

MINUTES  
Combined Meeting of Dennis Economic Development Committee &  
Dennis Municipal Affordable Housing Trust  
Friday, February 1, 2019  
Town Hall, Paul Prue Room

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SM  
DENNIS TOWN CLERK

EDC: David, Bacon, Chamberlain, Patterson, Monroe  
DHMAT: Samoluk, White, McAloon, Rainwater, Byron, Mason  
Absent: Stone, El Sehrawey, Beasley  
Staff: Fortier, Gregory

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**Item #1: Accessory Dwelling Units discussion (two versions)**

Mr. Fortier opened the meeting with a brief summary of two versions for a proposed zoning amendment to Accessory Dwelling Units: one by the Economic Development Committee and the other by the Affordable Housing Trust. The primary difference is the EDC's version would allow an ADU up to 600 sf by right and everything after that would require a Special Permit, while DHMAT's version would allow up to 1,000 sf by right. The goal of the meeting was to find a compromise in order to present one proposal to the Planning Board for their Monday night meeting.

Nick Mayo, Building Commissioner, discussed enforcement problems with the current bylaw. He noted that some single family owners create ADU's that no one knows about, which makes them difficult to enforce. He noted that other towns on the Cape tackle this problem by using a deed-restriction which makes the dwelling part of a title search if sold. He also noted that the creation of a separate unit requires a fire wall between units, which is costly. Discussion followed as to possibly creating a Deed Rider so that an ADU cannot be separated if a house is sold.

Mr. Samoluk noted that under the current restrictions for ADU's, or by requiring Special Permits, people will avoid creating them due to expense, therefore, they go underground. This creates safety concerns. Mr. Chamberlain felt that the creation of ADU's apart from a Special Permit would create a density problem and possible abuse. He stated that when people buy into a single family zoning district they do not expect to wind up in multiple family neighborhoods. He felt they had a right to know about the creation of an ADU and a Special Permit would cause abutter letters to be sent. He also felt the Board of Health and the Conservation Departments should be present at a general meeting of all boards for consensus on this issue.

Mr. Fortier noted that the zoning amendment in no way changes any health or conservation issues, therefore, there is no need for their presence in these meetings. He pointed out that since the inception of the current zoning bylaw on ADU's, only two applications have been submitted. A quote from a Chatham resident was read which noted that units for seasonal use are not subject to the same scrutiny and still increase density and create instability, so why subject a year round ADU to more stringent requirements?

Stephanie Cox said that the issue is not one of density because no additional bedrooms are being allowed beyond what would already be permitted. The issue is more of repurposing. Ms. DiManno suggested that a compromise be made to allow by right up to 800 sf. Perhaps applicants should undergo a Special Review instead of a Special Permit. This would prevent undue costs to the applicant while still allowing the proper evaluation of the project by various departments. Mr. Samoluk was in agreement and suggested this be called a "Design Review" verses a Special Review. Ms. Bacon asked if the State would be involved in regulating ADU's. Mr. Fortier noted that the governor is working toward making them by right everywhere and wanted every town to have one zone allowing multi-family units. Mr. Munroe asked if yearly ADU's should be by lease and discussion followed. It was agreed that a one year lease should be the minimum.

Mr. Mayo suggested having dimensional requirements; perhaps lots under 20,000 s.f would be the cut off for creating an ADU. A number of revisions were made to the proposed compromised draft to include the following:

- Allow accessory dwelling units in accessory structures on lots of at least 20,000 sf, by-right, but subject to Design Review by the Planning Board.
- Limit accessory dwelling units to 800 sf or 40% of the living space on-site.
- Require a deed restriction noting the units cannot be separated by sale.
- Require one off-street parking space for the accessory dwelling unit.
- Requires Owner Occupancy.
- Require a 12 month lease.

No vote was taken. Mr. Fortier will revise the current proposal to present to the Planning Board on Monday.

ADJOURNED: 10:30 AM

The Committee approved these minutes as written on 4/18/19.