

To: Chair Holden and Members of the Yarmouth Planning Board
From: Carrie Martin, 316 East Main Street, Yarmouth 207-415-2504
Re: Proposed Zoning Amendment, Chapter 701, Article II.DD, Affordable Housing Programs

Thank you for the opportunity to comment on this Proposed Zoning Amendment.

1. Is this a Sound & Effective Policy?

I am hoping the YAHC will be able to provide answers to the outstanding questions submitted by the public (citizens, developers, builders, etc.) to the Town Council, Planning Board & YAHC around their previous proposal including requests for feasibility studies and actual numbers to demonstrate that this proposed policy, whether voluntary or mandatory, will be sound and effective from its inception. (See attached “Summary of Outstanding Questions from Public Comments” previously submitted to the Planning Board in March of 2023.)

This type of zoning, which requires a market rate developer to provide affordable housing, does not work well in today’s economic climate and specifically does not work well in a small Town with very little housing production. Presently, there are “affordable” units available in a nearby Town where someone making \$150,000/year can purchase a condo for approximately \$480,000 with a monthly payment of about \$4,500, which is not actually affordable.

2. Yarmouth Comprehensive Plan / Incentives

The 2010 Comprehensive Plan mentions creating incentives to encourage affordable housing under Paragraph D.4.3, but that appears to be an item that was designed to work in conjunction with other affordable housing aspects under section D including the Town actively encouraging development of new affordable housing and assisting with funding and grants. It is important for the YAHC to demonstrate that any proposed incentives are actually incentives (i.e. verify that 4 stories is truly an incentive when it triggers a requirement for an elevator). The updated Comprehensive Plan will be finalized soon and the Town is in the middle of hosting housing workshops so it seems to make sense to wait for those to be done before moving forward with any new policy proposals.

3. Review every 6 months - Too Short

Again, we need the YAHC to demonstrate up front that this is a sound and effective policy proposal. If they are able to do that and this does move forward, a biannual review of this proposed policy would be far too short of a timeframe for any projects to be proposed or any reconsideration of a mandatory ordinance. An analysis of keeping such a policy voluntary, making it mandatory, modifying the language or even repealing the Ordinance should be evaluated after a much longer period of time.

4. Conclusion

Yarmouth has fairly exclusionary zoning with relatively low housing production. Ultimately, bringing forth this type of proposed policy without appropriate feasibility studies with supporting numbers and data may not meet the goal of actually bringing affordable housing to Yarmouth.

To: Yarmouth Planning Board

Summary of Outstanding Questions from Public Comments Submitted 11/2022 – 3/2023
to Yarmouth Town Council, Planning Board and Affordable Housing Committee (YAHC)
re YAHC Inclusionary Zoning (IZ) Proposal

Will the Affordable Housing Committee provide a Feasibility Study including data to support proposed metrics and pro-forma to demonstrate that this Inclusionary Zoning proposal will create affordable housing units?
Where are the financing assumptions and modeling tied to local market conditions to confirm the proposed policy will produce the desired results?
Will buyers and renters actually be able to afford the Inclusionary Zoning units?
What will it cost the Town to incentivize, administer, enforce and manage any Inclusionary Zoning units?
Are the incentives in the Inclusionary Zoning proposal actually incentives when you look at them in pro-forma? Can the Committee demonstrate how any incentive was concluded to be an incentive? Do the #s proof it out?
Will our community accept the proposed IZ incentives of 4 stories & the removal of architectural and landscape standards?
Will the Town form a Housing Authority or entity to manage and enforce IZ units including deed restrictions, ROFRs, support funds, incentives, paperwork for approvals, sales and resales? Should that be in place prior to implementing any IZ which will need such administrative support and oversight?
If we are not creating a Housing Authority or entity, does the Town have a commitment from a Housing Trust with experience to fiscally manage, monitor and enforce Inclusionary Zoning units or be named in the deed restrictions and what will an agreement look like between the Trust and Town?
Are there Town or public funds available to incentivize affordable housing production and Inclusionary Zoning units? Will Town or public funds be committed to bridge funding gaps to build affordable units or to incentivize renters or buyers of IZ units? How much money is available?
How can Inclusionary Zoning work alone without other components needed, like financial incentives and a management entity, for a successful policy?
What are the appropriate deed restrictions and why?
Is the Committee looking at <i>all</i> the affordable housing “Policies & Strategies” outlined in our 2010 Comprehensive Plan as they appear to be designed to work together?
How does the Committee expect Inclusionary Zoning to work in conjunction with LD 2003 given the affordable housing density bonus in LD 2003 already requires a majority of the units to be affordable?
What are Yarmouth’s housing production goals including affordable housing production goals?

Erin Zwirko

From: Rhonda Senger
Sent: Wednesday, January 24, 2024 4:38 PM
To: Erin Zwirko
Subject: Public Comment for Proposed Zoning Amendment at tonight's PB meeting

Erin-
Please forward to the Planning Board.
Thank you!
Rhonda Senger

Dear Planning Board,

I recently learned about the proposed Zoning Amendment on tonight's Planning Board agenda. I am not in favor of the proposal for several reasons but there is one in particular:

Height bonuses: In the Character Districts (CD4 and CD4-C) and in the Commercial Zoning District, the Planning Board may approve a building of up to 4 stories and 45 feet, so long as the additional height is stepped back 7.5 feet along all building elevations with public street frontage.

A four-story building does not fit into our community and will greatly impact our town. CD4, CD4-C and the Commercial Zones make up a significant portion of our town. Many Yarmouth residents have expressed they do not want our town to repeat what has happened along Route One in Falmouth. I do not believe most residents are aware that this height expansion is being considered. Before a major change like this happens, I believe there should be more notice to and greater input from the community. This type of recommendation should be discussed in the Comp Plan update and should not be taken lightly.

Thank you,

Rhonda Senger
54 Astilbe Lane