

Implementation of PA 21-29 Subcommittee

MINUTES

September 22, 2022

4:00 p.m.

Upper Level Meeting Room

Present: Mrs. Gorra, Mrs. Hill, Mr. Solley, Mr. Woodroofe

Absent: Mrs. Andersen

Also Present: Mr. Charles, Mr. Solomon

Mr. Solley called the meeting to order at 4:15 p.m.

MOTION: To accept the 9/8/22 subcommittee meeting minutes as written. By Mr. Solley, seconded by Mrs. Gorra, and unanimously passed.

For the benefit of the public in attendance, Mr. Solley summarized what the subcommittee had reviewed in its previous meetings including the goals of PA 21-29, the Town's multifamily housing regulations from 1984-1987, and advice from Atty. Zizka. He also noted the documents that had been previously reviewed.

Mrs. Hill explained that to facilitate further discussion, she had drafted the document, "Multifamily Housing - Possible Regulations," revised to 9/21/22. She noted when working on this she had considered points made by all members at previous subcommittee meetings, the Roxbury Affordable Housing regulations, Atty. Zizka's 2005 draft regulations, which had been based on the consensus of the Zoning Commission in 2005, and her own thoughts. She stressed this document was to help to focus discussion and did not signify the subcommittee had made any decisions at this point. This document is attached to these minutes.

Going over the document section by section, there was a lengthy discussion, which included the following points:

- Mrs. Gorra thought it made sense that standards would differ for commercial vs. residential districts.
- Mr. Woodroofe, Mrs. Hill, and Mr. Solley said they were OK with permitting multifamily housing in residential districts.
- Mrs. Hill explained why she thought permitting small multifamily projects of four units or less in a single building in the commercial districts could be by right rather than by special permit.

- Mr. Solley voiced his concern about the possibility of permitting more units in projects accessed from state highways than in those on town roads, stressing that there would have to be a clear rationale for such a difference in standard.
- Mr. Solley recommended the distance buildings shall be set back from paved surfaces be increased to 50 feet as that is the normal width of right of ways.
- It was the consensus that when drafted, regulations for the commercial districts and residential districts should be separate to make them more precise and easier to understand.
- It was the consensus that design guidelines and Dark Sky friendly exterior lighting requirements should be included in the regulations.
- Mr. Solley explained why he thought traffic studies should be required for proposed multifamily housing projects, but agreed the subcommittee might consider eliminating this for projects of four units or less in a single building accessed by a state highway in the commercial districts.

As pointed out in the discussion document and confirmed as the possible standards were considered, there were many questions raised about the legal jurisdiction of the Zoning Commission and it was agreed advice would be sought from Atty. Zizka regarding these matters. The current Woodbridge affordable housing appeal and the possibility of future appeals against our own Commission were noted several times. This prompted Mr. Woodroffe to ask if when a final draft proposal for multifamily housing regulations is completed, it could be presented to the court without litigation for a declaratory ruling; the goal being to prevent appeals after their adoption. Mr. Solley said this would be an additional question for Atty. Zizka.

Mr. Charles noted the multifamily regulations being considered would not bring Washington to the goal of 10% affordable housing per 8-30g and so urged the subcommittee to expand the existing Section 13.15 to include for-profit developers and to make the prospect of affordable housing in Washington more appealing to developers.

While she thought the multifamily regulations now being considered would satisfy the goals of PA 21-29, Mrs. Hill said she did not think they would accomplish the general goal of bringing more families with school aged children to Town. She referred to her proposal circulated at a previous meeting, which recommended

additional regulations be drafted for development flexibility for housing diversity; development which would permit smaller more affordable single family houses on smaller sized lots. Although no decision was made, it appeared the subcommittee would most likely work only on multifamily regulations at this time and decide whether to work on housing diversity at a later date.

Atty. Zizka will be asked to attend the next meeting scheduled for 4:00 p.m. on Thursday, October 6 - meeting room location still to be determined.

The meeting was adjourned at 6:12 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill