

**Wellfleet Planning Board**  
**Wednesday January 22, 2020 7PM**  
**715 Old King's Highway, Duck Pond Room**  
**Meeting Minutes**

**Members Present:** Gerald Parent, Chair; Andy Freeman, David Rowell, Alfred Pickard, David Mead-Fox, Bonnie Shepard

**Members Absent:** Beth Singer

**Others Present:** Mike Trovato, Assistant Town Administrator; Eric Larson, Sharon Rule-Agger, Stephanie Cox, Gary Sorkin, chair local housing partnership

**Announcements, Open Session & Public Comment:** Note: Public comments must be brief. The board will not deliberate or vote on any matter raised solely during announcements & public comment.

Chair Parent called the meeting to order at 7:00pm

**Eric Larson ~ Wilton's Way Wellfleet, Ma – No Motions or Votes were taken**

- Eric Larson came before the Board with questions about his property on Wilton's Way. He explained that he wants to merge two plots of land to make the lot buildable. Chair Parent gave some background information on the property. He stated that this was an approved subdivision years ago. The map shows the access from route 6 into the subdivision which Larson owns lot 25.1. He stated the Route 6 access turns on to Freejom Road which is a dirt road and parallels lot 24.1 and goes along lot 24.1 and then before the back-lot line takes a northerly turn and a right-hand turn to the cul-de-sac. He indicated that there is no 40- or 5-foot access to Freejom Road. Freeman asked if there was a recorded written easement that permits access from Route 6 across parcel 29. Larson stated that he looked through deeds and didn't see one. Chair Parent stated there were no easements of record. Freeman asked about access by the fire department. Larson stated that he spoke with the fire department and they indicated that they need 14 by 14 to gain access which does not exist at this time, but he will remove brush to make 14 feet for access. Pickard stated he is concerned that there is a road that goes over someone else's property which is used on a regular basis. He believes Larson has a right to that property but is concerned about lot 28. Pickard asked if there was a way you could get a triangle out of lot 24. Chair Parent stated as far as Larson's rights the two lots that he has he can build on as a legal lot.

**Housing Authority ~ No Motions or Votes were taken**

- Sharon Rule-Agger appeared before the Board in response to its request for more information about the ADU bylaws. She stated the goal of the housing authority was to advocate for Bylaw change in Wellfleet making it easier for property owners to create small market rate year-round rental housing.
- She went on to say they are submitting a proposed ADU bylaw that was drafted by Stephanie Cox that is modeled on the existing ADU bylaw and the Cape Cod Commissions Model Bylaw and she explained it also draws from updated bylaws from

surrounding towns. She explained that they would like to see one ADU per eligible property to be allowed by right that would be rented at market rate on a year-round basis. Rule-Agger stated that the current bylaw allows up to three AADU's on an eligible property by special permit. She explained the proposed changes would allow one AADU or ADU by right and two AADU's by special permit if the property is eligible.

- Pickard asked what was considered market rate for one, two, or three-bedrooms. Cox stated it would be whatever the market would bare. Freeman asked why not have two separate bylaws, one for AADU and another for ADU. Rule Agger read a story from a shell fishing family and how hard it is to live in Wellfleet with a young family and a growing business. She explained the current AADU bylaw is no longer working for the town.
- The Board noted that there are 15 in town, but only 6 that have filed paperwork with the town. This doesn't mean they are not being rented either as an ADU or AADU but that they aren't documented with the town. Mead-Fox asked if there was any way to quantify the demand from two different types of renters. Mead-Fox asked if there was more data not just on the cape. He asked what the demand for each income status was.
- Cox told the board that she met with the Cape Cod Commission in the previous week talking about the ADU's and AADU's. She explained most homeowners get overwhelmed pulling permits and going in front of different boards to apply for an ADU which can dissuade them from creating an ADU and that if the process can be made simpler, she feels that more homeowners create them.
- Freeman stated he is concerned that homeowners will opt to create ADU's and not AADUs since they can charge market rent for ADUs. Cox stated there is a tax credit in place for only AADU's.
- Pickard expressed he has renters that are unable to afford what they are paying now, and he doesn't receive that much of a tax break. Cox stated that homeowners right now are not creating units, but with the new bylaw, there is incentive for them to do so. Rowell discussed maybe making an incentive for homeowners to create AADU's a tax exemption was discussed.
- Chair Parent stated what needs to happen now is revisit the AADU with some of the input that has been brought to them to see if it needs to be tweaked from 30% tax deduction to a 50% tax deduction. With the housing authority's input, they can figure this out.
- Sorkin stated they could come back to the Board with some changes to the AADU's and maybe get this by-law to town meeting this year. Chair Parent stated he didn't want to rush into this and doesn't think it will make it for town meeting. He doesn't recommend they put this to town meeting. He doesn't feel there is enough time.
- Cox stated they want to work with the Planning Board and not submit their own bylaw independently.
- Chair Parent asked where the Board would like to go from here. Rowell would like to continue the discussion on AADU. Shepard stated she thinks there needs to be more concentrated time on the AADU's. She would like to work with the housing authority further. Mead-Fox agreed with other Board members but stated he didn't want to separate

the ADU's and AADU's he feels they do affect each other. Pickard would like to continue with AADU discussion Pickard stated he would like support information how can the tax program be unscrambled as he feels it isn't working currently. Chair Parent suggested Trovato call town counsel regarding state regulations. Trovato stated that the special act of 2010 senate and house representatives was adopted by the voters of Wellfleet in 2011

- Sorkin asked what the Board was looking for as far as an ADU bylaw. Chair Parent asked Sorkin to coordinate with Trovato to put some language together.
- Rowell presented a map that he blew up and highlighted all the condominiums or cottage colonies in the town of Wellfleet. He stated it made it easier to understand what Pickard had stated about having it be an overlay district. He stated he wished he had the technology to know the water distribution throughout the map. Pickard stated there is a budget of \$50,000 in an escrow account for title searches, deeds, bounds and other researches for National Seashore. Chair Parent said this could be a cottage colony by-law change.

#### **Cape Cod Commission ~ No Motions or Votes were taken**

- Chair Parent discussed the letter from the Commission. Mead-Fox stated that by January 28<sup>th</sup> the Board needs to send a recommendation to the Commission and didn't think there was enough time to get together a response.

#### **Habitat for Humanity ~ No Motions or Votes were taken**

- Chair Parent stated that a special permit was given, and the full-length road was waived. He stated that the as-built map plan was submitted, but that he didn't have the plan. Eldridge left the plan on her desk at town hall. Chair didn't want to do anything until they have the as built. This will be continued to the next meeting in February

#### **Upcoming meeting schedule**

- Meetings to be held February 12<sup>th</sup> and 19<sup>th</sup> and the March meeting will be discussed at one of those meetings.

#### **Correspondence**

- Chair Parent updated the Board that there has been no information from Cape Cod Cannabis regarding parking, which Chair Parent explained was needed in order to make a recommendation to the Zoning Board of Appeals. There was also a request to change the configuration of the curb cut to move the curb further down the parking lot.

#### **Minutes ~ December 4, 2019**

- Continued for the next meeting

**Topics for future concern**

- Mead-Fox would like to discuss with the board about climate change. Climate ready building codes and climate ready bylaws.

Meeting Adjourned 10:00pm