

Approved as written
Jamestown Affordable Housing Committee Minutes
August 1, 2022
5:00 p.m.
93 Narragansett Ave.
Jamestown RI 02835

I. Call to Order

The meeting was called to order at 5:00pm and the following members were present: Joe Cannon, Job Toll, Quaker Case, Lisa Bryer, Bob Plain, Mary Meagher, and Mike Liebhauser via conference call – not voting at this meeting (joined at 5:05pm)

Also present: Carrie Kolb, Greg DiGasper
Not Present: Nick Radesca, Fred Pease

II. Approval of Minutes July 5, 2022 - review, discussion and/or action and/or vote

A motion to approve the minutes from July 5, 2022 as written was moved by Cannon and seconded by Case. All in favor. So unanimously voted. As noted above: Liebhauser did not vote.

III. Accessory Dwelling Units - review, discussion and/or action and/or vote

1. Update on new state law(s)
2. Policy ideas brainstorm
3. Next steps / Working with other Town committees (ie – Planning Commission, Conservation Commission, Town Council)

Bryer discussed the memo from Ursillo, Teitz and Ritch (UTR) regarding Accessory Dwelling Units (ADUs). The page gives a run down to the changes. Toll asked if the law was signed because at the last discussion it was not signed. Bryer said yes that the law was signed on June 30.

Plain read the paragraph from UTR. Discussion ensued. Case asked the question: what did it change? Bryer stated it still not clear. Meagher stated that ADUs are now permitted use. Case asked if permits were still required and the answer is yes a building permit. Bryer stated that towns can only prohibit ADUs if they do not permit them today. The purpose of the law was to make ADUs regulations consistent statewide. Meagher said that the limit to 20,000 sq ft. is strange. Bryer stated that zoning and land use issues are a generally a local decision, and the State is intervening more and more. Cannon asked if the local zoning board can make changes?

Bryer stated again that she needs more advice from the solicitors to answer many questions. Plain's opinion of the law is that the Town no longer can limit who lives in an ADU. DiGasper stated that this is a big change since the AFDU was built on his property for his mother.

Meagher stated that the Short-Term Rental ordinance should state that if you have an ADU it cannot be used as a STR. Cannon has his reservations about STR in coastal communities, but he wants to make sure the ordinance doesn't hurt opportunities for affordable housing in ADUs.

Plain stated that he is all for having unrestricted ADUs because they will create more housing, even if it is one unit out of ten. DiGasper stated that it sounds attractive to someone who has an AFDU to make it into an affordable housing unit.

Cannon stated that having an ADU could be a way for retirees who want to stay on the island. He doesn't want to open door too wide, but he doesn't want to close the door on all types of ADUs. Plain stated he thinks ADUs are a great idea because they can help people who are already living here, and it's not so easy (financially) to be living here. They can bring people to the island who are not living here yet, as a rental option. Plain said that what we don't have it a lot of cheap rentals for people who work in restaurants, police, teachers where working-class people can afford to live.

Discussion ensued regarding the issue of water on Jamestown. The Town is looking at build out analysis for the urban water district. DiGasper asked if new construction should have a cistern for use? Bryer stated that we have a highly state regulated water system. Meagher stated that building code says you cannot use cisterns for drinking water, but you can use grey water to flush the toilet or water the grass.

Plain asked Bryer if the committee can send her questions to ask the Town Solicitor? Bryer said yes, to send her the questions by Wednesday. Bryer had written down 4 questions brought up during the meeting already.

Questions to ask the Town Solicitor:

1. Can the Zoning Board grant variances to the 20,000 sq ft minimum lot size?
2. Does RIGL 45-24-37 (e) lines 16-19 (stating that ADU's being permitted as a reasonable accommodation for family members with disabilities or who are six-two (62) year of age or older, or to accommodate other family members) conflict with RIGL 45-24-73 that states in line 11-12 that that a municipality shall not impose any excessive restrictions on accessory dwelling units (ADUs) such as... restrict tenants based on familial relationship or age unless such restriction is necessary to comply with the terms of the federal subsidy related to affordability.
3. How does new law change our existing ordinance? Can Jamestown still restrict ADUs to family members?
4. Proposed ordinance to stay if you have a second unit it cannot be used for STR?

Bob thinks that ADUs are having a moment now. Do we want to do more? Should we write another letter to the Planning Commission?

Case doesn't want to throw ourselves into doing all we can do until we get more information/clarification on the law. Plain does not want to miss our moment (giving input) to wait for the legalese. Case stated that the building of ADUs should not increase STR. If there is more ADUs that create more and less expensive housing, then we are ok. Bryer stated that the state law says that an Affordable Unit has to be year-round for it to be counted but not otherwise. Having 1 month, 2 month or 3-month rentals and then 9-month rental doesn't help with "affordable" housing. Cannon asked if there was anything else in the ADUs to qualify for Affordable Housing? Bryer replied that it looks like the new law takes out the subsidy requirement. Meagher said that the law took away the deed restriction and it makes her fearful that it won't last. DiGasper said that he likes not having the deed restriction. Meagher said that the notion that you have encumbered your property has kept people away from the creating affordable housing. Bryer said she doesn't think the deed restriction keeps the property from selling because you still have a rental income.

A motion was moved by Case and seconded by Cannon to ask the Town Council:

1. Short-Term Rental proposed ordinance:
 - a. Add "Accessory Dwelling Units" to read "Accessory Structure" and "Accessory Dwelling Units".
 - b. Clarify that the primary structure may be used as a Short-Term Rental, but not the Accessory Dwelling Units.
2. In the Zoning Ordinance: Accessory Dwelling Units should be allowed as year-round market rate rentals not limited to family members, caretakers and those over 62.

All in favor.

IV. 91 Carr Lane – 3 lot Subdivision, Comprehensive permit for Affordable Housing - review, discussion and/or action and/or vote

Plain and Bryer recused themselves. CCHC applied for the preliminary stage of review and going to Planning Commission on August 17. There was not a quorum and no further discussion.

V. East Greenwich Cottage Clusters Field Trip - review, discussion and/or action and/or vote

A date was set for the Cottage Cluster field trip to East Greenwich: August 15th at 3:00pm. The Town Council, Town Administrator and Planning Commission will be invited. Bryer will invite Don Powers, who has already said that he will try to attend once a date is chosen. The group will meet at the CVS located at 507 Main Street, East Greenwich.

VII. Town-owned properties update - review, discussion and/or action and/or vote (5min)

Bryer stated that Kolb got a list of town owned properties from the Tax Assessor and made notes on each property as to their use. She would like to have the list discussed in Executive Session at the next meeting, since we will be talking about Town owned real estate. Bryer is also looking at other opportunities that will be discussed. Case would like the AHC to review the list and once a plan of action is determined to speak with the Conservation Commission to get them on board since they do support Affordable Housing. Cannon stated that it's good to get boards working together.

VIII. Tools and Techniques for Creating Affordable Housing in Jamestown - review, discussion and/or action and/or vote

Cannon asked Plain about the buyers training of affordable housing that CCHC runs. Plain will put Cannon in touch with Mr. Aubrey Collins, CCHC.

Plain said that he and Liebhauser discussed fees charged for having a licensed STR in Jamestown, which are \$350 if the owner lives on the property and \$700 if not Jamestown owner. They discussed that the money should go towards the Affordable Housing Trust. Meagher stated that the funds do go to pay the company that surveys the STR. She also said that there is nothing stopping from charging more. Discussion ensued. Maybe 50% of the non-owner occupied goes to affordable housing trust fund.

VIII. Member Reports

Cannon compared the American Community Survey for Jamestown, Rhode Island, which is done every 2-3 years, for 2019 vs. 2021. The population in Jamestown is: 31% - over 64; 49% 18-64 years old; and 50.7 is the median age. Median home cost went from \$595,000 to \$664,900. The monthly median home payments went from \$3,735 to \$4,169. The income required for a median home is \$149,490. The median income in Jamestown is \$119,000 and most of the people living in Jamestown cannot afford to buy a house here today. These are all things to talk about when we discuss utilizing the Real Estate Transfer Tax.

IX. Future meetings and agenda items of Affordable Housing Committee

Next meeting will be on Wednesday, September 7 at 9:00am

X. Adjournment

A motion to adjourn at 6:26pm was moved by Case and seconded by Toll. All in favor

Attest:

Lisa Bryer and Carrie Kolb
Town Planner Planning Assistant