

PLANNING BOARD
Minutes of October 15, 2014

ATTENDEES: Arnold Rosenblatt – Chairman, Sally Wilkins – Vice Chairman, Gordon Leedy, Cliff Harris, Michael Dell Orfano, Richard Hart – Conservation Commission, John D’Angelo – Ex Officio, Marilyn Peterman – Alternate, Allen Merriman – Alternate, Colleen Mailloux – Community Development Director

ABSENT: Eric Hahn – Alternate

Arnie opened the worksession at 7:30.

DISCUSSION:

The worksession agenda includes discussion of several items relating to proposed zoning amendments being considered for the March 2015 town ballot.

Colleen reviewed her memo regarding proposed zoning amendments. The first proposed amendment is to allow elderly housing as a permitted use subject to a conditional use permit in zones where it is currently permitted by special exception, and to eliminate the special exception for elderly housing. Gordon asked if the tract area definitions will be addressed. Colleen stated that the proposed language states that net tract density shall be a minimum of ½ acre per unit. The board discussed changing the density for elderly housing. Rich made a motion to amend the density to 0.6 acres per unit rather than ½, seconded by John. The motion failed. Gordon moved to post amendment 1 as written, seconded by John. None opposed, the motion passed.

The second proposed amendment is intended to provide a consistent definition of net tract area throughout the ordinance. The proposed language defines net tract area as the total area of the parcel less wetlands, floodplain and steep slopes over 20 percent. Sally moved to post amendment 2 as written, John seconded. None opposed, the motion passed.

Colleen reviewed the structure definition and explained that the amendment was in response to a department policy discussed with the Board of Selectmen last spring. The proposed amendment clarifies that a structure is greater than 32 square feet, and building permits are not required for structures under that size (i.e. dog houses, small chicken coops, etc). John asked about the potential for an individual to construct multiple structures smaller than 32 square feet to avoid the permit requirement. Colleen will provide amended language regarding cumulative construction.

The fourth amendment is to make the ordinance compliant with a 2013 state law change that extends the length of Zoning Board approvals from one year to two years. Sally moved to post amendment 4 as written, Gordon seconded. None opposed, the motion passed.

Marilyn asked Sally to lead the discussion of the remaining agenda items, the innovative housing ordinance and the workforce housing ordinance. Sally provided the board with a list of definitions in addition to the draft language that was circulated in their packets. Sally recommended beginning with a discussion of the workforce housing ordinance. The Board discussed the purpose statement and the definition of working wage and suggested revisions. The Board reviewed the ordinance and offered

47 comments and revisions which were noted by Colleen to be incorporated into a revised draft of the
48 ordinance.

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50 The Board discussed existing affordable housing projects and the concern that units approved as
51 affordable were being assessed as market rate with no reduction in the assessment based upon the
52 covenants in place. The old ordinance had a 1,300 square foot size limit to try and restrict dwelling unit
53 size and keep the units affordable. Mike stated that the proposed language is intended to allow a house
54 constructed under the old version to be converted and received approvals under the new version of the
55 ordinance, which would then allow them to expand beyond the 1,300 square foot limit. Allen asked if
56 this is an issue that needs to be dealt with. Gordon stated that there are only three developments to his
57 knowledge that have the 1,300 square foot limitation. The Board agreed to discuss this further.

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59 The Board reviewed the ROI calculation and formulas. Sally stated that an applicant will have to
60 provide documentation of the ROI on similar projects. Members of the Board had concerns that an
61 applicant may not be willing to provide that information. It was stated that the applicant would provide
62 documentation, the Board would hear it and presumably send it out for third party review as appropriate.
63 Mike stated that under the RSA, economic viability is the criteria. The applicant is required to provide
64 that documentation. Members had concerns regarding what is considered a reasonable rate of return.
65 Allen stated that the formulas are simple, and as far as what is reasonable, it is a moving target
66 depending upon the market. Cliff stated that the Board will determine what is reasonable based upon the
67 documentation the applicant provides. It was confirmed that the application review process will include
68 an independent review of the economic feasibility study.

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70 Colleen will make the revisions as discussed and will resend a clean version of the ordinance to the
71 Board. The Board discussed dates for the next worksession and agreed to meet on Wednesday, October
72 22 at 7:30pm to review the innovative housing ordinance. Colleen will circulate the current IIHO
73 language and definitions drafted by Sally.

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75 **OTHER BUSINESS:**

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77 **Regional Impact** – Three applications have been submitted for the November 5 Planning Board
78 meeting: a site plan amendment for the Southern New Hampshire Medical Facility on Limbo Lane, a
79 site plan for conversion of an existing residence to a business at 82 Route 101A, and a lot consolidation
80 and lot line adjustment on Autumn Lane located in Amherst and Merrimack. The Board determined that
81 the three projects are not developments of regional impact.

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83 Arnie asked if there was a motion to adjourn.
84 Cliff made the motion with Gordon seconding.
85 Meeting was adjourned at 10:15pm.

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