

TOWN OF HULL
ADVISORY BOARD MINUTES

Date of Meeting: 3/18/2024

Meeting Start: 7:15pm

Adjourn: 8:58pm

Member	Present	Absent	Other
David Clinton	X		Town Manager Jennifer Constable
Jay Polito		With notice	Chris Dilorio, Director of Community Planning & Development
Dan Sullivan	X		
Peter Larsen	X		
Chad Wolfe	X		
Bob Carney		With notice	
Robyn Healey	X		
Jason Frady	X		
Pat Cormier		With notice	
Stephen Kiley	X		
Moraiba Reyes		With notice	

Exhibits	Description
Zoning Act Section 3A MBTA Communities Compliance	Powerpoint presentation, Planning Board
Proposed ADU BYLAW	Word document, current wording of article

Agenda

Town Manager Updates

Planning Board Articles

Approval of Minutes

The Advisory Board discussion summary for agenda items is below.

Town Manager Update

- Select Board did not sign Memorandum of Understanding with School Department for Memorial School Use at their last meeting. Town Manager will be scheduling a joint meeting to work through the concerns: 24 month move-out period, 20-year term of the agreement, defining shared space usage on ground floor with South Shore Collaborative, Senior Center, etc.
- Architect coming tomorrow to assess Memorial Middle Space to complete a cost estimate and bubble plan for future use
- Call occurred today with MBTA for Pemberton float replacement repair and whose responsibility it will be to repair and replace
- Tomorrow at the Select Board meeting, marijuana bylaws will be discussed. The Town has an attorney on the agenda for Wednesday's Select Board Meeting to present and discuss those articles

Planning Board Articles. Chris Dilorio, Director of Community Planning & Development, presented 2 of the 4 zoning articles for annual Town Meeting:

- **MBTA Communities. Article 30** – Simple majority required to pass at Town Meeting. §40A, Chapter 3A of State Law passed in 2020 attempted to remove barriers at the municipal level and address housing shortage, high housing costs. Zoning must be in place to allow for multi-family housing with gross density of 15 units per acre with no age restrictions not more than 0.5 miles from a transit station. Refer to exhibit for additional state law guidelines. If we don't comply to the state requirements, Hull will no longer qualify for 17 grants, several of which we use consistently to achieve millions in cost savings for the Town. To comply we need to make some zoning changes to allow for 586 units. To meet the requirements, proposing mapping changes to 3 areas have been identified that have the least impact to current properties. Changes in zoning to Commercial Rec does not necessitate new building in the updated zoning areas:
 - o Area including Hall Estate/West Corner. There is some flexibility to exclude the 3 single-family C zoned properties from the new zone. Advisory Board recommends outreach to the landowners for the 3 single-family zoned properties prior to Town Meeting.
 - o Area containing Horizons, Berkeley Place, Ocean Bay, Sea Watch, Ocean Place. Expanding the dense zone over the area of Town that is already built up.
 - o Area on Atlantic Hill containing Atlantic Hill 1&2, Housing Authority and other condominiums. Expanding the dense zone over the area that already contains condominiums and high density.

Town Manager explains that Milton did not adopt the new State zoning requirements and is now being sued by the State Attorney General. Hull has been defined an 'adjacent community', with a deadline of 12/31/24 for compliance. If Town Meeting does not adopt the proposed zoning, we will have to hold a Special Town Meeting later in the year in attempts to comply.

- **Accessory Dwelling Units Bylaw. Article 29** – Brought to Special Town Meeting in Fall 2023 but pulled/not brought to vote, so that further coordination among Zoning Board of Appeals, Planning Board and Zoning Board of Appeals could occur. Allows homeowners to build an ADU in their home.

- Maximum of 10 permits per year, capped at 100 ADU permits total in Town
- By Application for Special Permit (using current process)
- Requires owner occupation minimum 6 months per year (in either unit)
- No short-term rentals. 6-month minimum rental allowed
- Incorporated into existing building, not allowed to expand home for the purpose of ADU
- Maximum 900 square feet
- No restrictions on affordable housing
- Parking, require 1 additional space per bedroom (in addition to 2 spaces required for home currently)

Attempting to keep exterior look and feel of homes unchanged. Allows homeowners to generate additional income, making their home more affordable.

- **Floodplain Overlay District** – To be discussed at a future meeting, needs to be presented by Conservation agent Chris Krahforst
- **Marijuana Zoning Amendment** – To be discussed at a future meeting. Town Manager will have final adjusted recommended amendment wording for Wednesday Select Board meeting, after which public hearings will be held. There is also a general bylaw article related to marijuana.

Advisory Board discussion on scheduling for remaining meetings and assignment of commentary among members.

Motion: Approve Town Meeting minutes from 02/26/2024

Member	Motion	Second	For	Against	Abstain
David Clinton			X		
Jay Polito					
Dan Sullivan	X		X		
Chad Wolfe		X	X		
Bob Carney					
Peter Larsen			X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier					
Steven Kiley					
Moraiba Reyes					

Comments: Motion approved Unanimous

Motion: Approve Town Meeting minutes from 03/04/2024

Member	Motion	Second	For	Against	Abstain
David Clinton			X		
Jay Polito					
Dan Sullivan	X		X		
Chad Wolfe		X	X		
Bob Carney					

Peter Larsen			X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier					
Steven Kiley					
Moraiba Reyes					

Comments: Motion approved Unanimous

Motion: Approve Town Meeting minutes from 03/11/2024

Member	Motion	Second	For	Against	Abstain
David Clinton			X		
Jay Polito					
Dan Sullivan	X		X		
Chad Wolfe		X	X		
Bob Carney					
Peter Larsen					X
Robyn Healey			X		
Jason Frady			X		
Pat Cormier					
Steven Kiley					
Moraiba Reyes					

Comments: Motion approved Unanimous

Motion to adjourn at 8:58pm

Member	Motion	Second	For	Against	Abstain
David Clinton			X		
Jay Polito					
Dan Sullivan		X	X		
Peter Larsen			X		
Chad Wolfe			X		
Bob Carney					
Robyn Healey	X		X		
Jason Frady			X		
Pat Cormier					
Stephen Kiley			X		
Moraiba Reyes					

Motion approved Unanimous

Respectfully Submitted,

Robyn Healey



Article 30
Zoning Act Section 3A
MBTA Communities Compliance

MBTA COMMUNITIES
Article 30



Article 30
Zoning Act Section 3A
MBTA Communities Compliance

MBTA Communities law

MBTA communities shall have a zoning ordinance or by-law that provides for at least one district of reasonable size in which multi-family housing is permitted as of right (**Does not require that units are built**).

Housing within the district shall have no age restrictions and shall be suitable for families with children (no #room maximum)

District shall have a gross density of 15 units per acre

The district shall not be located more than .5 miles from a commuter rail station, subway station, ferry terminal or bus station. (state eliminated this requirement for Hull)

EOHLC (Housing and Livable Communities) required to develop guidelines for municipal compliance.



Article 30
Zoning Act Section 3A
MBTA Communities Compliance

EOHLC (Housing and Livable Communities) Guidelines

Affordability Requirements capped at 10% (20% with approved economic feasibility analysis).

Minimum Land Area 50 acres (Revised to 7 acres for Hull)

No district can be under 5 acres

Largest district has to be more than 50% of the total proposed district areas.

Hull is considered an “adjacent community” under the EOHLC guidelines, which requires 10% of Hull’s total units (586) be allowed for multi-family by right development within the selected district.

Created an “excluded land” category where EOHLC believes is not possible or practical to construct multi-family housing including: public, educational, institutional land, waterbodies, protected open space, roads, certain hydrological characteristics and DEP wetlands layer.

Site Plan Review can be required.



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Grant Opportunities Hull would no longer qualify for:

Municipal Vulnerability Preparedness (MVP) Planning and Project Grants, EOEEA
MassWorks Infrastructure Program
Community Planning Grants, EOHLC
Massachusetts Downtown Initiative, EOED
Commonwealth Places Programs, MassDevelopment
Housing Choice Initiative
Local Capital Projects Fund
Urban Agenda, EOED
Rural and Small Town Development Fund, EOED
Brownfields Redevelopment Fund, MassDevelopment
Site Readiness Program, MassDevelopment
Underutilized Properties Program, MassDevelopment
Collaborative Workspace Program, MassDevelopment
Real Estate Services Technical Assistance, MassDevelopment
Land Use Planning Grants, EOEEA,
Local Acquisitions for Natural Diversity (LAND) Grants, EOEEA, and



Article 30
Zoning Act Section 3A
MBTA Communities Compliance

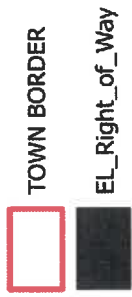
**MBTA COMMUNITIES
EXCLUDED LAND**





Article 30
Zoning Act Section 3A
MBTA Communities Compliance

**MBTA COMMUNITIES
EXCLUDED LAND**





Article 30
Zoning Act Section 3A
MBTA Communities Compliance

**MBTA COMMUNITIES
EXCLUDED LAND**



- TOWN BORDER
- EL_Right_of_Way
- EL_Public_and_Institutional



Article 30
Zoning Act Section 3A
MBTA Communities Compliance

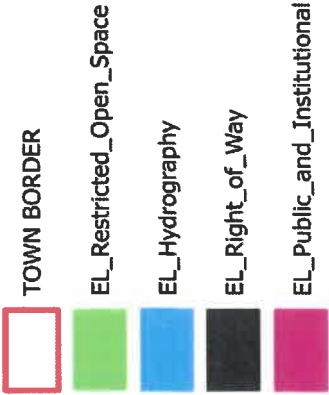
**MBTA COMMUNITIES
EXCLUDED LAND**

-  TOWN BORDER
-  EL_Restricted_Open_Space
-  EL_Right_of_Way
-  EL_Public_and_Institutional





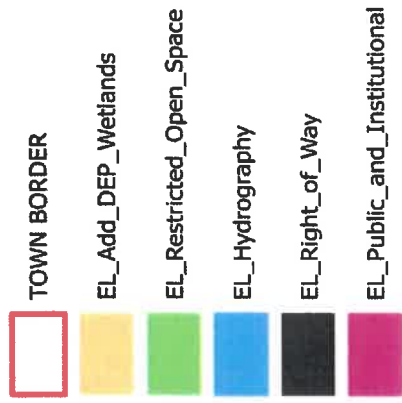
**MBTA COMMUNITIES
EXCLUDED LAND**





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MBTA Communities Compliance

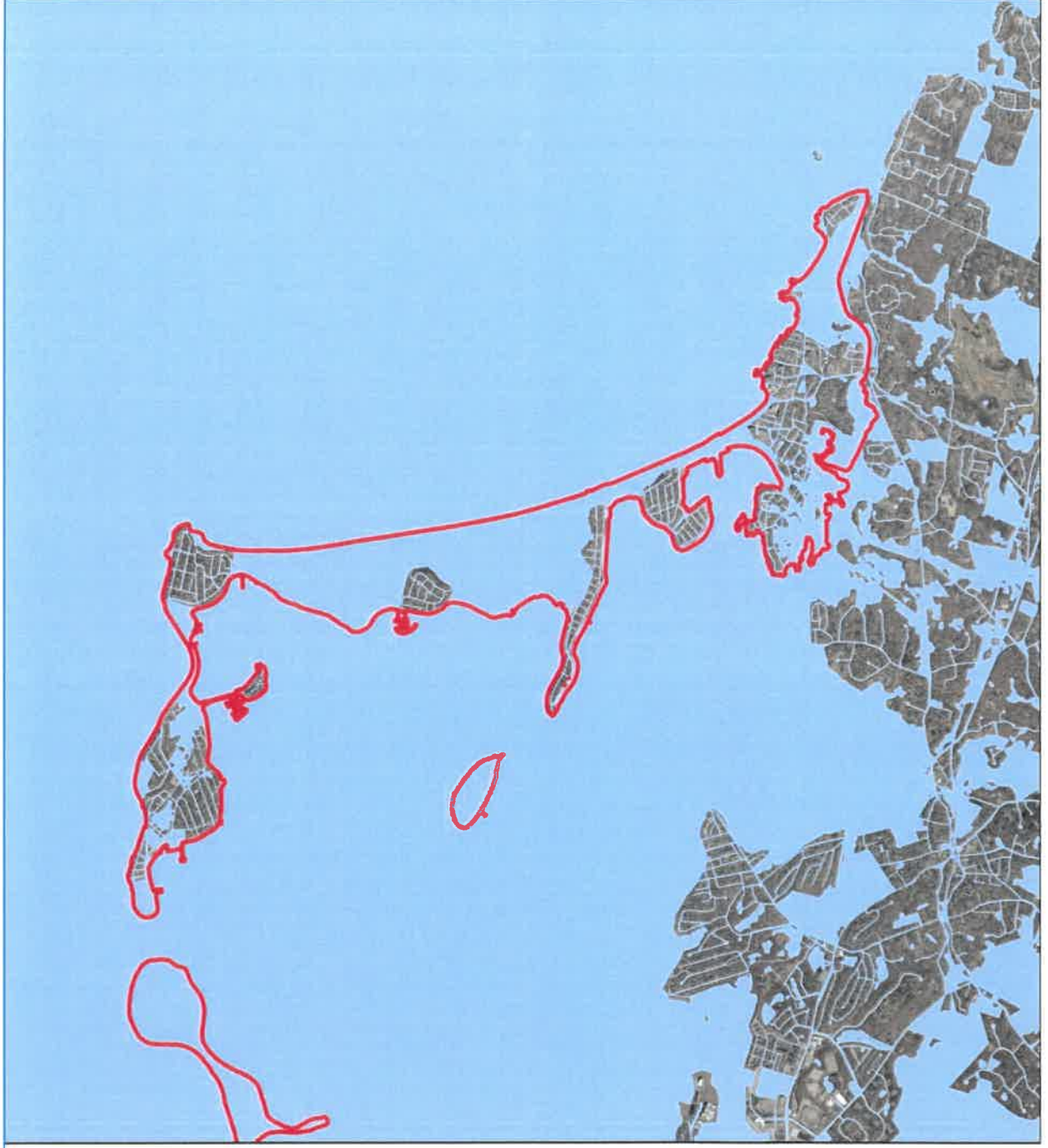
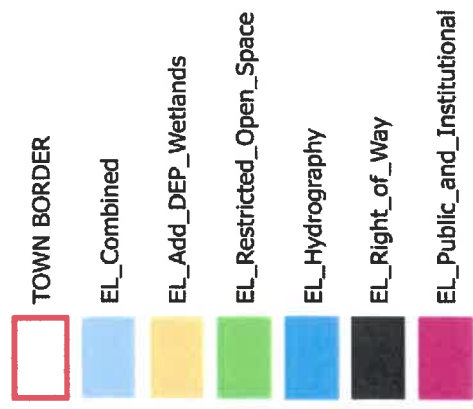
**MBTA COMMUNITIES
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Article 30
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MBTA Communities Compliance

**MBTA COMMUNITIES
EXCLUDED LAND**





Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 1
AERIAL

**MBTA Communities
district boundary**

Parcel boundaries



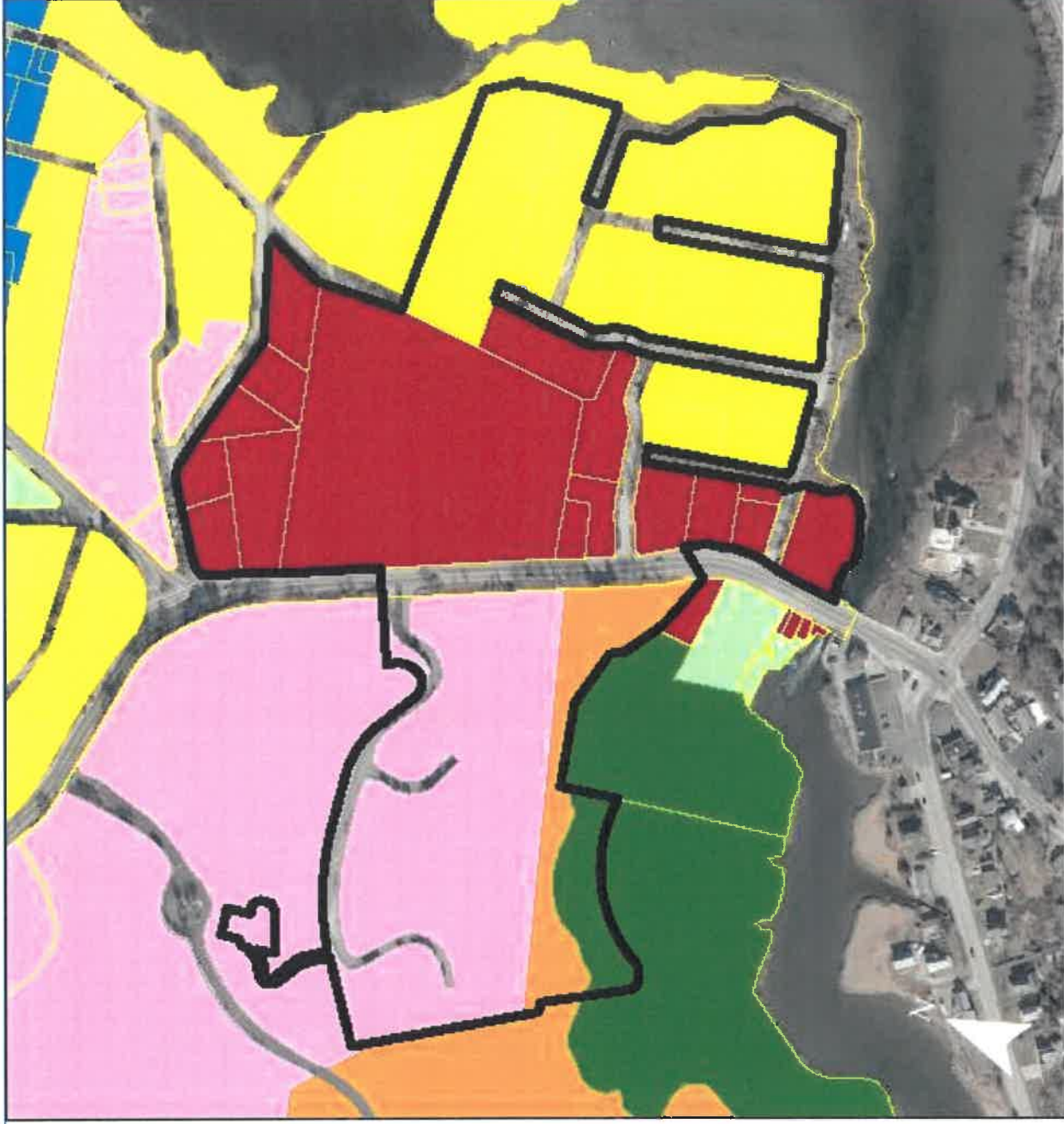
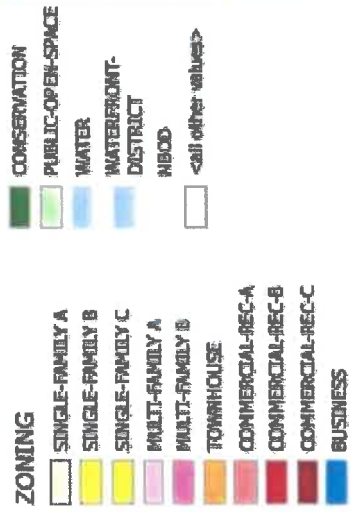


Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 1
EXISTING ZONING

MBTA Communities
district boundary

Parcel boundaries





Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 1
PROPOSED ZONING

MBTA Communities
district boundary

Parcel boundaries

ZONING		CONSERVATION
SINGLE-FAMILY A		PUBLIC-OPEN-SPACE
SINGLE-FAMILY B		WATER
SINGLE-FAMILY C		WATERFRONT-DISTRICT
MULTI-FAMILY A		RIPOD
MULTI-FAMILY B		<all other values>
TOWNHOUSE		
COMMERCIAL-REC-A		
COMMERCIAL-REC-B		
COMMERCIAL-REC-C		
BUSINESS		



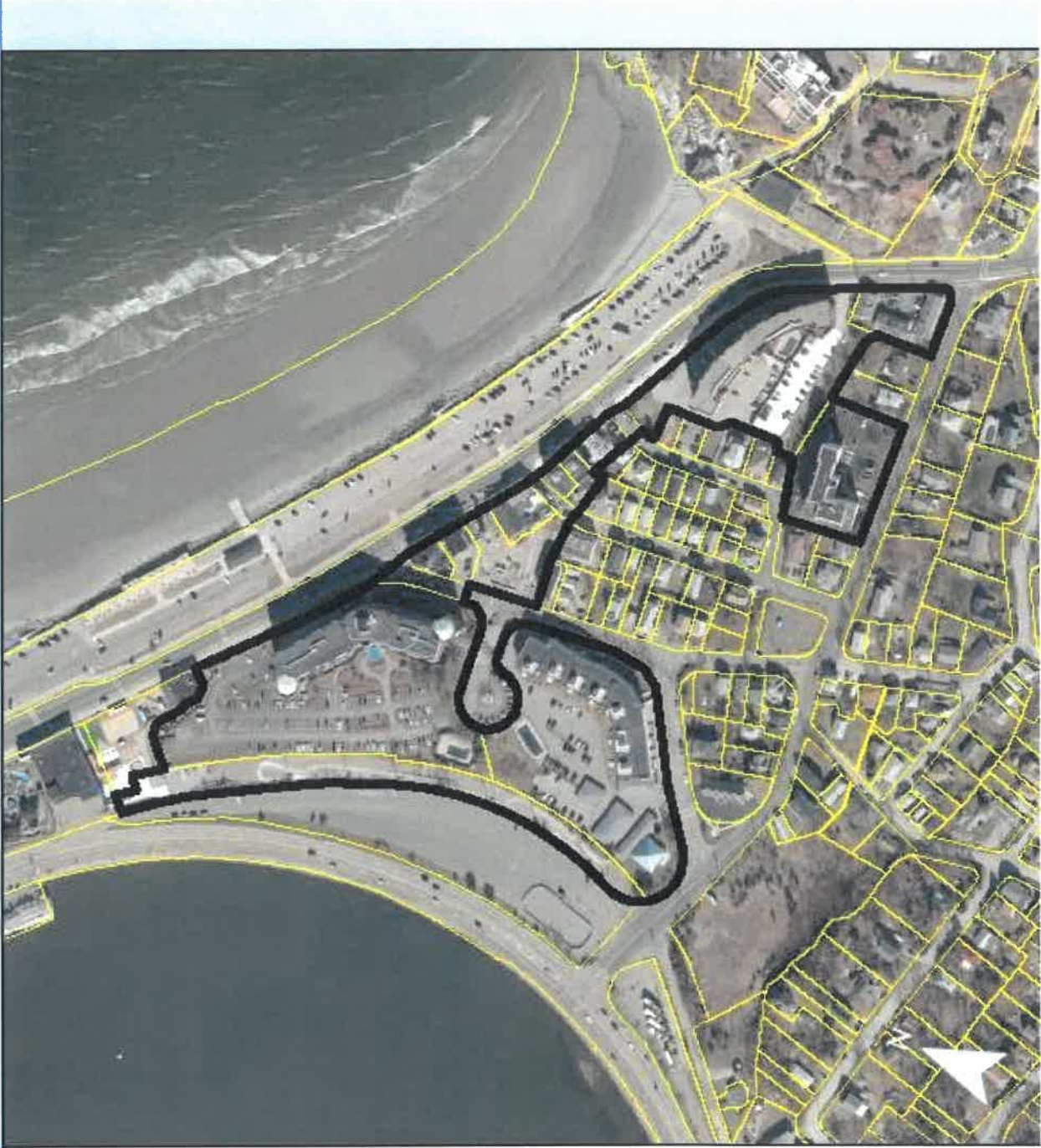


Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 2
AERIAL

**MBTA Communities
district boundary**

Parcel boundaries



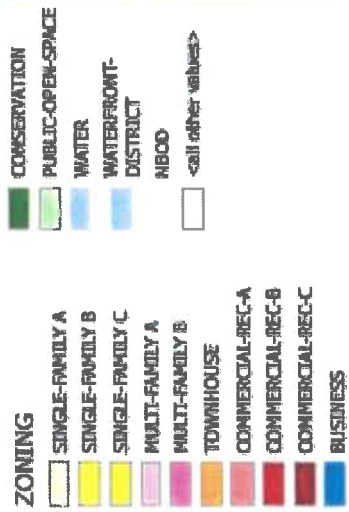


Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 2
EXISTING ZONING

**MBTA Communities
district boundary**

Parcel boundaries



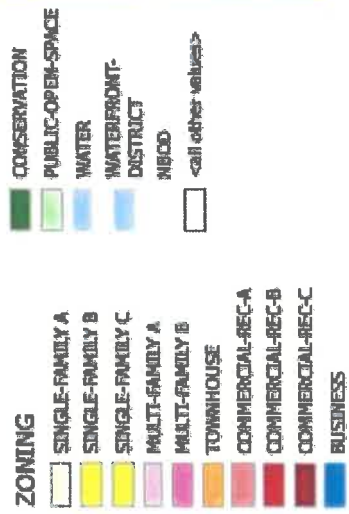


Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 2
PROPOSED ZONING

MBTA Communities
district boundary

Parcel boundaries





Article 30
Zoning Act Section 3A
MBTA Communities Compliance

Proposed
Zoning Map
Amendment 3
AERIAL

**MBTA Communities
district boundary**

Parcel boundaries





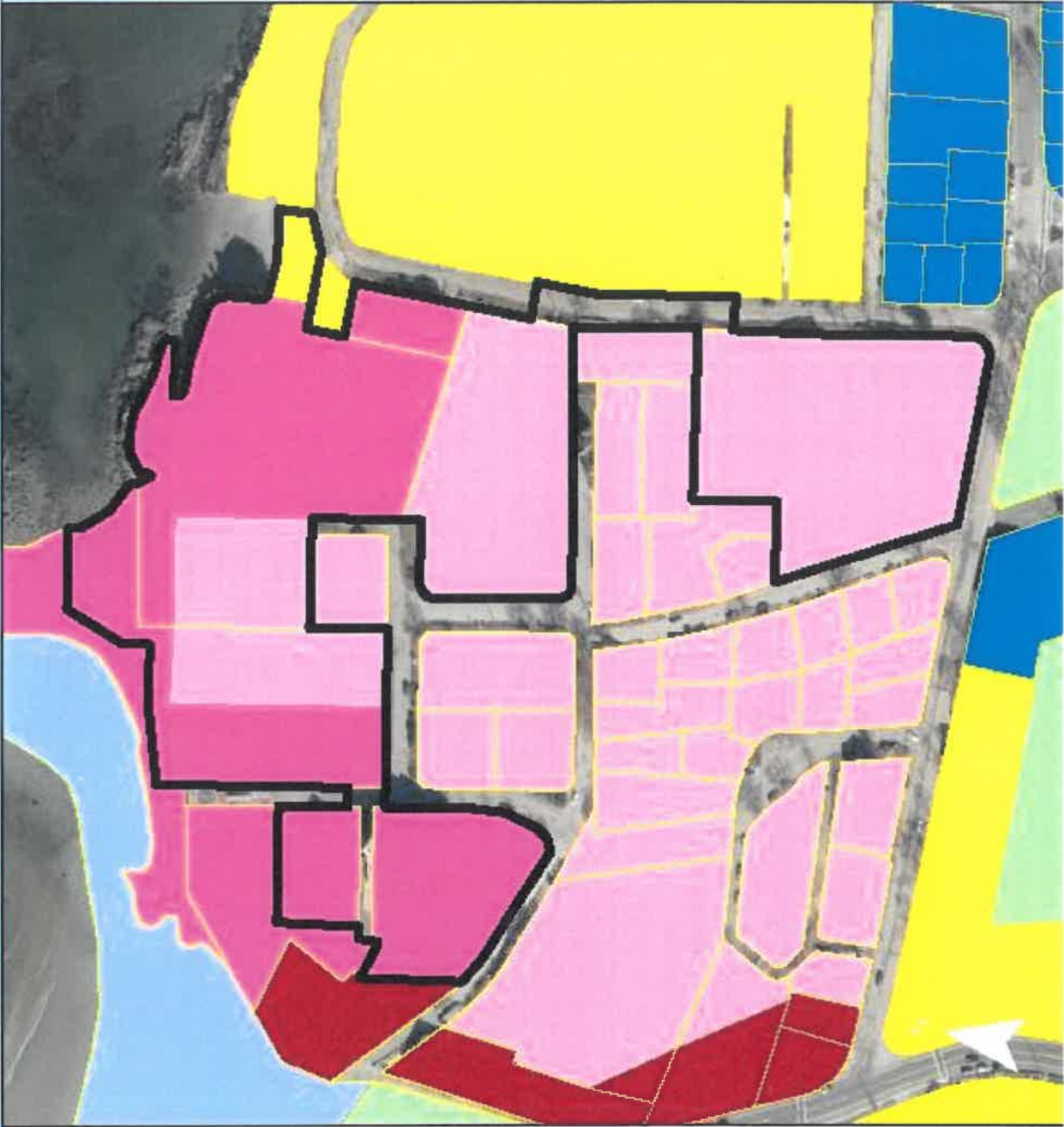
Article 30
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MBTA Communities Compliance

Proposed
Zoning Map
Amendment 3
EXISTING ZONING

**MBTA Communities
district boundary**

Parcel boundaries

- | | |
|------------------|---------------------|
| ZONING | CONSERVATION |
| SINGLE-FAMILY A | PUBLIC-OPEN-SPACE |
| SINGLE-FAMILY B | WATER |
| SINGLE-FAMILY C | WATERFRONT-DISTRICT |
| MULTI-FAMILY A | NBOD |
| MULTI-FAMILY B | <all other values> |
| TOWNHOUSE | |
| COMMERCIAL-REC-A | |
| COMMERCIAL-REC-B | |
| COMMERCIAL-REC-C | |
| BUSINESS | |



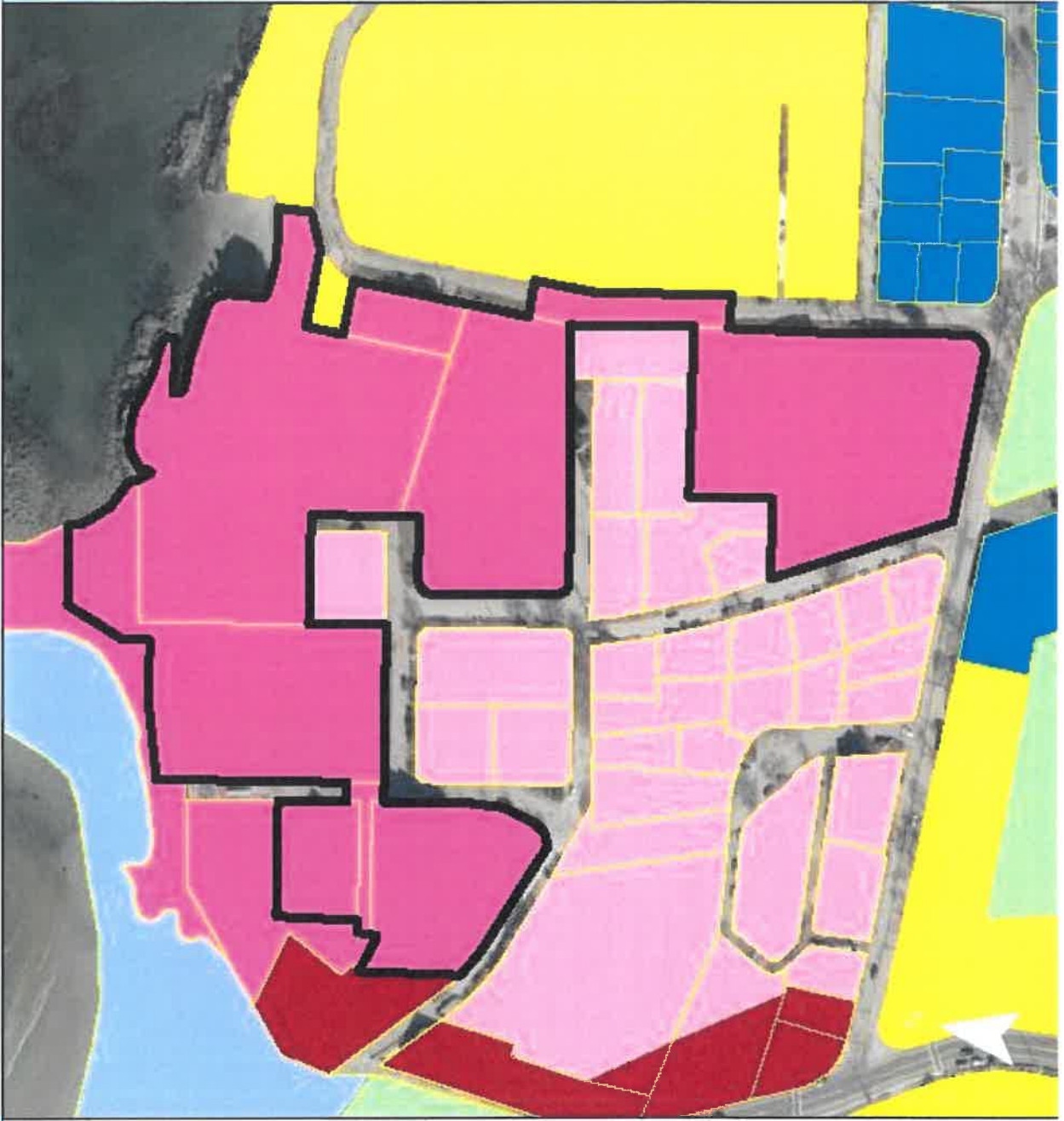
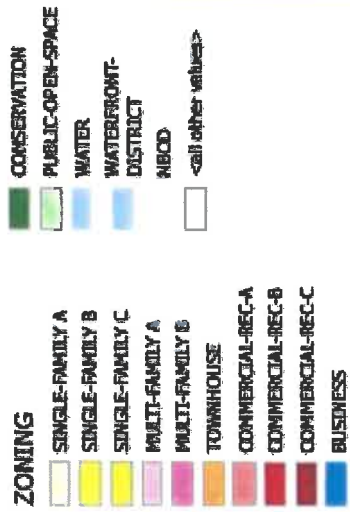


Article 30
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Proposed
Zoning Map
Amendment 3
PROPOSED ZONING

MBTA Communities
district boundary

Parcel boundaries



PROPOSED ADU BYLAW

Article XX. To see if the Town will amend the Zoning Bylaw to establish §410-3.2.A(8) Accessory Dwelling Units; establish §410-4.10 ACCESSORY DWELLING UNITS; and amend §410-5.1 Table 50 as follows:

§410-3.2.A(8) Accessory Dwelling Units, subject to the requirements of Section 410-4.10 of this Zoning Bylaw.

§410-5.1 Table 50 (addition is underlined)

	SF-A	SF-B	SF-C
Maximum Number of Dwelling Units per Lot	1+ <u>ADU</u>	1+ <u>ADU</u>	1+ <u>ADU</u>

§410-4.10 ACCESSORY DWELLING UNITS

A. PURPOSE:

The purpose of this Bylaw is to provide:

- (1) Provide accessory dwelling units without significantly adding to the number of buildings in the Town or substantially altering the appearance of the residential property and for the purpose of enabling owners of single-family dwellings to share space and the burdens of homeownership with others while also protecting the stability, property values and residential character of the surrounding neighborhood.
- (2) Owner occupants of single-family homes with a means of obtaining rental income, companionship, and/or security, thereby enabling them to remain more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- (3) A limited number of Accessory Dwelling Units via special permit which allows for orderly development and ultimately limited impact on the community;
- (4) Enable the Town to monitor Accessory Dwelling Unit (ADU) construction for code compliance.

B. DEFINITIONS:

ACCESSORY DWELLING UNIT (ADU)

A self-contained housing unit incorporated within a single-family dwelling and clearly subordinate in size to the principal dwelling in a manner that maintains the character and structural appearance of a single-family dwelling consistent with the provisions of Section 410-4.10 and MGL Chapter 40A Section 1A Definition of "Accessory Dwelling Unit".

Principal Dwelling

For the purposes of this Section 410-4.10 is a single-family dwelling exclusive of the area that constitutes the Accessory Dwelling Unit (ADU)

A single-family dwelling with an Accessory Dwelling Unit (ADU) shall not be deemed to be a two-family dwelling

C. PROCEDURES

- (1) Accessory Dwelling Units created under this by-law shall require a special permit from the Board of Appeals
- (2) The owner shall submit an application for a building permit for an Accessory Dwelling Unit, along with building plans, and survey and site plans of the existing and proposed conditions, to the Building Commissioner for review
- (3) If the Building Commissioner determines the proposed ADU is in compliance with this zoning bylaw Section 410-4.10, and all code requirements for residential use the application may be submitted to the Board of Appeals for review and decision

D. GENERAL CONDITIONS

Any Permit for an Accessory Dwelling Unit (ADU) issued pursuant to this Section 410-4.10 shall be subject to, and shall incorporate the following conditions:

- (1) Owner Occupation
 - (a) The owner of the single-family dwelling shall occupy either the principal dwelling or the ADU as the owner's primary residence. Temporary absences of the owner for a period of not more than six months in the aggregate in any twelve- month period and active military service of the owner for any length of time shall not be deemed a violation of this requirement provided that the dwelling units may only be occupied by family members of the owner during the owner's absence.
 - (b) The owner shall recertify annually, by submission of a notarized letter to the Building Commissioner: that the owner shall continue to occupy either the principal dwelling or the ADU as the owner's primary residence, except for bona fide temporary absence as provide above in subsection E(1).
 - (c) Upon the sale or other conveyance or transfer of a single-family dwelling which has been issued an ADU Permit, the new owner shall, within thirty (30) days of such transfer, submit a notarized letter to the Building Commissioner certifying that the owner will continue to occupy either the principal dwelling or the ADU as the owner's primary residence and comply with all conditions of the ADU Use, if the owner intends to maintain the ADU permit.
- (2) ADU Limit
 - (a) As of the date that the application for a Permit for an Accessory Dwelling Unit is filed, the total number of ADU Permits shall not exceed 100.
 - (b) ADU Permits shall be restricted to ten (10) per calendar year as determined by the Building Commissioner
- (3) Compliance - The owner shall recertify annually, by application for Board of Health Housing Code Division Certificates of Occupancy and comply with the rules and regulations of the Board of Health.
- (4) Transfer - Neither the principal dwelling nor the Accessory Dwelling Unit may be sold or otherwise conveyed or transferred separately from the other.
- (5) Short Term Rental – A Principal Dwelling or Accessory Dwelling Unit shall not be used for boarding and lodging, or other commercial use. A Principal Dwelling or ADU may be rented

for periods not shorter than 6 months at a time, and are prohibited from any use as rental units on a weekly or daily basis.

E. DIMENSIONAL AND DESIGN REQUIREMENTS:

Any special permit for an Accessory Dwelling Unit (ADU) issued pursuant to this Section 410-4.10 shall be subject to, and shall incorporate the following conditions:

- (1) Any property/structure that has received a special permit or variance to expand square footage of the structure after the date of adoption of the ADU bylaw is not eligible for an ADU special permit.
- (2) An Accessory Dwelling Unit shall not be larger in floor area than $\frac{1}{2}$ the floor area of the principal dwelling or 900 square feet, whichever is smaller.
- (3) An Accessory Dwelling Unit shall not have more than two bedrooms.
- (4) An Accessory Dwelling Unit shall not create an undue burden on the neighborhood.
- (5) An Accessory Dwelling Unit shall not be metered separately from the principal dwelling for electric, gas, water, or sewer utilities serving the single-family dwelling.
- (6) The parking requirement for an ADU is one off-street parking space per bedroom in addition to the minimum required two off-street parking spaces for a single-family dwelling, which shall be provided on the premises, as per Section 410-5.2.A. Table 55 Parking.
- (7) Any new entrance for the Accessory Dwelling Unit or the principal dwelling shall be located on the side or in the rear of the single-family dwelling, and all stairways to upper stories shall be enclosed within the exterior walls of the single-family dwelling, so as to be less visible from the street.
- (8) Additional or modified landscaping, fences or other buffers may be necessary to protect abutting properties from potential negative visual or auditory impacts of the ADU.

F. SEVERABILITY:

All the clauses of this bylaw are distinct and severable, and if any clause shall be deemed illegal, void or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw.