

## **MINUTES OF SPECIAL MEETING OF WAREHAM PLANNING BOARD**

**Date of Meeting: October 17, 2011**

### **I. CALL MEETING TO ORDER**

The meeting was called to order at 7:00 P.M.

### **II. ROLL CALL**

Members Present: George Barrett  
Alan Slavin  
Charles Klueber  
Mike Fitzgerald  
Mike Baptiste  
John Charbonneau, Town Planner

### **III. PUBLIC HEARING FOR TOWN MEETING WARRANT ARTICLE #19 – AFFORDABLE HOUSING SOLUTION LOCAL INITIATIVE PROGRAM**

The public notice was read by the Chairman. Article 19 is to amend the Zoning By Laws to see if the Town will vote to amend the zoning bylaws by adding an 830 affordable accessory apartment amnesty program zoning bylaw that will enable residents with non-committed apartments to bring their property into compliance or providing legal affordable units to residents and families of Wareham or to take any other action relative thereto.

Present before the Board: Sandy Slavin, Affordable Housing Trust Chair  
Ms. Slavin stated the Affordable Housing Trust voted to withdraw this articles on Town Meeting floor because it is not ready to go forward. She stated she does want the Board to consider working on a bylaw to making accessory apartments legal. There may not be a 40B aspect on it which Article 19 attempted to address, but making accessory apartments valid in Town.

The Chairman Barrett asked if there were any comments or questions. Ms. Slavin stated she doesn't want to wait until another Town Meeting and not work on this matter. She asked that the Planning Board start working on a bylaw that will allow or tighten up the language for accessory apartments. Chairman Barrett indicated that the Board did have a suggested accessory apartment bylaw not too long ago. Ms. Slavin stated she was aware of that and that is why she is asking the Board to consider this. Chairman Barrett asked if Ms. Slavin was able to compare the two and Ms. Slavin replied that they were of different purposes, but the intent is still looking for the same thing, for example, looking more for the zoning/planning aspect of the accessory apartment & additionally, the Affordable Housing Trust is looking for the impact on affordable housing units within the Town &

allowing the amnesty program, thus, they really were two different purposes of the bylaw changing, although all bore a valid allowed legal accessory apartment.

Chairman Barrett asked if Ms. Slavin felt this was what the other was lacking. Ms. Slavin stated in looking at it, it was not so much toward the structural bylaw, but it was looking more to affordable housing units and things like. She stated it wasn't looked at like the Planning Board would look at it or the Zoning Board would look at it; for legality of structure, etc.

Chairman Barrett asked if there were any more comments or questions and if there was anyone present this evening that wanted to address the Board.

Present before the Board: Anthi Frangiadis

Ms. Frangiadis stated she would like to see the Planning Board do the accessory apartment bylaw and encompass this idea & all of the components with affordable being one of them. Ms. Frangiadis did not feel it should be withdrawn from the Warrant. By having this on the Warrant, the Town could see something with more strength that encompasses all of the components of the bylaw with all of the sections, definitions, etc.

Chairman Barrett stated one of the questions at the presentation was why would someone, as a homeowner, want to do this. What is the advantage as a property owner on placing a 40B restriction on their property. Discussion ensued. Mr. Charbonneau suggested the Planning Board have this as an agenda for discussion. He stated it seems like there is a difference as far as what the goal is, thus, the Planning Board needs to determine what needs to be accomplished with the bylaw. Ms. Frangiadis stated she feels affordable units should be an option, but she doesn't think it should be the only option. Mr. Charbonneau added that his concern was similar to Chairman Barrett's. He stated another concern is if someone has an accessory apartment, for example, above a garage & this person decides to make it affordable, it's two different things to have it be affordable and have it count on the SHI. It could be affordable, but it needs to be put to process of getting it on the SHI to be counted as an affordable unit towards your percentage. He stated he is wrong in thinking that if someone decided they wanted to be counted on the SHI that they basically really push control over who rented that unit where it would go out to a lottery. Discussion ensued. Mr. Charbonneau stated it's very complicated & monitoring after the fact has been a huge problem with our existing units.

Chairman Barrett asked if there are any tax incentives to 40B. This was unknown.

**MOTION: Mr. Klueber moved to close the public hearing. Mr. Baptiste seconded.**

**VOTE: Unanimous (4-0-0)**

Chairman Barrett added that as far as a report goes, the Board will agree that the article will be withdrawn.

#### **IV. ADJOURNMENT**

**MOTION:** A motion was made & seconded to adjourn the meeting.

**VOTE:** Unanimous (4-0-0)

Date signed: 3/12/12

Attest: George T Barrett  
George Barrett, Chairman  
WAREHAM PLANNING BOARD

Date copy sent to Town Clerk: 3/13/12

