entirety and replacing it with “Affordable Accessory Dwelling Unit constructed within or attached to a Principal Dwelling” in the RC, R1, R2, R3 and NRCC zoning districts allowed by right and adding Affordable Accessory Dwelling Unit within an Existing Detached Accessory Building in the RC, R1, R2, R3 and NRCC zoning districts allowed by right.
- B. Amending Section 10 Definitions by deleting the definition of “Accessory Living Area” in its entirety and inserting the definition of “Affordable Accessory Dwelling Unit” in its place.
- C. Amending Section 3.2.4 Accessory Buildings and Structures to include dimensional regulations for detached affordable accessory dwelling units.
- D. Amending Section 3.2.8 Accessory Living Areas by deleting the existing text in its entirety and replacing it with a new ordinance. The existing text requires accessory units to be used solely by a family member or caregiver and requires a special permit. The purpose of the proposed new ordinance is to add to the supply of rental housing to meet the needs of smaller households, to encourage efficient use of the city’s housing supply while preserving the character of city neighborhoods, to allow the owner of an existing or proposed principal dwelling to construct one additional dwelling unit that is incidental and subordinate to the principal dwelling and to increase the supply and diversity of housing options in response to demographic changes such as smaller households and older households. The ordinance allows for an affordable accessory dwelling unit within the principal dwelling or within an existing detached accessory structure by right provided certain requirements are met, requires the property owner to reside on-site, and removes the tenant restrictions of only a family member or caregiver. It prohibits an accessory dwelling unit from being created within a new detached structure.
 - (2) Amending Sections 3.1, 10, and 3.2.4 and 3.2.8 as set forth above, except this proposed amendment also allows for an affordable accessory dwelling unit by special permit within a new detached structure in the RC, R1, R2, R3, and NRCC zoning districts.

The complete text of the two (2) proposed amendments to the Zoning Ordinances 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 or the Department of Planning & Community Development, 2nd floor, City Hall Annex, 98 Washington Street, Salem, MA. 978-619-5685 or mwells@salem.com.

Presiding Councilor Madore outlines procedures and expectations for the meeting.

Councilor Morsillo: #68 – AMENDING ZONING RELATIVE TO ADUs – SEC. 3, 10, 3.2.4 & 3.2.8 (WITHOUT DETACHED ACCESSORY BUILDING)

Mayor Driscoll:

- Thanks the Council, the Planning Board, and the public for their participation.
- Outlines benefits of ADU’s to homeowners who may be over housed.
- Well regarded as a smart growth tool that uses existing infrastructure to include affordable units.
- This change includes a limit on how much can be charged (30% below market rate).

- Will help local service workers.
- Hoping Planning Board will take a good policy and make it better.
- Affordable Housing Trust Fund Board (AHTF), League of Women Voters (LWV), and others have supported it.

Amanda Chiancola: Overview of second filing.

- Definition of Accessory Dwelling Unit.
 - Self-contained residential unit sharing same lot as existing home.
 - within, attached or detached.
 - for smaller households (1-2 people).
 - Typically rent for less than the market rate.
- Accessory = must be secondary to primary home.
- Current Ordinance adopted in 2018, limited to caretakers and family members; only 12 permits have been issued as the process is onerous.
- Purpose of proposed Ordinance is outlined.
- Need for more small housing options exists – only 24% of units are studio and 1 bedroom, but 71% of households have 1-2 people.
 - Household composition in Salem: Family vs. Non-Family Households. 46% of households in Salem are considered non-family (includes people living alone). 17% of family households are single-parent households with children. Of ALL family and non-family households in Salem, 40% are single parents. This is why a 2-bedroom ADU is important.
 - Non-Family households: 79 percent are adults living alone, of adults 27% are older adults.
 - Cannot meet needs if only those allowed to live in them are family, especially as many households are single-parent.
- Family Household Income
 - Median family income \$80,694 vs non-family income of \$44,184 a \$36,000 difference.
 - Cost burdened low to moderate households are smaller households (non-family, small family, elderly).
 - Many elderly people are living alone.
- **Summary of Ordinances**
 - ADU rent cannot exceed 70% of fair market rent (these are already incidental affordable units).
 - 1 parking space required if ADU is more than ½ mile from bus or train station.
 - Net loss of total caliper of private trees is not permitted unless payment made to tree replacement fund (tree ordinance does not apply to buildings of 4 or fewer units).
 - Minimum of 350 square feet.
 - Maximum of 900 square feet.
 - Maximum of two bedrooms.
 - Each lot limited to one ADU.
 - Not allowed in multifamily buildings w/more than 4 units.
 - Property owner must reside in either principal dwelling or ADU.
 - Utilities must be connected by a single service.
 - Unit may not be transferred or sold separately from principal.
 - Entry must be through an existing door, back door or on side of principal, visibility minimized.
 - Clearly subordinate in use, size, design.
 - Capable of being discontinued.
 - Short term rentals are prohibited.
- Affordable ADU: Rent Maximum
- Who is the rent affordable for? Owner must be able to recoup cost of investment, but should still be affordable (examples are outlined). Not cost-burdened; you can reasonably pay for unit without going

- over 30% of income.
- Comparison of rents. Average 1 bedroom rent in Salem: \$1,658 not incl utilities.
 - 70% fair market rent: \$1,347; must include utilities.
 - Outline of units and prices on Craigslist March 18, 2021.
- Parking requirement
 - If more than ½ mile, requires 1 space (as the crow flies). No space required if less than ½ mile from public transit.
 - Parking for principal house does not count toward ADU parking requirement.
- Why reduce parking near transit?
 - Most homes do not comply with dimensional requirements.
 - Would make it infeasible for most properties to create an ADU.
 - Excessive parking is counterproductive to City's transportation goals for affordability, traffic, and sustainability.
 - Transit Oriented Development (TOD) = housing within ½ mile of public transit.
www.perfectfitparking.mapc.org
- Special Permit Process for an ADU - Special Permit needed for:
 - Existing detached building not in compliance w/setbacks or other dimensional requirements of principal.
 - Existing detached accessory building that will be expanded.
 - New detached accessory building.
- Building permit, not special permit, required for:
 - If ADU is in an existing detached accessory structure that will not be expanded and meets setbacks required of the principal structure and all other dimensional requirements of accessory structure.
 - ADU is within the principal dwelling.
 - ADU will be attached to the principal dwelling, as long as in compliance with all dimensional requirements.
- Businesses Benefit from ADUs: Quotes from Hawthorne Hotel, The Salem Partnership, North shore Medical Center, Eastern Bank, and Salem Five.

Council Discussion:

Clarifies we are taking up Order #68 followed by #97. Both Orders are identical except for the table.

Councilor McCarthy:

- Accessory unit maximum of 900 square feet: Yesterday's presentation: governor's office lady said ADU would be no larger than ½ size of main house or 900sf? Is that referenced? No, not in Ordinance, section should be added. McCarthy will be motioning to add as amendment.
- 12 permits issued to this date from 2018 passage of ADU- of those 12 how many were for new construction vs. existing units that were not legal? Three were to legalize; 9 were new units but one was in a home under construction, created at the same time. Only 9 were created due to the new Ordinance.

Councilor Turiel:

- Two family, split houses and half houses - understands how it would work in a 2 family on say Chestnut w/wall between 2 sides, but how would it work in a 3 family or 4 family? How can this be logistically practical? How many would be owned by a primary owner that owns 1 unit and rents others? Harmless but wonders if worth it to include.
- Does not approve of idea of requiring affordability and pegging it to an arbitrary number. How can rent be calculated and enforced? Would rather see market take care of it (natural tendency of ADUs more affordable by nature). Would rather see us rely on incentivization to keep cost down than write into the Ordinance. May depress the market and result in fewer ADUs built.

- Detached structures: does not want to see new detached structures be allowed. Garage/carriage house conversions OK. No new standalone buildings. 2 buildings on one lot is still turning it into 2 houses on one lot, but existing structure is already there.

Councilor Hapworth:

- Max and min number of units we can expect? Other Cities?
- Hard to say b/c no other Ordinances are like this one. Amy Dane's research at imaginesalem.org found that in North Shore, municipalities that allow ADUs w/out restriction have created 1.4 units per 1000 homes, which would be 34 units over a 3-year period, but this is arbitrary for reasons above. Other communities w/out tenant restriction have said that influx of units upfront tends to utilize existing units (or legalizing existing, which makes them safer).

Councilor Dominguez:

- Wonders how adherence to requirements will be enforced.
- Illegal ADUs exist.
- Requiring that owner must sign letter attesting to rents during permit process. Trying to keep process simple. Not enough capacity to check units annually.
- Councilor concerned that owners may lie about living on property, or about parking, some properties are short term rentals. Suggests that more rental units and more people may induce crime.
- Building inspector will be in charge of enforcing the Ordinance.

Councilor Madore

- Dangerous to associate new units w/people who may cause crime or harm the City.
- Remember that Ordinance will empower existing Salem residents to build units for people who may already be living here.

Councilor Turiel:

- On open market, how much do ADUs rent for compared to market rate Apts?
- Realtors and literature indicate that it tends to fall between 6% and 25% below market rate rents.
- Naturally occurring units will be less than market rate but we don't know how much less.
- Must be affordable for current homeowner and renters.

Councilor Dibble:

- Planning Board and City Council should get written comments on Ordinance from Zoning Enforcement Officer.
- Legality of City establishing cost of rent in a private home? Ask City Solicitor.
- Concerned about additional loading on aging infrastructure.
- Affordable ADU - does not feel 30% below market rate is deep enough. Recommends 50% [but does not provide any studies or reasons as to why]
- Concerned about a "second house being allowed." Claims that this allows every property to "become a two-family property" and that "R1 doesn't go away but it kind of does."
- How far from primary house does ADU have to be? Second house should not interfere with abutter.
- Why are we limiting to 2 bedrooms? If split single-family, neither unit will be conducive for families. w/children and original house would be lost.
- Concerned about short term rentals - neither the ADU nor principal dwelling should be allowed to be short term rentals.
- Must add gross square footage to house - what if it is a big house and you don't need to do an addition? Are we requiring you add square footage? Wording?

Amanda Chiancola will follow up.

Zoning Enforcement officer has been sent this, but had no comments.

Limiting to 2 bedrooms, accessory must be subordinate in size and function to primary home.

Councilor Dibble:

- Why 2 orders submitted 2 weeks apart? Second one filed by Councilor McCarthy, first one did not allow ADU in a new detached structure, second filing does allow a new detached ADU w/special permit.
- THREE TIMES Councilor Dibble asks if this would allow “a second house” on the lot, and Amanda Chiancola, with the patience of a saint, responds, “No, this is for the addition of an ADU.”

Councilor Flynn

- Many new construction projects are empty - can't find people to rent.
- Pushback in Ward 4 - majority not in favor. How does it legally affect what a true R1 neighborhood is? It would no longer be an R1 neighborhood by definition.
 - Amanda Chiancola has not heard about new developments having trouble renting units; the vacancy rate in Salem is a % of total housing units. Salem's estimated rate is 3.8% for rentals, which is very low, and not many units are available.
 - Legality in R1: ADUs are accessory, subordinate units, so still an R1 b/c units are secondary, can easily be removed and primary home can stand on its own.
- Councilor Flynn: how can a second standalone dwelling be removed? The hope is that it does NOT get taken down as we need these units, but if there was an issue w/compliance it could be dismantled by removing what makes it a second unit, ex. the kitchen.

Planning Board Comments:

Helen Sides:

- Concerned it may be “too difficult” to do this with so many regulations, some are too much.
- Regarding Councilor Dominguez' comments that people who decide to do this with their property may be more likely to break law/misuse property - this is offensive.
- Affordability question: opportunity taken by homeowner to make it affordable for TEHM to stay there. Many may be family related so they should be able to afford to pass affordability on.
- Regarding Councilor Dibble's concern that the owner can flip it, that this makes it inexpensive to turn part of a house into an ADU- it is NOT easy or inexpensive. Especially bathrooms, etc., all required to be connected to same utilities. This makes it part of ONE dwelling, not “another house.”
- Parking restrictions are overly restrictive. Square footage w/ADU has to add add'l parking when zoning already limits access onto property w/curb cut, how will off street parking be provided? Not as damaging as many people view it to be.
- Adding onto 3 or 4 family unit: doesn't think any members, even architects can say off the cuff that there is no way to add on. ADUs take financing, design to figure out what's possible. Don't take the opportunity off the table.

Tom Furey:

- This matters to real people and speaks to a real need
- Don't lock in homeowners to a certain rent, as they have expenses for property upkeep as well.
- ADUs can bring families closer together.
- Will enhance a single family neighborhood.

Noah Koretz

- Enforceability is easy to handle - a manageable number of units citywide.
- Pegging affordability to rental limits, do it through the tenants. All units will be registered, communication to tenants via mail or email, if you got a letter from City saying your landlord is charging you too much, what would you do? Issue is a “red herring” and enforcement won't be a problem, tenants will be informed how much they should be charged. Thus it is a non-issue.

- Affordability/legality: missing middle - affordability needs of community are on a vast continuum, most “Affordable” deed restricted, public subsidy units have rigid income requirements, if you don’t fall under a threshold but can’t afford market rate, you are out of luck living here. Data on people working for City and other jobs in City are in that position.
- Sees benefit of restricting affordability but feels there are too many imposed requirements, ADUs in the real world tend to be naturally affordable, many go to family members or known people.
- For people who are elderly, the house is their main asset. This enables them to downsize -owner moves into ADU and allows family to move into larger house, maybe look after them.

Sarah Tarbet

- Was accessibility of units considered (don’t want to make more difficult, but if want to focus on elderly population, should be accommodations for those with mobility challenges.
 - Ex. can use back door or existing entry only, but typically these are not at grade.
- Size of unit - 900 sf large for a one bedroom or studio, if primarily focused on elderly living alone or families w/out children, could go smaller than that.
- Approves of owner of home could use ADU then rent out primary residence.
- Amanda Chiancola: Purpose of Ordinance is to create more housing options for smaller households, but not just older adults. Will include families w/children, particularly single parents/moms. Should have 2 bedrooms - allow flexibility for them. Many ADUs created so far have been in basements, can be challenging as egress may be thru bulkhead, don’t want to create challenge to creation of ADU.

Councilor McCarthy:

- REunit size: Unit cannot be more than 1/2 size of main house, so if the latter is 1600 sf, the accessory unit may not be more than 800 sf. 900 sf is the cap, and the addition will depend on how big the house is.
- Can’t over-addition house relative to size of existing. Make sure wording is correct, if putting addition, to create ADU in basement or attic, whatever works for them design wise to maintain the character of the home and provide another unit.
- Statistics on the number of people living alone in Salem are astounding.
- ADU must be smaller than the main house. Ex. A homeowner has a 3 bedroom house that they live in by themselves, and wants to create a smaller unit for themselves to live in because maybe they lost a significant other/have no family in the area/feel more comfortable living in a smaller space. They then rent out the main portion of the house.
 - This flexibility is important. There are no easy answers, don’t want to lose integrity of R1 neighborhood, but if you own a home and the person next to you is widower or alone... Back in the day when they were married, had many kids, maybe there were 8 people in the same family under the same roof. But now they have aged out of their home, living by themselves.
 - He is not comfortable w/affordability aspect, if someone could move into his mom’s house, if part of rent was them shoveling/doing maintenance, this could be part of it. Whatever arrangement works for them. Ordinance about giving homeowners the flexibility. It’s an option, they don’t have to do it.
- Auxiliary structures: an auxiliary structure on a property, if you go by the rules (conform w/zoning) is capped out at 18’ in height, same as a 1.5 story garage, maybe dormers. No one will add a McMansion, and if they wanted add’l height would need to add onto main structure.
- If someone has an oversized lot, no garage, wants to add 1 or 2 car garage w/ADU above, it is not a big deal. See Chestnut St. carriage houses.

Councilor Prosniewsky:

- What are abutter’s rights in the permitting process? If they do not want a detached structure in an R1 neighborhood, what weight does their opinion hold? Does not prohibit someone from building a

separate structure that is not a garage, will look like 2 homes.

- Amanda Chiancola: A special permit is discretionary: ZBA has specific criteria, if unit does not comply w/setbacks of primary structure or any other dimensional requirements, will need add'l permits. ZBA must take into acct. traffic, utilities, community needs, neighborhood character, natural environment, so is a case-by-case basis. They do listen to public comments and these factor in.

Councilor Madore, President:

- Section H: no more than 1 ADU on a single lot. How does this directly conflict w/Section 4 A1: An ADU cannot be allowed on a lot w/more than 4 units - so for lots of 4 or fewer units 100% of homeowners must all sign on to allow them to build an ADU. Means that one owner has the ability to dictate the property rights of the others in this decision.
- Too restrictive, may draw lawsuits. Ex in 2021, unit A of a row house builds an ADU, in 2030 Unit B would like to but can't since Unit A already did.

Public Comment:

Senator 2nd Essex District Joan Lovely:

- In support of Ordinance, Joint Committee on Housing, notes that it addresses housing situation.
- Thanks Amanda Chiancola for the thorough presentation.
- Communities may resist solutions such as this, but supply and demand lead to high rents.
- Reiterates various issues discussed before; adult children may not be able to stay in the community but not at parents' homes, keeps adult kids here.

Steve Kapantais, 23 Wisteria St.

- Many cannot afford to live in Salem.
- Agrees that ADU will help seniors, young professionals.
- Concerns w/Affordable ADU: no language or constraints on who they will be rented to. No guarantee they will be rented to those who need them.
- In favor of ADUs, IF they are for those they are intended for, against if we don't ensure they go to who needs them.

Stephen Nickerson 5 Cedarcrest Ave.

- Concerned about traffic, adequacy of water and sewer, parking during snow emergencies.
- Converting R1 neighborhoods to R2.
- Lots of new construction - Why do we need ADU's as they will exacerbate problems.
- What do you mean by "elderly?"

Jeff Cohen, 12 Hancock St.

- In support.
- Many residents cannot afford to live or age in place here.
- Imaginary negative affect on neighborhood - homeowners will maintain safety.
- It was suggested that the City dictate rent but at 50% AMR. If utilities are included, that would not be viable as utilities can be 40% of cost.
- Concept of confluence - homeowner age in place, young person w/child living paycheck to paycheck, provisions should ensure that these units are affordable to those who need them.
- Should pass unanimously w/current revisions.

Fawaz Abusharkh:

- Approves of the restrictions in the Ordinance.
- Concerned about who gets the ADU in a multi-family, does not want each unit to be able to have its own ADU.

- Principal unit should not be allowed as short-term rental.

Ben Johnson, 19 Aborn St.

- Generally in favor.
- Lives in 4-bedroom house, alone, debating making an ADU.
- 1 utility hookup = 1 electric meter. Are people subletting electricity/gas to ADU, even if not family? Is this a departure from how this was previously done?
- If so, (electric being included) do the numbers shown include that?
- Amanda Chiancola: The max rent of 70% DOES include utilities (a 2 bedroom at \$1635 must include utilities). Single utility hookup is a requirement. Cannot have separate utilities for ADU as it must be subordinate, not a separate unit.

Jen Lynch, 38 Charles St. on Behalf of League of Women Voters of Salem

- League works towards access and meeting needs of low and moderate income.
- Previous lacked regulatory teeth.
- Mismatch between size of housing units and size of households, this limits opportunities for smaller households.
- This includes affordability in definition.
- Ordinance will not solve crisis but will help.
- Creating livable space w/in existing building reduces need for construction of new buildings, consumption of land, materials, etc.

Rosa Ordaz, 13 Forest Ave.

- In support of ADU, echoes Senator Lovely and Jen Lynch.
- Council meeting last Thurs., there was a moratorium wetlands and flood zones, she thanks Councilors Riccardi and Morsillo on their green initiatives.
- ADUs diversify housing stock but are a step in the right conservation direction, reducing carbon footprint of new development.

James Davis, 32 Buffum St.

- In favor of Ordinance, overdue, Council has consistently let the perfect be the enemy of the good.
- Infrastructure concerns are overblown. We are looking at 30-40 units, no large impacts to parking/traffic.
- Insinuation that it will be associated with crime is insulting.
- It is a workforce housing ordinance, opens walkability to those who already work here.

Filipe Zamborlini, 62 Perkins St.

- Approves of Ordinance.
- Has young children, notes high cost of daycare, also lack of availability, need alternatives to grow family - will need bigger place.
- If he purchases a 3-family, he can have in laws move in and assist w/development costs, if 2 family, can't happen as their income is not enough, can't rent to them and afford cost.
- Would need ADU and other property rented.
- If single family, that is not even in the picture, they cannot afford any in Salem b/c need to pay for child care.
- Would like to stay in Salem but may take an ADU to be able to do that.
- Feels that detached units are desirable b/c elderly family members may want to feel independence.
- Allows young people to consider the future 25-30 years out.

Derek Thomas, 48 St. Peter St.

- In favor of Ordinance.
- Is an ADU builder; designed/built more ADUs in MA than any other general contractor or design/builder.
- Listed on ADU.org as the only one.
- Has built ADUs in all situations - attached, detached, basement, attic, above garage, etc.
- Offers guidance and to answer questions: derek@incrementaldevelopers.com and www.incrementaldevelopers.com
- These are real situations and real people.

Alice Merkl, 28A Federal St.

- In support of ADU.
- Creates naturally affordable living spaces.
- Would provide housing for those who want to stay in Salem but cannot afford to.
- COVID will increase housing issues.

Geoff Milnar, 29 Boardman St.

- Feels like his value to Salem community is attached to whether or not he has a deed attached to his name.
- Comments and people we see on screen, he is one of a small number of current renters participating in the conversation.
- Easy [to object to this] when you've "got yours, locked in for 30 years w/payment that only changes based on taxes not market," which means you take a protectionist view.
- Encourages all to reject any argument telling you the sky is falling if this passes but also that this is the savior to the housing crisis.
- This is a tool in the toolbox, if so, it needs to not be so difficult that no one can use it.
- We should not put a price cap on it - others looked at caps and said "that's a lot of money for rent." But it is a good deal for many people, renter and landlord, as utilities are included. He pays more than the cap, before utilities, which make a big difference.
- Quality of life for abutters of ADUs: Property that has an ADU also has owner continuing to live on it. None of your neighbors are trying to destroy the quality of life on the parcel they live on.
- 900sf limit may not make sense. This is not a lot. Understands the need to keep it secondary, accessory, but the number is arbitrary.
- Not sure there needs to be a 2-bedroom limit.

Mary Whitney, 356 Essex St. Unit 2

- Does not approve of detached structure portion, concerned about the addition of impervious surfaces and loss of green space.

Councilor McCarthy

- Asks if Amanda Chiancola's presentation will be on City's website?

Councilor Dibble

- Comments re Steve Kapantais' comment re limiting availability to those who actually need it. Price cap w/out lower income proof is counterproductive. Is it legally possible on private property to limit rent? Or tell them who they can rent to?
- Amanda Chiancola will research
- Agreed w/Steve Nickerson's comments.
- City ENG to weigh in on infrastructure impacts of add'l growth - he would like these comments.
- Detached structures take away from overall neighborhood, wants to hear from zoning enforcement, Tom Daniel, Amanda Chiancola.

- New detached and existing detached structures must be examined separately but both must be considered. He notes, again, that “having 2 houses on a single family lot has never made sense to me at all” and that the ADU ordinance is “allowing a brand new house to be built in somebody’s backyard.”

Councilor Turiel

- Feels discussion has been less heated, more productive.
- Thanks Boards, who navigate these processes and help make decision. Commends Planning Board, who volunteer their time and expertise.
- PB please clarify: 2 versions of Ordinance, intent for detached structures as a separate proposal was to keep PB discussion w/in the four corners of the zoning discussion. Needed to be counted in this process. New standalone ADUs should not be permitted by right. Conversion or addition to existing structure is reasonable to be as of right, new not so much.
- Hopes PB discussion will include an affordability component, if we can do with incentives vs. hard requirement. Wants all units to be more affordable than regular units, many are naturally affordable but wants to drive prices down further.
- Fewer roadblocks will allow people who want to, to build them.
- Echoes Jeff Cohen: more obstacles = people don’t want to navigate, will not produce a unit.
- Optimistically we may see only 30-40 units/year, maybe more the 1st year as people legalize existing units.
- This is one small piece of the puzzle, but it will help. Every person who moves in is assisted.
- Still have Inclusionary Zoning Ordinance that has not gone through, Reuse Ordinance, etc.

Councilor McCarthy

- Responding to Councilor Dibble: Mayor did not bring in second Ordinance, he did, as it was in the Ordinance a couple years ago. People asked to add, and the Solicitor said to add it. Both came in 6 weeks ago, not 2 weeks ago for the 2nd one, as Dibble claimed. That came in 2 weeks after the original. Solicitor thought better to add it in, he personally does not have a preference. The Council’s job is to vet these things.
- He takes offense at Dibble’s claim that the “Mayor is trying to add second home on family’s lots.” He does not intend this. The second one was brought in over a month ago, both over 6-8 weeks ago.

The Planning Board is to deliberate at its own meeting and provide a recommendation to the City Council, who can refer to Committee for further deliberation, or accept and further the Ordinance.

Roll Call Votes:

#68 – AMENDING ZONING RELATIVE TO ADUs – SEC. 3, 10, 3.2.4 & 3.2.8 (WITHOUT DETACHED ACCESSORY BUILDING)

Motion and second to close public hearing: Councilor Morsillo, Councilor Prosniewsky

In Favor: 11-0

Turiel

Sargent

Riccardi

Prosniewski

Morsillo

Flynn

McCarthy

Hapworth

Dominguez

Dibble

Madore

Motion to refer the matter to PB for recommendations: Councilor Morsillo

In Favor: 11-0

Turiel
Sargent
Riccardi
Morsillo
Prosniewski
Flynn
McCarthy
Hapworth
Dominguez
Dibble
Madore

#97 – AMENDING ZONING RELATIVE TO ADUs – SEC. 3, 10, 3.2.4 & 3.2.8 (WITH DETACHED ACCESSORY BUILDING)

Motion to close the public hearing: Councilor Morsillo

In Favor: 11-0

Turiel
Sargent
Riccardi
Morsillo
Prosniewski
Flynn
McCarthy
Hapworth
Dominguez
Dibble
Madore

Motion to refer the matter to PB for recommendations: Councilor Morsillo

In Favor: 11-0

Turiel
Sargent
Riccardi
Morsillo
Prosniewski
Flynn
McCarthy
Hapworth
Dominguez
Dibble
Madore

Councilor Sargent motions to adjourn, and 11 hands are raised.

The meeting ends at 9:17PM.

For actions where the decisions have not been fully written into these minutes, copies of the decisions have been posted separately by address or project at: <https://www.salem.com/planning-board/webforms/planning-board-2021-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 6/3/2021