

From: [Brian Stack](#)
To: [Planning](#)
Subject: Letter to Planning Board Regarding ADUs.
Date: Sunday, October 23, 2022 11:49:49 AM

To the Members of the Planning Board:

I write in anticipation of the Board's upcoming deliberations about the findings of the ADU Study Committee. I've lived in Hingham for over 30 years. As a member of the Hingham Development & Industrial Commission, I was asked to monitor the ADU group's meetings. During the past year, I have attended (via Zoom) many of that committees meetings. My views here are my own and not necessarily those of other members of HDIC.

The ADU Study Committee was formed after the Select Board (at the 2021 Town Meeting) chose to take no immediate action on a Citizen's Petition filed by Ray Estes. The petition had sought approval to expand upon the 2017 amended by-law enabling creation of non-detached ADUs, with the goal of enabling older and disabled family members, along with younger adults to affordably remain in place in their homes in Hingham. My opinion is that permitting detached, familial units might be a good idea.

And, I think it's an idea that Town Meeting might broadly support, as the issue of affordability remains a real one for many Hingham residents, both young and old.

That said, I have concerns about the ADU Committee's process and findings. From the very outset of the Committee's deliberations, the scope of the discussion expanded well beyond the original question of detached ADU's for family members. It moved directly to questions about implementation of a much more expansive plan that would offer such detached units to non-family renters. In fact, little time was devoted to discussion of the merits or risks of either the original Citizen's Petition or the expanded ADU concept. And public comment about such matters was discouraged.

I hoped to have seen the discussion focus on the advisability of the Estes petition, and I'd have thought this was doubly necessary once the discussion expanded into a broader question including non-family rentals. The discussion should have included a robust examination of the pros, cons and the potential risks and rewards entailed in the much-broadened proposal. This did not happen.

Among the issues that might have been discussed, I would point to the following:

A). Since during the past four years there have been only 16 approved non-detached ADU applications (only about 10% of those allowed under the cap mandated by the 2018 amended by-law) it appears the demand for non-detached ADUs is of somewhat uncertain size. Is there actually significant demand for such units, and (if so) do more expensive detached units serve as an attractive or superior alternative to the non-detached units that were earlier approved?

B). Detached units are meaningfully more expensive than those that would exist within the footprint of an existing home. Reliable estimates for an 850 square foot detached ADU fall in the range of \$300-\$400k (not including the costs of a recent sharp spike in mortgage interest rates). Given that the permitting of less costly non-detached ADUs has been far below cap potential, might this suggest that a more costly alternative to the problem may not find favor as an affordable solution for the originally-targeted elder/disabled/young adult population who may wish to remain in Hingham?

C). If not, do these facts suggest that most (if not all) future applications for such units may come homeowners targeting non-family renters? Might the probable outcomes fall far from the original goal of creating affordable ADUs (detached or otherwise) to elders, the disabled and young adult Town residents?

D). Do we understand how many individuals might inhabit 850 square foot ADUs? The Massachusetts Supreme Judiicial Court recently answered that question, establishing square footage metrics that would

enable as many as three individuals in units of this allowable size. At up to three individuals per approved unit, will Hingham need to confront future infrastructure challenges that might include water sewage, traffic and even schools?

E). Will such units be truly and sustainably be affordable to either family occupants or unrelated renters? With development costs estimated to approach \$400k, skyrocketing mortgage rates and current local rent norms of a bit more than \$3.10 per square foot, such units might be expected to rent for something approaching \$3000 per month. \$3000 per month is not particularly affordable - especially considering that the proposed ADU plan features no rent controls or deed restrictions (unlike Habitat homes or 40B units). Rent rates will be free to float - and they will be subject to the same market forces that have driven housing costs upward for the past 20 years.

F). There remains a question of whether the potential number of such non-family rental units can be sustainably capped by the Town on any sustained basis. Once rentals become a commercial/incoming producing opportunity for permitted residents, can an abutting neighbor be denied the same opportunity the resident next door enjoys?

G). Finally, the Committee's proposed plan would permit rent terms as short as 60 days. Why? These are effectively transient rentals to tenants likely lacking a long term commitment to the Town. Further, while Airbnb and the like have not had a presence in Hingham to date, the Town should be aware that Airbnb (and others) are actively promoting 30-90 day rent terms - promising homeowners higher rental yields than might be achieved otherwise. So, there arises a question whether this feature might exacerbate the very affordability problem that the Town originally set out to rectify.

I raise these issues not because I have definitive answers across the board. Rather, I would simply suggest that unexamined, these issues raise the potential for negative, unintended consequences. I believe these issues should have been part of the ADU Study Committee discussion - and I believe the Planning Board, Advisory Commission and Town Meeting should examine them before we undertake this significantly expanded modification to Hingham's housing policies.

Thank you for your consideration.

Respectfully,

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