



Town of Brewster Housing Partnership

2198 Main St., Brewster, MA 02631

(508) 896-3701

HOUSING PARTNERSHIP MEETING AGENDA

2198 Main Street

July 20, 2023 at 6:00 PM

Housing Partnership

Jillian Douglass
Vice Chair

Sarah Robinson
Clerk

Vanessa Greene

Lisa Forhan

Ralph Marotti

Steve Seaver

Asst. Town
Manager
Donna Kalinick

Housing
Coordinator
Jill Scalise

This meeting will be conducted in person at the time and location identified above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda, which includes an applicant and its representatives, should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting remotely may do so in the following manner:

Phone: Call (929) 436-2866 or (301) 715-8592. Webinar ID: 853 9402 2099 Passcode: 301097

To request to speak: Press *9 and wait to be recognized.

Zoom Webinar: <https://us02web.zoom.us/j/85394022099?pwd=M2JSaDJWYTZPK113eVZPVnVmaTdiUT09>

Passcode: 301097 To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above. Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** (livestream.brewster-ma.gov), or **Video recording** (tv.brewster-ma.gov).

Please note that the Housing Partnership may take official action, including votes, on any item on this agenda.

1. Call to Order
2. Declaration of a Quorum
3. Meeting Participation Statement
4. Recording Statement - "As required by the Open Meeting Law we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the chair."
5. Reorganization of the Housing Partnership
6. Update on Millstone Road Affordable Housing Development
7. Accessory Dwelling Unit Bylaw Presentation and Discussion
8. Local Comprehensive Plan: Process and Possible Discussion
9. Local Preference Joint Information Session August 17th
10. Community Preservation Committee Grant Application Review Timeline
11. Housing Updates
12. For Your Information
13. Matters Not Reasonably Anticipated by the Chair
14. Minutes of the May 18, 2023 meeting
15. Next Scheduled Meeting August 17th, 2023
16. Adjournment

Date Posted:
07.17.2023

Date Revised:

Received by Town Clerk:

BREWSTER TOWN CLERK

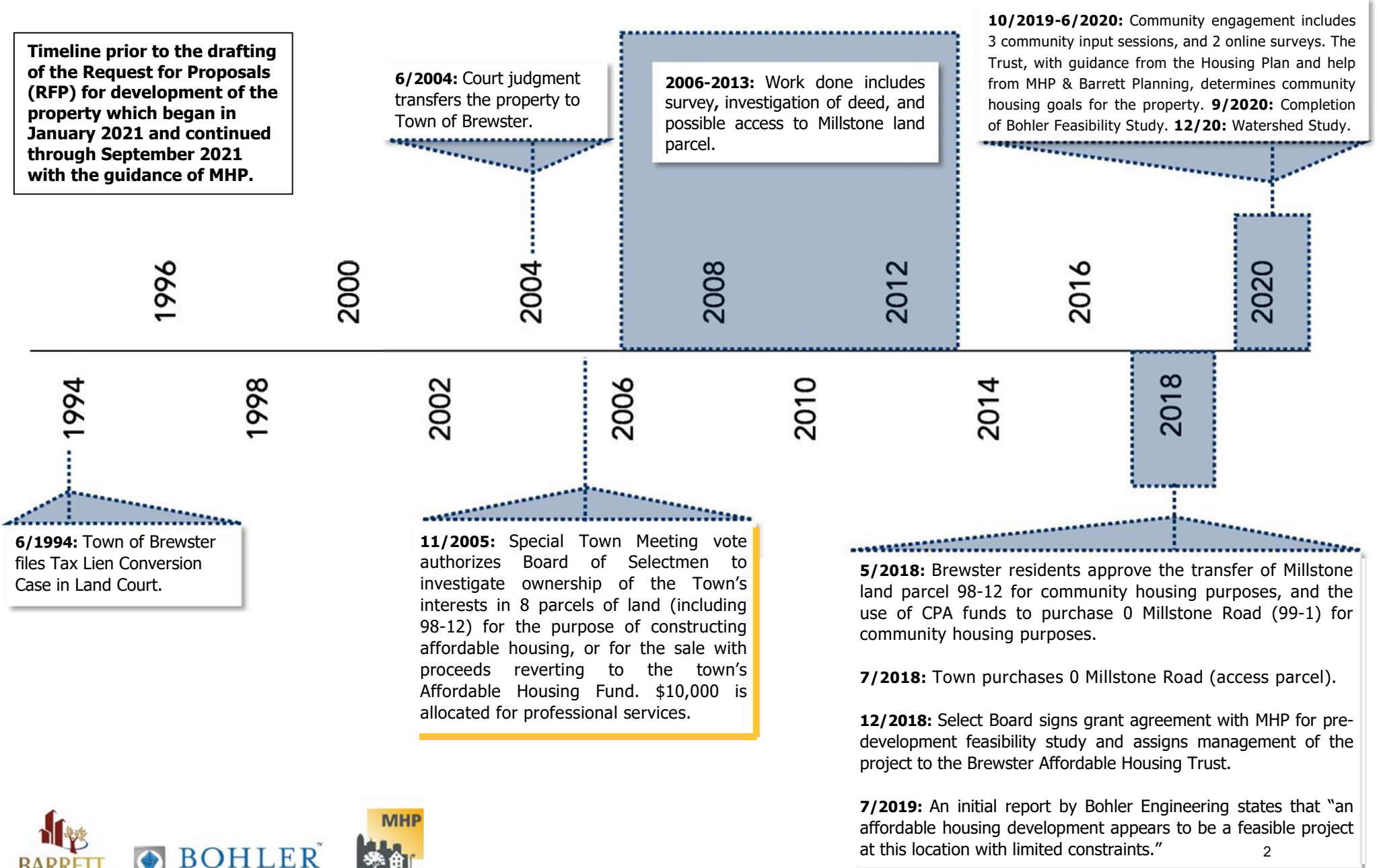
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Millstone Road Land Parcel (98-12) Property Timeline

16+ ACRES OF TOWN-OWNED LAND DESIGNATED FOR COMMUNITY HOUSING

Timeline prior to the drafting of the Request for Proposals (RFP) for development of the property which began in January 2021 and continued through September 2021 with the guidance of MHP.



Completed steps & potential next steps for the Millstone Property as of July 2023

The development of this parcel for Brewster's housing needs is an intentional process being overseen by the Brewster Affordable Housing Trust (BAHT). The following is a general timeline highlighting actions after the parcel was designated for Community Housing at the May 2018 Town meeting.

Completed Steps (2019 – July 2023)

Feasibility study on land (2019- 2020)

In December 2018, the Select Board signed a grant agreement with Mass Housing Partnership (MHP) to provide a pre-development feasibility study to help determine the potential community housing options for this parcel. In July 2019, Bohler Engineering released the initial stage of the study, the Due Diligence Report.

Determine community housing goals for the property (Fall 2019- Spring 2020)

This involved public input, financial realities, information from the feasibility study as well as guidance from the data and strategies provided in the Brewster Housing Plan. Barrett Planning Group was hired to lead the community engagement process, including interviews, three public sessions, and two online surveys. MHP and the Housing Trust also participated in information gathering, sharing, and presentations. The Trust worked diligently over several meetings to provide guidelines and goals around the Millstone property, taking into consideration public input, financial realities, information from the feasibility study and Brewster housing needs as outlined in the Housing Plan.

Completion of Bohler Engineering's Feasibility Study (September 2020)

With input from the community engagement process and guidance from the Housing Trust, Bohler developed a Master Plan to be used to assist in the creation of the RFP. The Feasibility Study, including the Master Plan, was presented by Bohler and MHP to the Trust at the televised, and recorded, September 2020 Virtual Trust meeting. In response to abutter concerns, the Trust engaged Bohler to perform an additional Watershed Analysis in Fall 2020.

Develop Criteria and Create a Request for Proposals (RFP) (January 2021- September 2021)

At public Housing Trust meetings over a span of eight months, the BAHT developed criteria and drafted an RFP with guidance and assistance from MHP. The RFP included the development objectives, property description, proposal submission requirements, developer selection criteria and selection process. The RFP was approved by the Select Board and issued in October 2021. Proposal responses were due in December 2021.

Designate a Developer (January – August 2022)

After reviewing proposals, the Town selected Preservation of Affordable Housing and Housing Assistance Corporation to develop 45 affordable rental homes on the parcel. A land development agreement was signed in August 2022.

File a Comprehensive Permit Application with the Zoning Board of Appeals (ZBA) (December 2022- June 2023)

The developers applied for a Comprehensive Permit with the ZBA on December 22, 2022. The public hearing opened February 7 and public comment was received through May 9. In response to ZBA input and public comment, the plans were adjusted, and on June 13, the ZBA approved the comprehensive permit with conditions. This is considered a 'friendly 40B' as the Town created the RFP and both the town and developers are working towards a common goal.

Apply for Certification of the Housing Production Plan (HPP) (July 2023)

With the permit approved for 45 affordable rental units, the Town requested that the State certify the HPP, confirming that the Town has met the plan housing production goal for the current year and placing the Town in "safe harbor".

Current & Future Steps

Request Community Preservation Act (CPA) Funding (2023)

POAH and HAC are applying for Brewster CPA funding which involves an application to the Community Preservation Committee (CPC), examination and recommendation by the CPC, and a Town Meeting vote for authorization of the funds. It is also expected that POAH and HAC will apply to the Housing Trust for funding.

Finalize Funding

After receiving a Comprehensive Permit, the developers may apply for state funding. The state usually has one funding round every 9-12 months and it generally takes at least two tries to successfully attain funding. However, with the intense need for affordable housing, the state may have additional funding rounds and availability.

Begin Construction

This includes a final review of plans by Town officials. Construction averages 12 months.

For additional information contact:

Donna Kalinick, Assistant Town Administrator, dkalinick@brewster-ma.gov, 508-896-3701, X1130

Jill Scalise, Housing Coordinator, jscalise@brewster-ma.gov, 508-896-3701 X1169



ADU LISTENING SESSION

Brewster Planning Board

June 28, 2023



MEETING TOPICS/ PUBLIC INPUT

- Discuss Existing Zoning Bylaw
- Discuss General ADU Criteria
- Discuss potential amendments
- General observations, experiences, comments & suggestions





WHAT IS AN ADU?

- Regulated by zoning
- Accessory single- family dwelling unit
- Accessory use to main home- not independent
- Self-contained living (cooking, sanitary, sleeping) facilities
- Same lot as main dwelling



EXISTING ADU ZONING



- Size: lesser of 40% main home or 900 sq ft
- Can be attached, within or detached
- Owner occupancy req'd- 12 mos.
- Lease term 12 mos.
- Additional parking spaces req'd
- No more than 2 bedrooms
- Max 2 dwelling units per lot, incl. ADU
- Annual ADU permit cap- 20
- No boarding/ lodging
- Design subordinate to main house
- ZBA approval req'd in water protection overlay districts and on lots >30,000 sf





TYPICAL CONSIDERATIONS- ADU ZONING

- “Purpose” clause (intent)
- Owner occupancy
- Tenancy
- Lot size/ dimensional regulations
- ADU Size
- Design requirements
- Special permit?
- Enforcement/ administration
- Annual permit cap
- Reference to related laws and regs (health, bldg, etc)

"PURPOSE" CLAUSE

- Brewster ADU Zoning does not currently have one
- Inclusion could bolster year-round housing intent



OWNER OCCUPANCY

- Required currently for continuous 12 mo. period (either unit)
- No express bona fide absence clause
- Part time residents can't have an ADU under current language



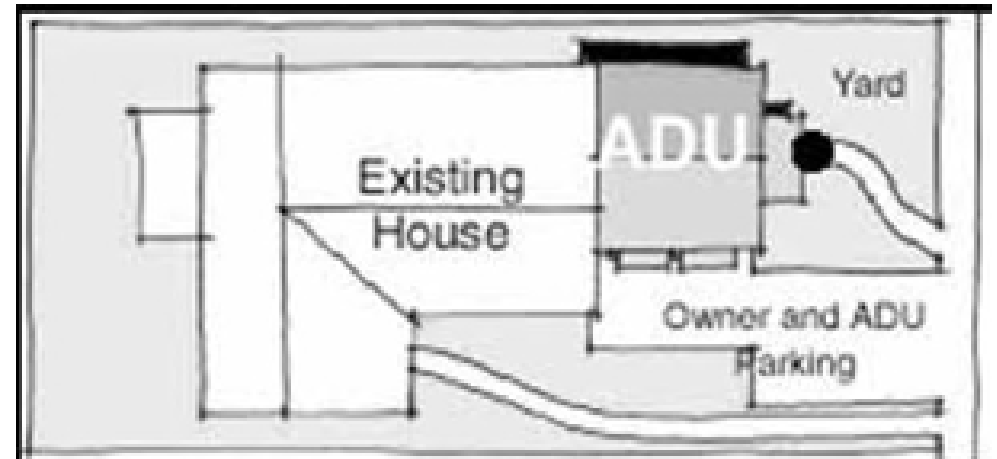
TENANCY

- Must be 12 mo. lease currently
- Does year-round housing = 12 mo. lease?



LOT SIZE/ DIMENSIONAL REGS

- ZBA Special Permit for less than 30000 sq ft lot- (historical zoning in Brewster was 25k or 15k)
- ZBL currently only references setbacks for attached ADUs (not other dimensional reqs. like coverage, height, etc. or detached buildings)
- Refers to 'conforming' setback for district (ZBL Table 2)
- Brewster Zoning has unique setbacks- "per lot" not district- back to when lot was created



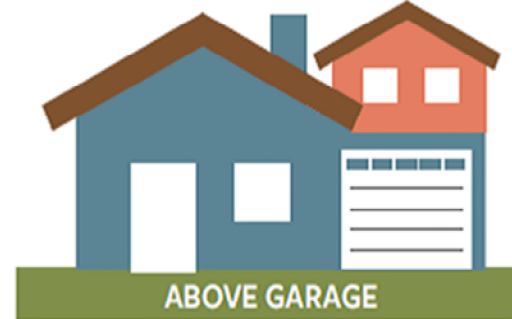
ADU SIZE

- 40% habitable space of main house or 900 sq ft, whichever is less
- 'Habitable' not defined under the ZBL- under SBC excludes bathrooms, halls, closets, utility spaces
- % approach advantages a) larger existing homes, and b) can be confusing and difficult to calculate.
- Examples:
 - 40% ADU WITHIN an existing 1500 sq ft dwelling= approx. 400 sq ft ADU allowed
 - 40% ADU within a DETACHED building accessory or ADDITION to an existing 1500 sq ft dwelling= approx. 600 sq ft ADU
 - Existing 2250 sq ft home necessary to get max 900 sq ft ADU based on 40% rule (if ADU proposed as an addition or detached building)



DESIGN

- “Clearly subordinate” to main house
- Is this a use or design provision?
- Focus on single-family residential character of property?



ADU SPECIAL PERMIT

- Zoning Board of Appeals (ZBA) approval req'd:
 - Lots less than 30,000 sq ft
 - Herring River Watershed
 - DCPC (Zone II & Pleasant Bay Watershed)
 - Water overlays occupy entire south part of Town
 - See GIS map:
<https://www.mapsonline.net/brewsterma/index.htm>
|
 - DCPC zoning includes groundwater protection provisions re: Nitrogen
- Planning Board SPGA?
- Adopt unique Special Permit standards for ADUs?
- 15k & 25k sq ft historic lot sizes under zoning



ENFORCEMENT/ ADMINISTRATION

- Building Commissioner
- Annual affidavit required (currently ZBL prescribes content)
- No existing tracking or registration mechanism
- In some rare cases, a CO or construction permit under the SBC might not be required
- Existing permit cap of 20/ year
 - Haven't been close to approaching
- Other laws and regulations are referenced in the ZBL (Title 5, SBC, etc.)



GENERAL OBSERVATIONS, EXPERIENCES, COMMENTS & SUGGESTIONS



- THANK YOU! YOUR INPUT IS VALUED!





Town Of Brewster
2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701 x1133

Office of:
Planning Department

Date: April 27, 2023
To: Planning Board
From: Jon Idman, Town Planner
Re: ADU provisions revisited- Talking Points and Considerations
ZBL Sections 179-2, 179-42.2, Table 1, Table 2

A. Policy Considerations

- a. Whether to consolidate ADUs and “accessory apartment” uses
- b. Owner Occupancy
 - i. Allow part-time residents/ not principal residents to have ADU?
 - ii. Recognize bona fide temporary absences of owner?
 - iii. Offer a ZBA special permit to rent both units? Condition to year-long lease?
- c. Add ‘Purpose’ statement, underscoring year-round housing opportunities.
- d. Clarify further that ADUs are not commercial uses, not for short term rentals, and that properties w/ ADUs remain single family residential properties.
- e. 12 mo. lease ADU vs year-round housing: allow 6 mo. lease term as consistent with year-round housing purpose?
- f. Should there be an annual building permit cap on ADUs/ ACDUs (which the ZBL currently contains-20)?
- g. ADUs: ‘subordinate to...’ vs ‘consistent with single family residential use’
- h. Eliminate % size approach of ADUs to main dwelling.
- i. Introduce new concept of not severing ‘ownership’ or use between principal dwelling and ADU.

B. Administrative Considerations

- a. Difficulty/ fairness of administering ADU size as a percentage of principal dwelling.
 - i. Unfairly advantages large main dwellings.
 - ii. May require an addition to main dwelling to achieve reasonably-sized ADU.
 - iii. “Zeno’s Paradox” problem of ADUs in main dwelling- size of ADU must be deducted from main dwelling but size of ADU is based on existing floor area of main dwelling.
- b. Replace “Habitable Area”- not a defined term and has a special meaning under the SBC.
- c. Special Permits
 - i. Zone II and PB Watershed- there are already flow and nitrogen controls on development?
 - ii. There is no Herring River Watershed map in the ZBL.
 - iii. Is 30,000 sq ft the right threshold for a ‘small lot?’ Look at historical zoning?
- d. Difficult enforcement: ADU vs. Residential Accessory Building w/ Bedrooms. Allowable in same structure?
- e. New ADU zoning permit/ registration program to document compliance.

- f. Clarify “Dirt Road Special Permits” and ADUs.
- C. Mechanical Drafting Issues
 - a. ADU definition: Substantive terms should be moved to main provisions of ZBL.
 - i. Align definition for consistency with other existing related definitions (“dwelling unit”) (“habitable area” vs. “net floor area”) and ADU provisions in body of ZBL.
 - b. Clarify that all ADUs are subject to ZBLs dimensional requirements (not just setbacks).
 - i. Recognize that setback analysis for buildings in R districts is complicated (e.g. nonconforming structures; pre-existing developed lots).

Brewster's Experience: ADU, ACDU, & Accessory Apartments since 2018 Bylaw

Comments from Brewster Housing Program, Jill Scalise, Housing Coordinator

1. Town Permits since 2018: 29

Accessory Dwelling Units (ADUs)- 16

- 14 by special permit (Zoning Board of Appeals (ZBA))
 - o In water protection area- 10 total, 7 in Zone 2; 3 in DCPC
 - o Lot under 30,000' - 3
 - o Other- 1 (also modifications to a B & B)
- 2 by right (identified by Building Department and included in data)

Accessory Apartments- 7 (all ZBA special permits)

Accessory Commercial Dwelling Units (ACDUs)- 1 (permitted by Planning Board)

Security Apartments- 3 (all permitted by Planning Board)

Affordable Accessory Dwelling Unit (AADU)- 1 (old bylaw, Special Permit 4.10.18; CO 5.17.19)

Pre-existing apartment over retail- 1, Special Permit amended to remove owner occupancy requirement.

2. Town Observations:

- Consistently receive inquiries from Brewster residents about ADUs. Very occasional requests about accessory apartments. Hardly any inquiries about ACDUs.
- While we can record the number of permits issued, it's an administrative challenge to accurately count the number of ADUs created and in use. There is no uniform mechanism to confirm that units are complete and occupied.
- Challenges noticed or expressed by residents:
 - o Septic requirements – number of bedrooms and/or water protection district
 - o Lot size- septic requirements and/or special permit path
 - o Percentage requirement- ADU can't be more than 40% of the habitable area of the principal dwelling.
 - o Principal residency requirement. Part-year residents have been interested in having a year-round ADU.
 - o Cost to design and build ADU.
- The Building Department's guidance, ADU/ACDU information sheet, has been helpful.
- The affidavit process has been difficult to set in place and oversee.
- The ADU and Special Permit process can intimidate people. Concerns include completing forms and representation before the ZBA.
- Regularly refer people to and communicate with ADU resource programs (CDP & HAC). This includes assistance with ADU process and possible funding.

3. Resources now available & their feedback to the Town:

Lower Cape ADU Resource Center: Community Development Partnership (CDP) and Homeless Prevention Council (HPC) [Lower Cape Housing & ADU Resource Center](#)

May 2022– March 2023

- Received approximately 100 inquiries from the Lower Cape
- 17 inquiries from Brewster.
- Over half of Brewster inquiries were from folks aged 60 or older.
- 14 feasibility studies, 3 pending. Almost all require special permits because of Zone 2 or under 30,000’.
- 5 households are still interested.

CDP’s experience of barriers to creating Brewster ADUs

- Cost of ADU
 - High price of construction \$400-\$450/ square foot
- Putting out money before knowing if an ADU can be permitted and/or built.
 - It can cost \$5,000-\$10,000 for site plans and architectural drawings.
- Fear or concern of going before ZBA intimidates people. This also overlaps with the pre-permit financial costs.
- Cumulative impact – cost, lot size or Zone 2, # bedrooms & septic system, ZBA, length of time to wait...it can become overwhelming.
- Part-year residency. Brewster may be the only Town on the Lower Cape that requires owner to be a full year resident.

Housing Assistance Corporation (HAC) My Home Plus One ADU Program

[My Home Plus One ADU Program - Housing Assistance Corporation Cape Cod \(haconcapecod.org\)](#)

16 Brewster inquiries.

The biggest obstacles people are facing include septic capacity, lot size, cost, lack of contractor availability, and wetland restrictions.

4. Next Steps

- Housing Production Plan Strategy #1:
 - Reevaluate the existing ADU and ACDU bylaws and other references to accessory apartments; explore amendments to streamline these provisions and improve their efficacy.
- Continue improving information about the ADU process for Brewster residents.
- Continue internal communication, evaluation, and process improvements with Building, Planning, Health, & Housing Departments.
- Keep open communication with ADU resources and programs.
- Consider Town outreach opportunities regarding ADUs & ACDUs.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Article I General Provisions

§ 179-1 Authority; purpose.

- A. The Brewster Zoning Bylaw, adopted in 1960, and all subsequent amendments thereto, hereinafter called "this chapter," is adopted and from time to time amended as authorized by MGL c. 40A, as amended, herein called the "Zoning Act," and by Article 89 of the Amendments to the Constitution, the Home Rule Amendment.
- B. In conjunction with the purposes stated in the Zoning Act, this chapter shall provide protection for inland and coastal wetlands, as well as existing and potential watersheds, and shall give direction and effect to the development objectives and recommendations contained in the Brewster Master Plan of 1970, as may be amended from time to time.

§ 179-2 Definitions.

- A. Words used in the present tense indicate the future; the singular number includes the plural and the plural the singular; the words "used" or "occupied" include the words "designed," "arranged," "intended" or "offered to be used or occupied"; the words "building," "structure," "lot," "land" or "premises" shall be construed as though followed by the words "or any portion thereof," and the word "shall" is always mandatory and not merely directory. [**Amended 5-3-1999 ATM, Art. 29; 11-17-2003 FYTM, Art. 16**]
- B. As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY COMMERCIAL DWELLING UNIT (ACDU)

A housing unit, complete with its own sleeping, cooking and sanitary facilities, that is located within a structure containing a commercial, wholesale or industrial use, or in a separate structure on the same lot as a commercial, wholesale or industrial use. An ACDU shall have no more than two bedrooms and shall have a maximum habitable area of 900 square feet or 40% of the habitable area of the commercial, wholesale or industrial unit, whichever is less. Unenclosed additions constructed to serve an ACDU such as an entry, secondary egress or exterior stairs shall not be included in the maximum habitable area of the ACDU.

[**Added 12-3-2018 FYTM, Art. 12**]

ACCESSORY SINGLE-FAMILY DWELLING UNIT (ADU)

A housing unit, complete with its own sleeping, cooking and sanitary facilities, that is accessory and clearly subordinate to a principal dwelling. An ADU may be located within a single-family house containing a principal dwelling, or in a building accessory to a single-family house. An ADU shall have no more than two bedrooms and shall have a maximum habitable area of 900 square feet or 40% of the habitable area of the principal dwelling, whichever is less. Unenclosed additions constructed to serve an ADU such as an entry, secondary egress or exterior stairs shall not be included in the maximum habitable area of the ADU.

[**Added 12-3-2018 FYTM, Art. 12**]

BUILDING, ACCESSORY RESIDENTIAL

A detached residential structure, customarily incidental to the existing principal residential structure and located on the same lot with the principal residential structure to which it is accessory. Such structures include but are not limited to guesthouse, shed, boathouse, playhouse, shelter for domestic pets, pool

houses, private swimming pools, tennis courts and detached garages. An accessory residential building may or may not contain bedrooms.

[Added 5-7-2012 ATM, Art. 23]

DWELLING, MULTIFAMILY

A building containing three or more dwelling units.

DWELLING, ONE FAMILY DETACHED

A single, separate dwelling unit, designed for occupancy by one family.

[Added 5-7-2012 ATM, Art. 23]

DWELLING, ONE FAMILY SECURITY

One family dwelling unit for owner occupancy or for occupancy by personnel hired by the owner for the protection of property and safe operation of a permitted use.

[Added 5-7-2012 ATM, Art. 23]

DWELLING UNIT

One or more living and sleeping rooms providing complete living facilities for the use of one or more individuals constituting a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking and sanitation.

FAMILY

One or more persons, including domestic employees, occupying a dwelling unit and living as a single, nonprofit housekeeping unit.

FLOOR AREA, NET

The sum of the areas of the several floors of a building measured from the interior faces of the walls. It does not include cellars, unenclosed porches or attics not used for human occupancy or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirement of this chapter or any such floor space intended and designed for accessory heating and ventilating equipment.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Article IX Special Regulations

§ 179-33 **General provisions.** [Amended 5-14-1984 ATM, Art. 110]

The regulations which follow shall apply to the particular use or activity, whether it is permitted by right or by special permit as an exception. In addition, the Planning Board, prior to the granting of a special permit, may also impose such additional conditions as it finds reasonably appropriate to safeguard the neighborhood, or otherwise serve the purposes of this chapter, including but not limited to the following: front, side or rear yards greater than the minimum required by this chapter, screening, buffers or planting strips, fences or walls, as specified by the Board; modification of the exterior appearance of the structures; limitation upon the size, number of occupants, method and time of operation or extent of facilities, regulation of number and location of driveways or other traffic features and off-street parking or loading or other special features beyond the minimum required in this chapter.

§ 179-42.2 **Accessory single-family dwelling units (ADUs).** [Added 12-3-2018 FYTM, Art. 12]

Accessory single-family dwelling units shall be permitted subject to the following standards:

- A. An ADU may be located within or adjacent to a single-family house, or in a building accessory to a single-family house, subject to the Definitions of § **179-2**; the requirements of Table 1, Use Regulations, and Table 2, Area Regulations/Minimum Required Lots; and all standards of this section.
- B. An ADU may be located within a Zone II (Zone of Contribution to a Public Drinking Water Well), in the watershed of the Herring River, or the watershed to Pleasant Bay, subject to approval of a Special Permit by the Zoning Board of Appeals. All ADUs within these areas shall be required to install advanced nitrogen treatment septic systems, if deemed necessary.
- C. All construction in connection with an ADU attached to a principal dwelling shall conform to building setbacks for a single-family house in the Zoning District where it is located.
- D. Either the principal dwelling or the ADU must be occupied by the owner of the property, as defined in § **179-2** and the remaining dwelling unit shall be leased for periods of not less than 12 months. The property owner shall be required to file a notarized affidavit with the Building Department annually, stating that either the principal dwelling or the accessory single-family dwelling unit will be, and/or has been, used as the principal residence of the owner for the next twelve-month period and that the remaining dwelling will be leased for a period of not less than 12 months.
- E. No more than 20 building permits shall be issued for the combined total of ADUs and ACDUs in a single calendar year.
- F. There shall be no renting of rooms or boarding of lodgers in an ADU.
- G. An ADU shall conform to all applicable State and local laws regulating new construction or new residential use including the State Building Code, and applicable plumbing, electrical, fire, health and conservation regulations and bylaws. A Certificate of Occupancy shall be required for any ADU.
- H. There shall be no more than two residential units in total on a lot containing an ADU.

- I. A minimum of one parking space per bedroom of the ADU shall be provided.
- J. An ADU shall be clearly subordinate in use, size and design to the principal single-family dwelling. An ADU shall be designed so that, to the maximum extent practical, the appearance of the property on which it is to be located remains that of a single-family residential property and the privacy of abutting properties is maintained.

§ 179-42.3 Accessory commercial dwelling units (ACDUs).
[Added 12-3-2018 FYTM, Art. 12]

Accessory single-family dwelling units shall be permitted subject to the following standards:

- A. An ACDU may be located within or adjacent to a commercial building, or in a building on the same lot as a commercial use, subject to the Definitions of § **179-2**; the requirements of Table 1, Use Regulations, and Table 2, Area Regulations/Minimum Required Lots; and all standards of this section.
- B. An ACDU may be located in a Commercial High Density or Village Business District.
- C. An ACDU may be located within a Zone II (Zone of Contribution to a Public Drinking Water Well), in the watershed of the Herring River, or the watershed to Pleasant Bay, subject to approval of a Special Permit by the Zoning Board of Appeals. All ADU's within these areas shall be required to install advanced nitrogen treatment septic systems, if deemed necessary.
- D. All construction in connection with an ACDU shall conform to building setbacks for a commercial building in the Zoning District where it is located.
- E. The property owner shall be required to file a notarized affidavit with the Building Department annually, stating that the ACDU will be, and/or has been, leased for a period of not less than 12 months.
- F. No more than 20 building permits shall be issued for the combined total of ADUs and ACDUs in a single calendar year.
- G. There shall be no renting of rooms or boarding of lodgers in an ACDU.
- H. An ACDU shall conform to all applicable State and local laws regulating new construction or new residential use including the State Building Code and applicable plumbing, electrical, fire, health and conservation regulations and bylaws. A Certificate of Occupancy shall be required for any ACDU.

ZONING

179 Attachment 1

**Table 1
Use Regulations
Town of Brewster**

[Amended 12-10-1979 STM, Art. 37; 5-12-1980 ATM, Arts. 39, 40 and 41; 12-8-1980 STM, Art. 18; 5-11-1981 ATM, Art. 32; 5-11-1982 ATM, Arts. 80 and 81; 5-14-1984 ATM, Arts. 100, 101 and 103; 8-27-1984 STM, Arts. 58 and 59; 5-13-1985 ATM, Arts. 89 and 93; 5-11-1987 ATM, Art. 86; 5-9-1988 ATM, Art. 97; 10-17-1988 STM, Art. 26; 5-8-1989 ATM, Art. 47; 5-14-1990 STM, Arts. 6 and 10; 12-14-1992 STM, Art. 2; 11-15-1993 FYTM, Art. 20; 11-15-1999 FYTM, Art 23; 5-1-2000 ATM, Art. 35 11-17-2003 FYTM, Arts. 19 and 24; 11-18-2001 FYTM, Arts. 17 and 21; 5-3-2004 ATM, Art. 24; 11-15-2004 FYTM, Art. 17; 5-2-2005 ATM, Art. 31; 11-13-2006 FYTM, Art. 25; 5-7-2007 ATM, Art. 24; 11-5-2007 FYTM, Art. 19; 11-17-2008 FYTM, Art. 18; 5-2-2011 ATM, Art. 33; 11-7-2011 FYTM, Arts. 13 and 17; 5-7-2012 ATM, Arts. 24 and 28; 5-6-2013 STM, Art. 6; 5-6-2013 ATM, Art. 23; 5-5-2014 ATM, Arts. 22 and 30; 12-3-2018 FYTM, Arts. 11, 12, and 13]

KEY:

- P = Permitted Use
- S = Special Permit Use
- Use with a dash ("-") = Prohibited Use

	District							
	R-R	R-L	R-M	C-H	V-B	I	MRD	PWS-CF
Residential								
1. Accessory residential building	P	P	P	P	P	-	-	-
2. Accessory commercial dwelling unit "ACDU"	-	-	-	S	S	-	-	-
3. Accessory single-family dwelling unit "ADU" on a lot of 30,000 square feet or more	P	P	P	S	S	-	-	-
4. Accessory single-family dwelling unit "ADU" on a lot less than 30,000 square feet	S	S	S	S	S	-	-	-
5. Affordable multifamily dwelling units "AMFDU"	-	-	-	P	-	-	-	-
6. Cluster residential development	S	S	S	-	-	-	-	-
7. Construction trailer	P	P	P	P	P	P	-	-
8. Major residential development	S	S	S	S	-	-	-	-
9. Multifamily dwelling	-	-	-	S	-	-	-	-
10. One-family detached dwelling unit	P	P	P	-	P	-	-	-
11. One-family security dwelling	-	-	-	P	P	P	-	-
12. Planned residential development	-	S	S	-	-	-	-	-
13. Row or town houses	-	-	-	S	-	-	-	-
14. Subsidized elderly housing	S	S	S	S	-	-	-	-

ZONING

179 Attachment 2

Town of Brewster

Area Regulations

Minimum Required Lots¹

[Amended 12-10-1979 STM, Art. 37; 5-12-1980 ATM, Art. 42; 5-14-1984 ATM, Arts. 104 and 105; 8-27-1984 STM, Art. 57; 5-13-1985 ATM, Arts. 66, 74 and 94; 5-12-1986 ATM, Arts. 35 and 36; 5-11-1987 ATM, Art. 82; 5-9-1988 ATM, Art. 96; 10-17-1988 STM, Art. 26; 11-13-2006 FYTM, Arts. 29 and 33; 11-5-2007 FYTM, Art. 13; 5-5-2008 ATM, Art. 20; 5-7-2012 ATM, Art. 26; 12-3-2018 FYTM, Art. 12]

BREWSTER CODE

District	Use	Area (square feet)	Lot Frontage ² (feet)	Yards ^{3,4,5,6,7}		
				Front (feet)	Side (feet)	Rear (feet)
R-R	Any permitted structure or principal use	100,000 plus 100,000 for the second dwelling unit of a duplex	200	40	25	25
R-L	Any permitted structure or principal use	60,000 plus 60,000 for the second dwelling unit of a duplex	150	40	25	25
R-M	Any permitted structure or principal use	60,000 plus 60,000 for the second dwelling unit of a duplex	150	40	25	25
C-H	Row commercial	40,000	150	30	20	20
	Multifamily dwellings	130,000 plus 10,000 per bedroom	200	100	30	30
	Hotel and motel	130,000 plus 2,000 per unit	200	100	30	30
	Row house or townhouse	130,000 plus 10,000 per bedroom	200	100	30	30
	Any other permitted structure or principal use ¹⁴	15,000	80	30	15	15
V-B	Any permitted structure or principal use	15,000	80	30	15	15
I	Any permitted structure or use, other than those listed above for the CH Zone (footnote 9) ⁹	20,000	100	30	15	40

NOTES:

- ¹ In general, only one principal structure shall be permitted on one lot. The exceptions are planned residential developments, row commercial development, subsidized elderly housing, planned business developments, community facilities, building and construction trade shop or garage uses, public utilities, accessory single-family dwelling units (ADUs), and accessory commercial dwelling units (ACDUs) that comply with all provisions of §§ 179-42.2 and 179-42.3, respectively. ADUs may be permitted by right in the R-L, R-M and R-R zoning districts on lots of 30,000 square feet or greater, by Special Permit in these districts on lots less than 30,000 square feet, and by Special Permit in the C-H, V-B and I zoning districts. Also, residential lots may contain two single-family units if the lot is twice that required by the Table of Area Regulations for single-family residences in that district and if each unit is provided proper street access.
- ² The width of the lot, measured at the front yard setback line, shall be at least 80% of the lot frontage.
- ³ At each end of a through lot, there shall be a setback depth required which is equal to the front yard depth required for the district in which each street frontage is located.
- ⁴ No building, except a boathouse or building used for agricultural purposes, shall be within 50 feet of any water body, watercourse or wetland area or, if subject to flooding, within 50 feet beyond its flood line to the higher elevation.
- ⁵ Projections into required yards or other required open spaces are permitted subject to the following:
Balcony or bay window, limited in total length to 1/2 the length of the building, not more than two feet.
Open terrace or steps or stoop, under four feet in height, up to 1/2 the required yard setback.
Steps or stoop over four feet in height, windowsill, chimney, roof eave, fire escape, fire tower, storm enclosure or similar architectural features, not more than two feet.
- ⁶ Accessory buildings and structures. Any permitted accessory building in any R District shall conform to the following provisions:
It shall not occupy more than 40% of the required rear yard. It shall be not less than 40 feet for R-R and R-L Districts and 30 feet for an R-M District from any street lot line and shall be not less than 25 feet in any R-R or R-L District or 20 feet in the R-M District from any lot line. It shall not exceed 30 feet in height.
A temporary stand for retail sale of agricultural or farm products, where permitted. May be six feet from the front lot line.
Any permitted barn shall be at least 50 feet from any street lot line or side or rear property line and at least 100 feet from any abutter's dwelling.
- ⁷ The front, side and rear yard clearances shown in this table for multifamily dwellings are applicable to each structure containing dwelling units. These distances should be used as though each structure is set on a separate lot. For example, two structures sitting side by side would have side yard clearances each of 30 feet or a total of 60 feet between the structures.
- ⁸ Intensity of use applications to nursing convalescent home. For purposes of interpreting the portion of this chapter, the term "unit" shall mean each bed designed for use by an individual receiving care at such facility. The first three units of a nursing/convalescent home shall require a minimum land area equal to the lot requirements for any

XXXXXX

permitted structure or principal use in the district in which located, with the exception in the C-H District, where 20,000 square feet shall be required for the first three units of a nursing/convalescent home. In all districts where such use is allowed, including by special permit, each additional unit shall require a minimum of 4,000 square feet of land area. Front, side and rear yard requirements within the respective districts where special permits are required may be increased at the discretion of the Board of Appeals, if the size of the project, proximity to incompatible adjacent uses or other factors potentially having an adverse effect on the health, safety or welfare of the persons under care at such facility justifies a more extensive buffer from property lines. The Board of Appeals shall ensure that egress from such facility shall be on a street which should be safe and adequate.

⁹ No building, loading space, parking space or structure, other than a sign, shall be located within 200 feet of the Industrial District boundary line in an Industrial District.
¹⁰ Exception, panhandle lots. This exception shall only apply to a single parcel of land at least three times the area required for a single lot in that residential district, intended to be divided or subdivided into not more than two lots. Such a division or subdivision may be exempt from any or all of the requirements of the Town of Brewster Planning Board rules and regulations, upon the express written approval of the Planning Board. The regulations for lot frontage as set forth in this section may be waived by the Planning Board upon the following conditions:

There shall be no further subdivision of the lot(s).

The lots) shall be used for single-family residential purposes.

The area of the access to the lot as determined by the Planning Board shall not be used in determining lot size.

The access to the lot as determined by the Planning Board shall not be used to provide access to any other lots.

In no event shall the lot frontage and lot width be less than 30 feet.

Multiple use of this section of this chapter shall not be used as a means of accomplishing the subdivision of land without the construction of ways.

¹¹ Cottage colony conversion. An existing nonconforming cottage colony may not be converted to a single-family dwelling use under separate ownership, unless the lot upon which each building is located complies with the minimum requirements for single-family dwellings in the zoning district in which the land is located, and such nonconforming cottage colony may not be converted to a single-family use under condominium-type ownership, unless the lot meets the minimum zoning requirements in which the land is located.

¹² For subsidized elderly housing, see S-I rather than Table 2.

¹³ An owner-occupied building containing two dwelling units, one of which shall be an accessory apartment with a net floor living area not exceeding 600 square feet, and including not more than one bedroom, a kitchen, living room and bath, shall be allowed by a special permit granted by the Board of Appeals. Such dwelling shall be deemed to be owner-occupied if either dwelling unit is occupied by the property owner of record on a year-round basis, except for bona fide temporary absences during which the unit is not rented.

¹⁴ **Editor's Note:** The C-L District which immediately followed was removed at the request of the Town

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

**Article VIII
Nonconforming Uses, Structures and Lots**

§ 179-24 Applicability.

The provisions of this section apply to nonconforming uses, structures and lots so created by the initial enactment of this chapter or by any subsequent amendment.

§ 179-25 Extensions and alterations.

- A. As provided in MGL c. 40A, § 6, a nonconforming single- or two-family dwelling may be altered or extended, provided that the Inspector of Buildings determines that doing so does not increase the nonconforming nature of said structure.
- B. Other pre-existing nonconforming structures or uses may be changed, extended or altered on special permit from the Board of Appeals, if the Board of Appeals finds that such change, extension or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

...

§ 179-26 Residential lots of record.

- B. Certain lots are exempted from current dimensional requirements by MGL c. 40A, § 6. In addition, any increase in lot area, width, depth, yard or frontage requirements shall not apply to erection, extension or alteration or moving of a structure on a lot not meeting current dimensional requirements, provided that, as of June 25, 1978, such lot was a legal building lot and had lot area of at least 5,000 square feet and street frontage of at least 50 feet. Any structure proposed to be located on such lot shall conform to the setback requirements in effect at the time of the recording or endorsement of the deed or plan creating the lot; provided, however, that if there are no applicable setbacks, the front yard setback shall be 20 feet and the side and rear yards setbacks shall be 10 feet. **[Amended 5-2-2005 ATM, Art. 26]**

Commented [J11]: Setbacks for residential buildings can be different than set out in the Zoning Bylaw's dimensional schedule/ Table 2.

Comparison of ADU Regulations by Local Towns

	Brewster	Chatham	Dennis	Eastham	Harwich*	Orleans
Year of Bylaw	November 2018	Updated May 2022	October 2022	Updated May 2022	Updated May 2023	Updated May 2021
By right?	Yes	Yes	No	Yes	Yes	Yes
Maximum size	900sf or 40% of pd	900sf	800sf or 40% of pd	1,200sf or 50% of pd	1,000sf	800sf
Maximum bedrooms	2	2, max occupancy 2/bedroom	2	2	2	--
Rental term (minimum)	12 months	12 months^	12 months	12 months	6 months	90 days
Additional off-street parking (minimum)	1 per BR	1	On-site	1	1	0
Owner occupancy requirements	Yes	No	Yes+	No (#)	Yes (Can be part-time residence)#	No
Lot size requirements	SP under 30,000sf	No	15,000sf	No	No	30,000sf CBU
Special Permit (SP) requirements	Zone 2/ Watersheds Under 30,000sf	Detached ADU, Dimensional req. not setbacks	For all, by Planning Board	Zoning District, >50% of pd, > pre nonconforming	Preexisting nonconforming setbacks or lot coverage	--
Compliance mechanism	Affidavit	Copy of rental lease	Affidavit, lease & health rent perm.	Affidavit, health registration	Affidavit, owner in residence	--
Cap/ year	20 (includes ADU & ACDU)	10 by right & 10 special permit	9	No cap	No cap	No cap
Miscellaneous	Max 2 residential units/ ADU lot. Accessory apts.	1/lot, no separation	1/lot. Res. Struct must exist on lot, no separation	1 per pd, 1 rented at a time, no separation	1 per pd, one rented at a time, no separation	Addition, not > 2% increase in lot coverage

Pd= principal dwelling sf=square feet CBU= contiguous buildable upland

* Harwich bylaw passed at Town Meeting but not yet approved by the Attorney General

+ One unit shall be owner occupied on a year-round basis, except for bona fide temporary absences during which the owner-occupied unit is not rented

Primary Dwelling and ADU cannot be rented at the same time.

^ADU shall become the principal residence of the renter within 30 days of occupancy of the ADU.

Special thanks to the CDP Resource Center for assistance in the production of this table. Information is a general summary compiled from local ADU bylaws.

CAPE COD INVENTORY OF ACCESSORY DWELLING UNIT PROVISIONS BY TOWN



	By Right	Income Restriction	Family Restriction	Long-term Deed Restriction	Short Term Rental Restriction	Owner Occupancy Requirement	Minimum Lot Size	Design Standards	Maximum Size	Lease Duration Restriction	Water Protection District Special Restrictions	Off Street Parking Requirement	Approval
<u>CCC MODEL BYLAW</u>	YES	NO	NO	NO	YES	NO	NO	YES	1,000 sf/50%/2 BR	Minimum 3 months suggested	NO	YES, but it can be waived	Building Commissioner
<u>BARNSTABLE</u>	YES	NO	NO	NO	YES (no commercial use allowed)	YES	NO	YES	900 sf/50%/2 BR	Minimum 12 months	NO	YES	Building Commissioner
<u>BOURNE</u>	NO	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	1 space	Zoning Board of Appeals
<u>BREWSTER</u>	YES	NO	NO	NO	YES	YES	NO ¹	NO	NO	Minimum 12 months	YES	1 space/BR	Building Commissioner
<u>CHATHAM</u>	YES ²	NO	NO	NO	YES	NO	NO	NO	900 sf/2 BR	Minimum 12 months	NO	1 space/BR	Building Commissioner
<u>DENNIS</u>	NO	NO	NO	NO	YES	YES	YES	YES	800 sf/40%/2BR	Minimum 12 months	NO	1 space/BR	Planning Board
<u>EASTHAM</u>	YES	NO	NO	NO	YES	NO ³	NO	NO	1,200 sf/50%/2 BR	Minimum 12 months	NO	1 space	Building Commissioner
<u>FALMOUTH</u>	YES ²	NO	NO	NO	YES	YES, 7 months	YES	YES	800 sf/40%/2 BR	Minimum 6 months	YES	YES	Building Commissioner
<u>HARWICH</u>	YES	NO	NO	NO	NO	NO	YES	YES	900 sf/50%/2 BR	NO	YES	1 space	Building Commissioner
<u>MASHPEE</u>	YES	NO	NO	NO	YES	YES	NO	YES	40%/2 BR	Minimum 30 days	NO	1 space	Building Commissioner
<u>ORLEANS</u>	YES	NO	NO	NO	YES	YES	YES	NO	800 sf	Minimum 12 months	NO	YES, as determined by Building	Building Commissioner
<u>PROVINCETOWN</u>	YES	NO	NO	YES ⁴	YES	NO	NO	NO	600 sf if free standing/40% if within principal residence	NO	NO	NO	Building Commissioner
<u>SANDWICH</u>	YES	NO	NO	NO	YES	NO	YES	NO	900 sf/2 BR	Minimum 12 months/	NO	1 space	Building Commissioner
<u>TRURO</u>	YES	NO	NO	NO	YES	NO	NO	NO	900 sf	Minimum 12 months	NO	2 spaces	Building Commissioner
<u>WELLFLEET</u>	YES	NO	NO	NO	YES	NO	NO	NO	1,200 sf	Minimum 12 months	NO	YES	Building Commissioner
<u>YARMOUTH</u>	NO	YES	YES	YES	NO	YES	YES	YES	800 sf	NO	NO	YES, as determined by Building	Zoning Board of Appeals

***Please note that this table provides only a high-level summary of zoning provisions and may not reflect exceptions, special circumstances, and other nuances contained in the full zoning bylaws. Where available, click on the town name to access the town's zoning bylaw.**

Notes: 1. Except that special permit required for lots less than 30,000 sf. 2. Except detached ADU requires Special Permit authorization. 3. Prohibition on renting both principal dwelling and accessory dwelling at same time. 4. Deed restriction for use as a year-round rental.

ADU ZONING AMENDMENT TIMELINE 2023
&
PLANNING BOARD REGULAR MEETING DATES

JUNE		JULY		AUGUST		SEPT		OCT		NOV
6/14	6/28	7/12	7/26	8/9	8/23	9/13	9/27	10/11	10/25	11/8

PB WORKPLAN
DISCUSSION

LISTENING SESSION/S

Outreach to related committees
(e.g. ZBA and Housing Partnership)
& community organizations

DRAFTING WORKSHOPS/ PB VOTE

*Hrg notice to
newspaper
(3 weeks
advance)*

|-----MGL C. 40A s. 5 Procedures-----|

PB submission to SB
SB referral to PB

Hrg Notice published
(14/7 days in advance)

Public Hearing/s

PB Vote/
Recommendation

SB Vote/ STM
Warrant Closes
(est. 10/13)

STM 11/13
PB Report

|-----INPUT: PUBLIC, STAFF, COMMITTEES, OFFICIALS -----|

Local Comprehensive Plan



Project Goals

The project goal is to establish a long term community plan to guide land use decisions and policies in Brewster for the next ten or more years.

Local Comprehensive Plan

Brewster's LCP is intended to help guide land use decisions and policies in the Town for the next 10+ years. It describes how Brewster looks today and where it wants to go in the future. The Plan addresses many important issues like providing housing opportunities for our aging citizens and young families, protecting our drinking water supply, preserving our historic and small town character, improving water quality in our ponds, and supporting our local small businesses.

The 2018 Brewster Vision Plan serves as a foundation for this LCP. Similar to the Vision Plan's structure, the LCP includes a Vision Statement and is organized by "Building Blocks:" Community Character; Water Resources; Open Space; Housing; Coastal Management; Local Economy; Governance; Community Infrastructure; Solid Waste Management; and Climate Mitigation and Adaptation. The heart of the LCP is the Action Plan, which includes goals, purposes and an ambitious list of recommended actions associated with each Building Block.

The LCP also includes a summary of conditions for each building block and a Capital Facilities Plan which aligns capital projects recommended in the Action Plan with the Town's on-going budgeting and planning processes. The LCP will be implemented, and its

actions prioritized, primarily through the Select Board's annual strategic planning process. This process will also include monitoring and reporting to the community, which are crucial to the successful implementation of the LCP. Resident feedback on specific recommended projects and initiatives will be critical as the Town considers and works through implementation details.

The LCP has been developed with general guidance from Cape Cod Commission (CCC) staff according to its regulations, adapted to Brewster's specific needs and circumstances. After its local adoption, the Town may elect to forward the LCP to the CCC for review to certify its consistency with the Cape Cod Regional Policy Plan. CCC certification entails some continuing obligations but also affords the Town certain planning and regulatory benefits.

After more than two years of public meetings and input from residents and Town staff, the Vision Planning Committee (VPC) completed and released a final draft Local Comprehensive Plan (LCP) in September 2022. Upon the recommendation of the VPC, it was approved by the Select Board and Planning Board following a public hearing on October 12, 2022 and was placed on the Fall 2022 Town Meeting Warrant to consider its adoption. Despite some very favorable comments about the draft LCP and the Committee's work, Town Meeting did not vote to adopt the LCP but instead voted to remand the LCP to the VPC for further consideration. Town Meeting had concerns about the proposed Wing Island Boardwalk project, which, although independent of the LCP, was referenced in the LCP. The Select Board has since decided not to pursue the Wing Island project any further.

Pursuant to a revised charge, the Vision Planning Committee recommenced its work on the draft LCP in March 2023. Reflecting comments, concerns and changes in circumstances since fall 2022, and with continuing efforts to make the document even more clear and readable for all stakeholders, the VPC has prepared and released an updated draft for July 2023. The VPC will undertake public outreach and education on the draft LCP through the summer and fall and anticipates that the draft will be presented to Town Meeting to consider adoption in November 2023.

If you are a community group or residential association and would like to have a presentation about the draft LCP from Committee representatives, please feel free to reach out to brewplan@brewster-ma.gov to discuss.

Read the draft here:

[Microsoft Word - VPC REVISIONS 2023 DRAFT LCP 2023.07.17 \(brewster-ma.gov\)](#)

Local Preference Information Session

Hosted by Brewster Housing Partnership

Thursday August 17th

6PM

Brewster Town Hall

(Rooms A & B)

**This information session will explore:
Massachusetts' definition of local preference,
the process for requesting local preference,
how local preference is implemented,
and the impact of local preference.**

Participating Boards and Committees:

Select Board, Affordable Housing Trust, Community Preservation Committee, Finance Committee, and Housing Partnership

Remote access available:

Members of the public who wish to access the meeting remotely may do so in the following manner:

Phone: Call (929) 436-2866 or (301) 715-8592. Webinar ID: 853 9402 2099 Passcode: 301097

To request to speak: Press *9 and wait to be recognized.

Zoom Webinar: <https://us02web.zoom.us/j/85394022099?pwd=M2JSaDJWYTZPK1I3eVZPVnVmaTdiUT09>

Passcode: 301097 To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

Housing Coordinator Update June 2023

Jill Scalise

Ongoing Activities/ Projects

1. Community Outreach and Education (Housing Production Plan (HPP) Strategy #14)
 - Responded to email and phone requests for information and assistance, 50 total requests for housing information (35) or assistance (15). Open office hours Thursday from 10-noon.
2. Brewster Affordable Housing Trust (BAHT) (HPP assorted strategies, Select Board (SB) Strategic Plan H-1)
 - Prepared Community Preservation Act application for funding of the Affordable Buydown program.
 - Met with Human Resources and Donna Kalinick regarding initial job description and hiring process for the Housing Program Assistant position, which will be funded by Housing Trust.
 - With Donna Kalinick, prepared and presented Housing update to Select Board.
3. Community Housing Parcel off Millstone (SB Strategic Plan H-4, HPP Strategies #12 & 16)
 - Zoning Board of Appeals (ZBA) approved Preservation of Affordable Housing (POAH) and Housing Assistance Corporation (HAC) Comprehensive Permit application at the June 13th meeting.
4. Comprehensive Permit Projects (HPP Strategy #16)
 - Habitat for Humanity on Phoebe Way off Red Top Road (2 affordable homes): Applications now open, see link below. Lottery expected to be held in fall.
5. Preservation of Housing and Related Support of Brewster Residents (SB H-3, HPP Strategy #20)
 - Brewster's Rental Assistance Program (BRAP)- HAC Quarterly report: 11 households received \$42,034 in financial assistance. Additionally, 7 active BRAP households. Request for Quotes (RFQ) completed and then issued by Donna Kalinick. This will continue program for 3 years. Funded by BAHT with CPA funds.
 - Community Development Block Grant (CDBG)- Program progressing well. 15 housing rehab projects approved, 27 children currently receiving childcare assistance.
6. Subsidized Housing Inventory (SHI) (HPP Strategy #21 & 22)
 - 212 Yankee Drive- Continued work with The Rehab Inc. on scope of work. Invitation for Bid (IFB) completed and issued by Donna Kalinick. IFB walk through. Site visit with Building Commissioner.
 - Serenity Apartments- Met with managing director. Provided regulatory agreement which lays out requirements for operation of affordable units.
 - 6 Sachemus Trail- affordable home resale approved by Town and state. Waiting on marketing by HAC.
7. Housing Production Plan (HPP) (Select Board Strategic Plan Goal H-2)
 - ADU Bylaw: Assisted Town Planner Idman & Asst. Town Manager Kalinick with research, presentation, and outreach for Planning Board ADU discussion and listening session.
 - Jon Idman submitted MA Community Planning Grant application for funds to examine the current zoning bylaw & identify impediments & opportunities for multi-unit and mixed-use residential housing.
 - Assisted with housing review and updates for the Local Comprehensive Plan.
8. Collaboration (HPP Strategy #7)
 - Attended virtual and in-person Housing Institute, first time in-person component held since 2019.
 - Participated in Brewster Seniors Needs Assessment meeting. Wrote letter of support for COA grant.

Upcoming Events:

- Applications open for 2 Habitat for Humanity 3 bedroom homes on Phoebe Way. Due August 14th. [To Apply for a Home | Habitat for Humanity Cape Cod \(habitatcapecod.org\)](https://www.habitatcapecod.org)
- Local Preference Information Session planned for August 17th at 6PM.

Personnel

- Participated in Planning Board, Select Board and ZBA meetings. Worked with: Assessors, Building, Council on Aging, CPC, Finance, Health, Planning, Public Works, Town Administration & ZBA. Attended year-end Finance Training and De-escalation Strategies for Uncivil Discourse training.

Town of Brewster Cape Cod Sea Camps Planning

Join us for community forum #2!

Date: Saturday, August 5th 2023

Attend one of three sessions:

1pm-2pm, 2pm-3pm or 3pm-4pm

Location: Bay Property Dining Hall

The Bay Property will be open to the public to explore by foot anytime between 12pm-5pm

Registration for the forum is limited to town residents. To register for one of the workshop times, scan the QR code or follow this link:

<https://www.brewster-ma.gov/cape-cod-sea-camps-properties>



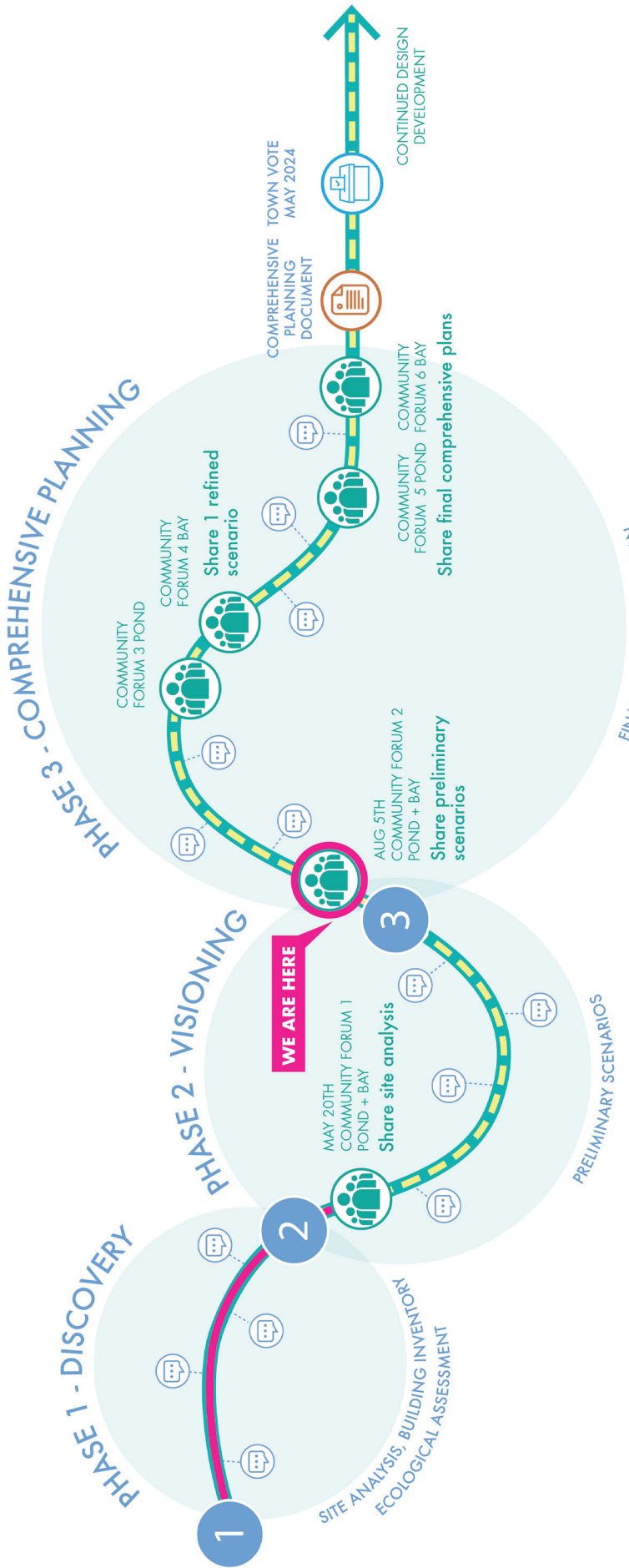
Community Forum #2 will be an engaging community event that shares preliminary planning scenarios for both the Bay and Pond properties based on resident feedback from Community Forum #1 and the survey.

Each session will begin with introductory remarks. The remainder of the meeting will be a community workshop where residents will be invited to learn about the planning scenarios, indicate their preference and share feedback. This event will be the second public community workshop in a series of six that takes place over the course of the planning process.

The Council on Aging will be offering rides to and from community forum sessions. Please call the Council on Aging at 508-896-2737 by Thursday August 3rd to arrange for transportation.

For more details about the long-term planning process, information on Bay Property and Pond Property Planning Committee meetings and interim activities at both properties, please visit the project page, <https://www.brewster-ma.gov/cape-cod-sea-camps-properties>. To provide feedback to one of the committees, please email us at bppc@brewster-ma.gov (Bay property) or pppc@brewster-ma.gov (Pond property).





Community Forum

Identify your priorities with the planning team



Committee Meetings

Tune in to public meetings where community representatives workshop ideas with the planning team



Comprehensive Planning Document

See the vision for the future of the Sea Camp Properties



Town Vote

Vote to approve the comprehensive plans at the Spring 2024 Town Meeting

2023 FALL PEER GROUP MEETINGS

HYBRID | LOCATION TBA

Quarterly housing conversations for municipal officials & staff

OUTER CAPE PEER GROUP

Provincetown, Truro, Wellfleet and Eastham

Tuesday, September 12, 2023
3 pm - 4:30 pm

LOWER CAPE PEER GROUP

Orleans, Brewster, Chatham and Harwich

Thursday, September 14, 2023
3 pm - 4:30 pm

- These Peer Group meetings are an informal discussion space for municipal officials and town staff who are involved in or interested in housing production on the Outer Cape.
- Towns will have an opportunity to share updates on their housing initiatives and projects.

Audience: elected and appointed town officials and town staff such as current members of the following boards & committees: Select Board, Finance Committee, Planning & Zoning Boards, Community Preservation Committee, Housing Trust, Housing Committee, Housing Authority, Local Housing Partnership, Town staff, etc.

To register, email Amanda Bebrin, Director, Housing Advocacy
at amanda@capecdp.org



community development partnership

Brewster Housing Partnership

Minutes of the 05/18/2022 Meeting

Members Present: Diane Pansire, Steve Seaver, Jillian Douglass, Ralph Marotti, Sarah Robinson, Lisa Forhan and Vanessa Green.

Absent: none

Guests Present: Jill Scalise (Housing Coordinator), Donna Kalinick, Carol Marie Anderson, Adrienne Jones

1. **Call to Order:** Meeting called to order
2. **Declaration of a quorum:** a quorum was declared with four members present
3. **Meeting Participation Statement:** Diane Pansire read the meeting participation statement
4. **Recording Statement:** Diane Pansire read the recording statement.
5. **Updates on Millstone Rd Affordable Housing Development.** In front of the zoning board appeals waiting to get their comprehensive permit and will have more information at their meeting in June.
6. **Housing Updates.** Celebration held May 9th for the ribbon cutting at **Brewster Woods**. Much town support, staff and the greater community were all part of the celebration process. **Habitat for Humanity** is building 2 homes off Red Top Road. They have submitted a fair housing marketing plan to HCD and once it gets the ok then they will implement the fair housing marketing plan. One of the homes is set to have a veteran's preference. **CDP Block Grant:** The program is moving forward helping with both housing rehabilitation and childcare assistance. **Affordable Buy Down;** The homeowner sent a letter of gratitude to the town for assistance in enabling her to buy a home in the town she was born in. BHT will be handling the buy down program and they are also handling the **rental program** which assists renters with \$500 month rent (a 3-year program). **212 Yankee Drive;** BHT is working on bringing this property to livable condition and Donna is working on invitations to bid. Needs septic work and due to a water issue, the house is fully gutted and needs a new heating system. Hopeful that someone will be in the home by the end of 2023. **ADU's:** The planning board is looking at making some changes to the program. How can it be more streamlined and more user friendly. The 2023 HUD Median Family Income in Barnstable County is \$124,30 and this is a very large increase over 2022. All affordable housing works off this number such as 80 % AMI. **Barnstable County** has just sent out 2 RFP's regarding funds available for affordable housing development as well as workforce housing development. There is a survey of Housing Cape Cod Regional Strategy that the Cape Cod Commission and they are looking for input. Home Consortium Meeting where they discussed the increased cost of building. Many towns are looking for financial assistance from their own towns and surrounding towns as well. The cost of a Brewster Woods unit was \$453,00 and a current project in Mashpee will be \$611,000 per unit. Town is planning on doing a joint

meeting on **Local Preference** which will include the Housing Partnership, The Housing Trust, Selectboard and the Finance Committee. It has not been scheduled at this point. There are plans in place to prevent 212 Yankee Drive from happening to another property. **The Housing Trust** is looking to fund a housing assistant position. **ADU**: what happens to the ADU when the property is sold? Jill Scalise will bring this question to the planning board. CDP, Homeless Prevention have ADU resource center to help people walk through the process. We have not come close to utilizing all the permits.

7. **Sea Camps Tour**: Ralph reviewed the tour and focused on the potential affordable housing opportunities that may be available. We do not know what the committees have come up with. Sarah mentioned that some of the properties have 4 or 5 bedrooms.
8. Donna Kalinick talked about the Sea Camps community forum which is coming up on Saturday. Both require sign up and they will have activities for kids. There is a lot of information on the Sea Camps page on the town website. There is also a video which is an overview of the property. The public will be able to share the input as to what they would like to see. The committees are looking at community ideas and input.
9. Status of HP appointments. Vanessa is planning on continuing as is Jillian, but Diane Pansire is leaving the group. **The process for filling a vacancy**: the town manager's office is currently reaching out to committee chairs to let them know who is renewing, leaving. The June 5th meeting in the FYI in the Select Board Process packet all the folks all the folks who intend on being renewed and will be confirmation on June 26. Once done, they will list all the committee vacancies on the website. If someone applies, the SB liaison and the chair of the committee will review applications and hold an informal interview. All those interviewed will be sent back to the selectboard in their FYI and put on their consent agenda for their appointment.
10. Vanessa has agreed to continue as the liaison for the Housing Trust and the committee voted unanimously in favor.
11. The group talked about reorganizing and finding a new chair and a new secretary. Jillian is the Vice Chair and will hold that role into the July meeting.
12. Matters not Anticipated by the Chair: tomorrow is the Wellness fair put on by the Council on Aging.
13. Minutes of the March 16th minutes on April 17th minutes were reviewed, voted on and accepted.
14. Next Meeting June 15th
- 15 Adjournments