



# TOWN OF SWAMPSCOTT

## PLANNING BOARD

ELIHU THOMSON ADMINISTRATION BUILDING  
22 MONUMENT AVENUE, SWAMPSCOTT, MA 01907

**MEMBERS**  
ANGELA IPPOLITO, CHAIR  
GEORGE POTTS, VICE CHAIR  
MIKE PROSCIA  
BILL QUINN  
DAVID ZUCKER

**STAFF**  
MARZIE GALAZKA, DIR. OF COMM. DEV.  
MOLLY O'CONNELL, SENIOR PLANNER

Received by Town Clerk  
January 17, 2024 9:50am

## APRIL 10, 2023 MEETING MINUTES

**Time:** 7:03PM – 10:14PM  
**Location:** Remote via Microsoft Teams  
**Members Present:** A. Ippolito, T. Dooley, M. Proscia, D. Zucker, B. Quinn  
**Members Absent:**  
**Others Present:** Marissa Meaney (Land Use Coordinator)

The meeting was video recorded.

### 1. CLIMATE ACTION PLAN PRESENTATION

Martha Schmitt, Chair of the Climate Action Plan Committee, presented a summary of the Climate Action & Resiliency Plan. The Committee is looking for endorsements from other Town boards and commissions.

The Planning Board explained that they can be of most help when it comes to making changes to the zoning bylaw that would allow for stronger climate resiliency goals.

The Board provided other suggestions and verbally endorsed the Plan (they did not take official vote).

### 2. ACCESSORY DWELLING UNITS

The Board deliberated the simple vs. super majority provision. According to Mass General Law, Chapter 40A, Section 5, certain amendments to local zoning bylaws may now be made by a simple majority (including ADUs), provided they are in accordance with definitions laid out by the State. Whereas the Planning Board was looking to amend the square footage requirement of an ADU, it would bring it out of compliance with the state definition, and the article would no longer be eligible for approval by a simple majority vote. The Board ultimately agreed to eliminate the exception from the definition.

The Board agreed that the number of occupants would not be limited.

The Board debated short-term rentals, how they should be defined, and whether they should be permitted within ADUs. Members were split on how to approach the subject – some agreed that short-term rentals should not be allowed within ADUs, while others thought that the topic warrants a much larger discussion, and a bylaw regarding short-term rentals should not be pigeon-holed to a discussion about ADUs. The Board ultimately decided to not incorporate short-term rentals into the ADU bylaw, but if the topic was to arise on the Town Meeting floor, the Board

would explain that, yes, short-term rentals can exist in an ADU just like they can exist in a single-family house, or within a room in a single-family house.

Per the discussion that Mike and Angela had before the Select Board, when presenting to them about ADUs, the Board deliberated the off-street parking requirement. They decided to eliminate the parking requirement, but subject it to Section 3.1.2.4, which would allow the Building Commissioner to determine if off-street parking is necessary.

### 3. SITE PLAN REVIEW PROCEDURE

The Board discussed the parameters that they would like to see in the new version of the Accessory Dwelling Unit (ADU) bylaw.

It was agreed that either the principal structure or the ADU shall be occupied by the property owner.

After a robust discussion, the Board also agreed to not permit the construction of new detached structures. Whereas the allowing of detached structures to become ADUs is happening for the first time, the Board agreed that in order to allow for a higher chance of the legislation passing at Town Meeting, they would currently not allow for new structures to be built. If the legislation was to not pass, then it could not be brought to the Town Meeting floor for another two years.

The language will be sent to KP Law (Town Counsel) for review, and a public hearing should be scheduled for 4/24.