

## Accessory Dwelling Unit Online Comments

*The below submissions were made to the comment box on the Town of Barnstable ADU webpage. The comments and questions reflected here are those pertinent to the proposed Accessory Dwelling Unit ordinance. The summary guide on ADUs posted on the ADU webpage has been updated to provide answers to the most common questions asked about the proposed ADU ordinance.*

What are the zoning requirements for a detached ADU in relation to the property lines? How close and tall can my detached revenue maker be?

How many illegal rental units does the Town enforcement department see on a yearly basis?

What is the minimum property lot size that is allowable for the addition of a detached ADU? What is the proposed increase in property tax for properties that are allowed to have REVENUE GENERATING ADU's? Will abutters be notified of the addition of an ADU? Will permitted ADU's be inspected for occupancy and rental timeframe requirements and who is responsible for enforcing the rental time limit associated with the regulation? If a home owning entity is found to be in violation of the regulation what is the remedy process? If the primary homeowner is not residing on said property, and renters are in violation oas an AirBNB style rental violate Section C (13)?

Great idea! This will make it feasible for young families and adults of all ages to be able to live and work on Cape Cod.

This ADU proposal does not require Owner Occupancy of the main housing unit, unlike every other responsible proposal throughout the Cape. This oversight(?) will encourage investors to buy up these properties at much higher prices than families looking for homes can afford - exacerbating the housing shortage/crisis that you claim to want to solve. Unless this critical flaw is corrected, you will again lack public support. Along with the short-term rental proposal, which incentivizes the wholesale conversion of yearly rental homes into weekly (or even shorter stay) rentals, this ADU effort will turn Barnstable into a large transient housing community.

I watched the December 16, 2020 Zoning & Regulatory Subcommittee meeting and am confused as to why the Draft ADU Ordinance (dated 11/17/20) does NOT match the discussion and unanimous vote taken to require a 12 month rental for BOTH the principal residence AND the ADU. One of the Committee members asked to have the wording changed to make that clear; however, the 11/17/20 Draft Ordinance you posted does not include that wording change. Regardless of statements made about the intent, the fact is that the Draft ADU Ordinance is ambiguous on this issue. As currently drafted, the Ordinance could be interpreted to require only the ADU to be rented for 12 months but allow the rental of the principal residence for a period of less than 12 months. Based on the unanimous vote taken by the Subcommittee this is clearly NOT the intent and should be corrected with the simple wording change requested by the Subcommittee member at the December 16, 2020 meeting. Thank you

While the Town is moving in the right direction of attempting to provide more affordable housing, I believe pursuing ADUs is a waste of time and effort that could be better used to pursue other more effective opportunities. The primary issue with ADUs is that they are not a long-term solution; this is a band-aid on an ever expanding housing crisis on Cape Cod, and we have been hemorrhaging residents - particularly youth and low-income people - for years. One big factor why Barnstable County is one of the oldest counties (by age of residents) in the country is because of the complete lack of affordable housing for younger residents and those making below, at, or even slightly above Area Median Income. Let's be clear - we are being squeezed out of our home due to a lack of dedicated action by many of our towns and county to

seriously address the severe lack of affordable housing. The Town of Barnstable pouring their valuable time, effort, and resources into focusing on ADUs is a continuation of this lack of dedicated action by not taking on serious enough projects, and is akin to planting a few dozen trees to solve climate change. The Town of Barnstable needs to be focusing on long-term solutions, such as Municipal Housing or Social Housing. Efforts by the Towns of Yarmouth and Orleans have taken better steps, focusing on projects like converting motels and former bank headquarters into affordable housing developments. We cannot afford to focus on the small-scale, temporary solutions that may have a more immediate effect but create no lasting change. It's imperative that the projects we take on for our neighbors are widely and deeply felt, instead of a few scattered units here and there (whose existence relies on the kindness of strangers, rather than the Town taking responsibility for ensuring its residents' housing needs are met). Building infrastructure, building the backbone of what will be our future in affordable housing, takes time, and we owe it to our community to work towards a sustainable future for all.

Cole Silva  
Barnstable Resident  
Cape Cod DSA Member

I want to express my support for the expansion of the Town of Barnstable's ADU bylaw to allow accessory dwellings to be built by right, and make it easier to enable Cape Codders who own a home to rent out accessory units to non-family members and people who do not qualify for affordable housing programs on their property year-round.

This would go a long way in creating the additional housing stock that is urgently needed on Cape Cod for young professionals, essential workers and seniors.

As a small business advocate, I hear repeatedly that our small businesses cannot fill job vacancies because their potential employees are unable to find housing that will suit their needs or their income. This is particularly hard for the 25-44 year old population ("young" professionals") who are looking for a small 1-2 bedroom unit that fits within their budget. The current housing stock in Barnstable and across Cape Cod simply does not meet those needs and creates an unaffordable and unsustainable market for those who are trying to make a life here year-round.

It is also my opinion that the owner does not need to occupy one of the two units, but perhaps needs to live on the Cape or contract with a property manager in order to have someone local to be on hand to address any potential issues that might arise.

1. Do you have any additional requirements beyond normal building code to qualify for an additional dwelling such minimum square footage?
2. What about additional appliances, such as a stove in the secondary dwelling?
3. What happens to deeded restrictions? Do these automatically change?

I heard on the radio today that non resident investors will be able to STR a property with an ADU. WHAT ARE YOU DOING? This is not the point of ADUs. It will not increase housing.

I am asking that you require parking for both the primary resident and the ADU be on property. The subcommittee draft allows the primary resident to simply shift their own cars to the street in order to comply with the ADU ordinance. We should not have to navigate around any additional permanent street parking because of a neighbors ADU. Please do not allow that to happen.

I wish to offer comments in support of Barnstable's proposed Accessory Dwelling Unit (ADU) regulation modernization. As a lifelong Barnstable resident, existing ADU owner, father of young adults, and aging parents, I see from many different perspectives, the need for alternative housing options for our residents.

As a townie, I have many friends, acquaintances, family, and coworkers who have experienced difficulty finding rental housing in our region that is affordable to the average income earners, and is available year-round. This situation has been exacerbated by the emergence of online short-term rental markets which has greatly reduced rental housing inventory.

As the father of two college-aged young adults, I am very concerned about their ability to move back to the Cape after graduation and find a small affordable place to live. We all know the importance of retaining our youth for the future health of the region's economy. We need to do everything possible to facilitate that.

As the son of aging parents, I purchased a house specifically because it had an ADU attached to it. This has been a godsend for my elderly parents who were unable to live unassisted and has created a multigenerational family experience that has been invaluable for my children. that said, I know of many other elderly residents who would jump at the opportunity to sell their larger home and move to a similarly sized ADU, but are unable to under the Town's family-specific regulations.

I do understand the great importance of protecting our water quality and support language that takes wastewater and septic system capacity into account as part of this regulation. I also feel strongly that ADUs should be for year-round use and prohibit short-term boarding/lodging as proposed in the regulations.

I look forward to the modernization of this regulation and its flexibility to create housing options for many in our community that need alternatives to traditional single-family homeownership.

Sincerely,  
Chris Adams  
Palomino Drive, Barnstable

#### "Rental Duration

The proposed ordinance requires ADUs to be offered for rent, and also allows the principal dwelling to be offered for rent."

If I understand correctly, anyone could make an ADU and rent out the main house as well and live somewhere else, i.e., out of town and thus we have an absentee landlord situation. What's to stop investors from buying up properties and making two rental units, thus driving up the costs of housing for locals?

When the town proposed to change zoning for short-term rentals, it said let cars park anywhere in the backyard, anywhere in the sideyard. The town was going to let cars park on top of septic systems in people's yards. The state advises against that. It's risky for septic systems and for our groundwater. How is the town going to prevent cars of people living in an ADU from parking in the street and from parking on top of septic systems in yards? I do want this question and the answer posted publicly. This is a real risk and problem that the town ignored before. Please get septic installers and inspectors and environmental protection employees to comment on

whether letting cars park on top of septic systems make any sense at all. I called some. They all said that is not advisable and didn't even understand why anyone was even asking the question. Thank you very much for not putting this important issue to the side like you did before.

During public comment I had asked whether the Planning Dept was to conduct analysis on the housing implications of the recommendation to allow non-resident real estate investors to buy homes, build ADUs and live in neither, a departure from the practice around the Cape. I am delighted to see the Planning Dept and some Town Councilors thinking about housing implications on this zoning change matter especially given that housing and long-term rental implications was a non-issue - not discussed - in the STR process. (Housing implications typically is at the center of STR decisions and independent analysis is robust.) The question now is the implications on young homeowners bidding on their first home, or seniors looking to downsize, for example, if the Town allows non-owner occupants to convert our single family homes to two family homes, rent both and have two income streams form the basis of their real estate offers. It is highly unlikely, based on common sense and discussions with investors (and comments to the Zoning Subcommittee) that a young family looking to buy a home could outbid the investor whose investment calculations will assume a rental duplex. Is the Planning Dept going to conduct analysis to inform this policy choice? Thanks for answering, posting this question and the answer, and for all the work on this important issue.

The summary says both properties have to be rented for a year. The rule says only one does. If I buy a house and build an ADU and rent them both, the rules says I have to rent one of them or the other for a year. You'd need to fix the rule for the house and the ADU need to be a yearly rentals.

If for example, a 2 bedroom house has already installed a septic tank with the capacity for a 2-bedroom house. How would the dwelling unit affect this? Is the town expecting the dwelling unit to have a composting toilet or are they going to wave the requirements and allow unit dwellings to tap into the original septic tank? Or would homeowners be required to update the septic?

My wife and I viewed the 2/25/21 Sewer Assessment Ordinance presentation by the Town. We were interested in the possibility of an ADU for our property, but have been concerned about how much the sewer assessment would be if we had an ADU. One of the callers asked Finance Director Milne if properties with ADUs would be charged a sewer assessment fee (currently estimated to be capped at \$17,000) for each the main house and the ADU because they would be considered two family dwelling units. Mr. Milne confirmed that properties with both a main house and an ADU will be charged two sewer assessment fees, or \$34,000 (estimated), versus a single fee for a single family residence. This is an important fact and financial consideration that should be made known to anyone considering an ADU. Please include this important information in your ADU Information Guide so that citizens can make well-informed decisions on ADUs.

While the theory and principle behind the ADU is honorable, the actuality of increasing the potential for this type of dwelling is fraught with pitfalls and may in fact cause irreversible damage to the Barnstable housing market.

While we all want to believe in the goodness of our fellow human, we need to doff our rose colored glasses and look at this proposal as what it truly is, an opportunity for investors, real estate agents, building contractors and those that are already financially capable to take advantage of the our overpriced housing market.

First, let's throw out the feel good language like about this being AFFORDABLE. The few that are going to be able to afford to undertake the costs of the construction required for this endeavor aren't going to be doing this to meet any of your stated reasons for doing this. The homeowners that are doing to be able to do this are already financially well-off and aside from a small percentage who might do this out of the goodness of their hearts, this is only a means to increase property value and income. On the flipside, there are no guarantees that the rents for these units will be affordable or remain so. As was mentioned in the January 25th Zoom meeting, rents are constantly driving upwards. There are no protections within this proposal, nor legally can there be in my mind, that stipulate that rents for such permitted

ADU's would be kept at or below the current market rates. Therefore, the intended goal of affordability is already lost.

Much was made during the Zoom meeting about making this process as easy as possible for the property owner. Perhaps those folks don't understand that the permitting process is their last chance to prevent every bad outcome that is possible without a solid and thorough permitting process. Every aspect of this process needs to be as meticulously vetted as the process for building any other domicile. There are already numerous illegal rentals in Barnstable that put the renters' lives at risk with inadequate emergency egress, improper wiring and utilities, and sanitary needs. Any ADU process must hold the applicant to the same if not higher standard, similar to a boarding house applicant.

How does the Town propose to enforce the language concerning the length of rental contract? Without the owner submitting said document to the Town for review after it's signed by all parties, there is no way for the Town to know how long a renter has signed on for. Without a system for verification and punishing violators, this is the most easily abused aspect of the proposal, effectively turning every ADU into a potential short term rental property without any legal recourse by the Town.

As proposed now, any property in Barnstable could be converted into an ADU or a structure added, with really the only stipulation being the septic system, if not already on the municipal system, meet the code requirements for the number of bedrooms. This could allow anyone with a multiple bedroom property to turn that property into a boarding style home under the guise of an ADU. The permitting process is easier and less encumbered for the owner.

Finally, there has got to be minimum lot size for any detached ADU structures. It cannot be the intention of this Town to give every property owner the ability to add an additional structure to a property regardless of how close such a property would be to it's neighbors, roadways or vital natural resources.

It is comical to think that a family who can barely afford their mortgage, will suddenly be able to afford to build a second dwelling or modify their existing dwelling to be able to generate revenue enough make it easier for them to live.