

From: [Diane DeNapoli](#)
To: [Planning](#)
Subject: ADU Letter
Date: Thursday, October 20, 2022 1:46:49 PM

Dear Members of the Planning Board,
I would like to thank you all for your efforts on addressing detached ADU's in Hingham. I understand you have a wide array of pressing needs that require your attention in town. I listened to Monday's Planning Board meeting and understood that you are trying to carve out pieces of time in your next two meetings to discuss ADU's. That said, I think it would be prudent now to provide my perspective on the ADU Study Committees work to date.

I am submitting this letter as an individual, not as member of the Commission on Disabilities, and therefore please note my comments are solely based on my own input from being part of the ADU Study Committee.

As you know, following Mr. Estes article at the 2021 Town Meeting, an ADU Study Committee was formed to "review(ing) the *merits* of this Warrant Article and/or the merits of amending the provisions of the Hingham Zoning Bylaw". When discussing the makeup of the Study Committee the Planning Board engaged in robust, and lengthy, discussions about the scope of the work and who should be appointed to the Study Committee. Since the intent of the work was to create housing units for familial use, and only familial use, at the time of the study groups inception a member of the Commission on Disabilities and the Council on Aging were chosen to serve. I believe the Planning Board justly felt that this would represent the populations of those in Hingham who may benefit from having more multigenerational housing options on their existing property.

At the first ADU Study Committee meeting, which I believe was on November 9th, 2021, the ADU Study Committee was counseled by the Chair that we would not be studying the "if" we would do detached ADU's but the "how" we would do them as part of our work. When the group reconvened again, in March the group began the work of hearing from a multitude of individuals and representatives from organizations that would be involved in permitting, servicing or potentially using an ADU's in Hingham.

Due to the rather short period of time the ADU Study Committee convened, and the scope of our original task, I do not believe the report generated by our committee is detailed enough to proceed with amending a by-law that would include permitting rental ADU's units without a great deal more research by the Planning Board or a working subcommittee of the Planning Board.

I would like to thank and applaud the work of my fellow ADU Study Committee members. Hundreds of hours were spent by staff and volunteers

vetting this issue and yet many imperative issues remain. I am concerned that rushing such a significant decision would be deeply problematic and could lead to legal challenges for the town.

I believe since advancing the idea of rentals, and short-term rentals, was only seriously introduced to the group in approximately July we did not have the time, nor enough data, to fully examine the potential consequences of permitting ADU's for short term rental purposes in Hingham.

Familial use does not trigger the applicability of state and federal fair housing laws. This makes the management of these properties much less complicated for the homeowner's point of view. As a landlord, I can tell you that legal fees, property management and having a positive relationship with your tenants can be a very challenging dynamic. Having a tenant, on your primary property, and very close to your abutters can quickly lead to conflict.

Despite the AG's letter on ADU's in Hingham, no existing case could be cited to support the necessity of changing our by-law and its family use restriction. I would respectfully ask the Planning Board to proceed with diligence on this complex matter. Please look at issues that the ADU Study Committee did not have either have the time, or expertise, to examine like traffic patterns with increased density, potential water withdrawal impacts, school enrollment numbers and lastly allow the people of Hingham **TIME** to fully discuss how best we can advance ADU's to better serve the unique needs of Hingham.

Thank you,
Diane DeNapoli
16 Gardner Street, Hingham MA