

Official
As of 03/09/09

HOOKSETT PLANNING BOARD
WORKSHOP MEETING
MINUTES
HOOKSETT MUNICIPAL BUILDING - CHAMBERS
Thursday, January 29, 2009

CALLED TO ORDER

Chairman J. Gryval called the meeting to order at 6:30pm

ATTENDANCE

Planning Board:

Chairman J. Gryval, Interim Town Administrator C. Granfield, R. Guay, B. Ehlers, M. Sorel, Robert Duhaime, D. Marshall, Y. Nahikian, and Town Council Rep. Nancy VanScoy.

Excused: Vice-Chair J. McHugh, D. Dreffs, and D. Hemeon.

Zoning Board of Adjustment (ZBA)

Chairman C. Pearson, Vice-Chair Roger Duhaime, J. Levesque, and R. Bairam.

Excused: Town Council Rep. J. Gorton, R. Johnston, R. Savoie, G. Hyde, and T. Murphy-Roche

Conservation Commission

Vice-Chair S. Couture, and Planning Board Rep. R. Guay.

Excused: Chairman T. Johnson, P. Fitanides, D. Hess, J. Walter, C. Robertson, and Town Council Rep. D. Ross.

Representing the Town of Hooksett

Town Planner, Jo Ann Duffy, Code Enforcement Officer, Peter Rowell, and Stantec Engineer, D. Tatem.

2009 ZONING ARTICLES

ARTICLE 2

Amendment No. 1

Are you in favor of the adoption of Amendment No. 1, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to renumber Articles 29-35 and add a new Article 29 as follows: To create a new Article 29 Small Wind Energy Systems. *The purpose of this amendment is to regulate small scale wind turbines as defined in a new 2008 State law by limiting the height of such systems to 120 feet, to require them to be setback from property lines and abutting structures and to meet certain noise and shadow requirements.*

(Article 2, Amendment No. 1, continued)

The complete text of the 7-page amendment is on file for public viewing at the Town Clerk's Office and on the Town's Website.

J. Gryval: Received and read Article 2, Amendment No. 1 into the record. There is quite a bit involved in this amendment. I will ask Jo Ann to give us information on this.

J. Duffy: There was an RSA last year that past regarding wind turbines. I believe the State is trying to encourage them. We don't have something in our Zoning Ordinance for the maximum heights specific to that zone. There is no site plan, but would need regulations. Some towns have a height of 150 ft and others 120 ft. I chose 120 ft for Hooksett. If the height is less than 100 ft, they are ineffective. The process would go through the Building Department and the COE would review it. The only question for the Boards is where do you want to allow them? Do you want them throughout the Town or in certain zones?

J. Levesque: Shouldn't we put something for a drop zone? If there are setbacks from the property line, this would eliminate some properties from having them.

J. Gryval: Read more details into the record from the complete text of the 7-page amendment.

P. Rowell: Abutter's property 1.5 height setback from property line is 1.1. That in itself will limit the lots it can go on. A 100-130 ft tower; 1.1 setback.

J. Gryval: A specific footage?

J. Levesque: That is 12 ft.

P. Rowell: Tower plus 1 from the property line equals a 300 ft lot.

Robert Duhaime: We are in the Merrimack River Valley. Windmills down in the valley do not have much use. The top-of-the-hills are the ideal spots. It would not be a nuisance for neighbors, however Carriage Manor towers would be visible from Bear Brook State Park. You can see a windmill from quite a distance. Towns that skirt us may put them in and we would still see them. The height and view are more important than where you are going to allow them. If we have to have them, how many hills can they be on?

D. Marshall: Carriage Hill has 150 ft lot frontage. They could not meet the side requirements.

Robert Duhaime: For NH lake waterfronts, you can't cut trees within 25 ft from the house. You cannot ruin the scenery from the house. For the windmills, it would be the water tower plus a 120 ft windmill.

D. Marshall: The drop zone would be the low-density zone. I can't think of a medium-density zone that would have the frontage to have these wind turbines.

J. Gryval: You will need a large lot for these.

S. Couture: The Conservation Commission would be in favor of this as an alternative energy source. The Town of Hooksett could benefit from this. We do have some ridge-lines. An example is Quimby Mountain.

P. Rowell: I was trying to answer Robert's question. Another criteria is 35 ft above the tree canopy.

C. Pearson: I researched wind powered energy on a website. You plug in your address and it calculates if it makes sense for a windmill. The result from multiple areas in Hooksett is that there are no places it would be a benefit.

N. VanScoy: I also did calculations on the website and it came up with the same result.

Y. Nahikian: What is the cost of a windmill?

N. VanScoy: The cost is estimated at \$13,000-\$15,000.

D. Marshall: Full text for this amendment, section D.1.b correction for the tower height should be not to exceed 120 ft vs.150 ft. I see no reason it shouldn't go to the voters. We probably won't come up with any wind turbines.

P. Rowell: Jo Ann, another change is the Building Inspector should be Code Enforcement Officer (CEO).

Amendment No. 2

Are you in favor of the adoption of Amendment No. 2, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 26, Non-Conforming Uses ----- *Not yet completed – working with Bart on this one.*

The complete text of the amendment is on file for public viewing at the Town Clerk's Office and on the Town's Website.

J. Gryval: Received and read Article 2, Amendment No. 2 into the record.

J. Duffy: I tried to contact Bart today and yesterday. If I have anything before the hearing, I will send it out. I spoke with him on the phone and he is going to draft something for us.

Amendment No. 3

Are you in favor of the adoption of Amendment No. 3, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 10-A, US Route 3 Corridor Performance Zone by eliminating Map 41, lots 67, 68, 69, 70 and Map 45, lots 1, 87, 88, 97, 98, 99, 100, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 142, and by adding Map 41, lots 67, 68, 69, 70 and Map 45, lots 1, 87, 88, 97, 98, 99, 100, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 142, to Article 5-A, Urban Density Residential District.

The purpose of this amendment is to change the zoning of certain parcels located on Coaker Avenue and Francis Avenue from US Route 3 Corridor Performance Zone to Urban Density Residential District.

J. Gryval: Received and read Article 2, Amendment No. 3 into the record. These lots are one street up from the Rte 3 corridor. When we had strip zoning we went back 500 ft, but there are also homes there. They can't do much with their homes, because they are in the Performance Zone (PZ).

J. Duffy: Distributed zoning map for this amendment. There seems to be younger residents who want to restore their homes, but they can't because they are in the PZ. They can't appeal to the ZBA, because it is the Planning Board's decision within the PZ. For Coaker Avenue, one half could remain in the PZ and the other half rezoned.

J. Gryval: Everything has to go through Alice Ave. There are some businesses already up there that we would have to leave in the PZ. We would need to take out the residents from the PZ. The orange line would be the new line. To the right would be urban-residential and everything to the left is the PZ.

R. Guay: This is important in the resale of these properties. Mortgage companies do not like abandoned properties, until the zone is reverted back. Revert the zone for anything that does not front onto Rte 3, not just the residences; even the ones that front on Rte 3.

Lee Ann Moynihan, Building Dept. Adm. Asst.: What about lots 18 & 17 on Silver?

J. Duffy: I did not go in that area. I tried to stay in the area where most of the people had concerns. How far do you go with this? We can look at lots 53, 54, 17, & 18 to see what they are being used for.

J. Gryval: Just take the residences out of the commercial zone.

J. Levesque: Residences by the Alice Drive bank, are those people impacted by the PZ because they live on Rte 3?

J. Gryval: I don't know if they get taxed on the use or by the zone.

J. Levesque: What if they want to put a porch on the back of their residential homes?

J. Duffy: They can't right now.

J. Levesque: They should get relief too.

R. Guay: If there are residential lots in the PZ, they would need to come to the Planning Board for approvals.

J. Duffy: Their only recourse is to appeal to Superior Court. No one has challenged this.

R. Guay: It is grandfathered use.

J. Duffy: But they can't expand on this. Bedford has the same PZ and they don't have residential lots. Bedford said they do not allow expansion of residential in the PZ.

Roger Duhaime: Remember we had someone come into zoning and their complaint was they were never notified they had changed to the PZ.

J. Duffy: When the PZ was put in place, we rezoned all of Hooksett Road. They were only notified by public notice in the newspaper, not individually. There are so few residential lots affected by the PZ. In the RSA, you have to announce in the paper, but not formally to the landowner.

Robert Duhaime: The main reason for these lots in the PZ was we were hoping a developer would combine these lots. That's what we are hoping along DW Highway; less traffic in and out. Right now, these people are not on DW Highway, but they are still in the PZ. I can see why they would want relief with this economy.

Amendment No. 4

Are you in favor of the adoption of Amendment No. 4, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 29, Impact Fee Ordinance, Section F.8. to change the first sentence to read: "The total impact fee, as calculated from the applicable fee schedule, is to be assessed to the applicant if a new development is created on vacant land or on land wherein there has been a structure and/or use that has been vacated for a period of one (1) year or more."

The purpose of this amendment is to reference the applicable fee schedule, rather than the current fee schedule.

J. Gryval: Received and read Article 2, Amendment No. 4 into the record. We ran into problems with what impact fee schedule to use.

J. Duffy: The ordinance states to use the most current fee schedule. That is not the case. The fee schedule to use is the one applicable to the approval of the project.

Amendment No. 5

Are you in favor of the adoption of Amendment No. 5, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 18, Wetland Conservation Overlay District, Section C.2.8. Change Definitions, Prime Wetland Buffer: Shall be defined as that area extending seventy-five (75) feet outside and beyond the boundary of each prime wetland as described in Article 18-A Prime Wetlands to read: Prime Wetland Buffer: Shall be defined as that area extending one hundred (100) feet outside and beyond the boundary of each prime wetland. Also, change Section G. Special Provisions, Section 1. Prime Wetland Restrictions a) the seventy-five (75) foot buffer from the delineated prime wetland boundary shall remain in its natural, undisturbed state to read: G. Special Provisions, Section 1. Prime Wetland Restrictions a) the one hundred (100) foot buffer from the delineated prime wetland boundary shall remain in its natural, undisturbed state.

The purpose of this amendment is to change the prime wetland buffer from 75' to 100'.

J. Gryval: Received and read Article 2, Amendment No. 5 into the record.

J. Duffy: I think I would like to suggest that this be reworded to change the prime wetland boundary from 75ft to 100 ft and have the above wording as the full text backup. The State has changed to 100 ft.

S. Couture: That was the reason for the 100ft, to comply with what the State is requiring.

M. Sorel: I agree with the Town Planner, this is confusing and the voter will not know what they are voting on.

Amendment No. 6

Are you in favor of the adoption of Amendment No. 6, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 18, Wetland Conservation Overlay District, by adding Section G.5. Compensatory Mitigation Fee. *This purpose of this amendment is to require projects that have encroachment within a wetland setback or impacts to wetlands to pay a mitigation fee which would be used for the acquisition of or protection of wetlands.*

J. Gryval: Received and read Article 2, Amendment No. 6 into the record.

L. Moynihan: This fee is paid to whom and collected to whom?

J. Duffy: This fee is for anything the State does not collect. It is calculated by the Planning Dept. through an on-line website. It is collected by the Planning Dept., before the final sign-offs. It is kept in a conservation account, not a Planning account.

S. Couture: Referred to the full text for amendment No. 6 #5:

- b) mitigation fund payment calculator - the State has already gone through the process to create the calculations. It is a little bit conservative, but it is a good calculator for us to use.
- c) if DES is requiring mitigation, the Town will not have an additional mitigation (no double dipping).
- d) reword to state “set-aside in a separate conservation fund per RSA”

P. Rowell: There needs to be more wording for money coming to the Town and given to the conservation fund.

D. Tatem: One discussion item at the meeting with the developers was that they could not tell what all their fees were. Now the developer will know how much (with the calculator) and when to pay.

R. Guay: There is not enough information for me to say whether I am in favor or not. As a voter, if the fee is reasonable, I may be in favor of it. One of the things on our agenda is workforce housing. It is hypocritical to add more fees to the developer, who then passes it on to the consumer. If you want affordable housing in Hooksett, you can't have it both ways.

M. Sorel: What made this fee come up?

J. Gryval: The larger fees (10,000 sq ft or greater impact) is at the State level.

S. Couture: Hilltop Condos on Mammoth Road has 9,950 sq ft of impact. This is a significant impact. The developer purposely tried to minimize the impact, so they would not have to pay impacts. We lose functions and values. Yes it is going to be an additional fee. It is from an environmental perspective.

R. Guay: Maybe there should be exemptions.

S. Couture: Example, one single-family home with a driveway crossing.

J. Duffy: This may get the developers to get a little more creative to minimize impacts. Wetlands are helping with our flood controls.

J. Gryval: You could allow so many feet, before we charge an impact fee.

M. Sorel: We have used up a lot of favorable land. We have to come up with reasonable ways to save the interest of the Town. We need something. I don't disagree with Mr. Guay's argument.

Robert Duhaime: There are good benefits to the builder too.

J. Duffy: Open space saves the Town money.

J. Gryval: A single driveway for a single home should have no charge.

D. Tatem: Also, there should be more specifics for the driveway or access square footage.

Robert Duhaime: Steve, what would be the minimum square footage?

D. Tatem: The State is 10,000 sq ft. A single-family lot landowner who wants to build a house would not apply to the commercial access. What about an existing single-family lot? If not existing, it is part of a subdivision.

Robert Duhaime: Steve, could you speak with DES about this?

D. Tatem: 24 ft of impact is 40-50 ft long (1,200 sq ft). Do you want to say 1,000 sq ft or less will have no fee?

S. Couture: The language should be up to 1,000 sq ft for a pre-existing lot.

L. Moynihan: Every single lot is in a subdivision (i.e. Heron View).

J. Duffy: That example would be exempt.

D. Tatem: The State DES permit states there are no further impacts to this site.

J. Duffy: We need to get the wetland permit for Heron View. There is only way to get into this subdivision and it is through wetlands.

D. Tatem: Heron View was approved in 1991.

Robert Duhaime: So there has to be a wetland impact.

P. Rowell: It is the buildable area for a subdivision. Going forward, pre-existing lots would get the exemption.

D. Tatem: Ray, you had said the calculation can be confusing.

R. Guay: There should be a stated fee. You need to put in an example.

J. Duffy: The equalized value in the computer is \$19,987. On the Warrant, do you want an example in the amendment or something in the text?

J. Gryval: It would be easier if it is in the amendment. The voter will not read the text.

N. VanScoy: If the voter doesn't understand the amendment, they will vote no.

S. Couture: It is \$65,000 for recreation; 1.5 impact.

R. Guay: It is far less money to purchase wetlands, than it is to construct one.

S. Couture: There are a lot of variables in place. I went through the DES rule making process. It tends to lean toward the conservative value.

Amendment No. 7

Are you in favor of the adoption of Amendment No. 7, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to add a new Article 16-A Workforce Housing, adopted as an Innovative Land Use Control under RSA 674:21. *The purpose of this amendment is intended to make the Town compliant with a new State law that requires all municipalities to provide for reasonable and realistic opportunities for the development of Workforce Housing in their zoning ordinances. Failure to adopt an amendment may allow for developers to have their projects approved through the court system anywhere in town with little or no public input and without approval of the Planning Board.*

The complete text of the amendment is on file for public viewing at the Town Clerk's Office and on the Town's Website.

J. Gryval: Received and read Article 2, Amendment No. 7 into the record.

J. Duffy: Back in 2004, SNHPC examined thirteen communities for affordable housing in the area. The communities that have made the greatest strides towards providing affordable housing are Manchester (2,617 units), Derry (441 units), Hooksett (171 units), Goffstown (123 units), Bedford (51 units), Raymond (30 units), and Deerfield (20 units). Affordable housing is for moderate and low income. Hooksett has 4.73% of the region's share of affordable housing. It doesn't seem we have as much as we should. This ordinance, the way it is worded, we need to figure out what zones to have the workforce housing in. Multi-units are 3 or more units. In the workforce housing, 5 units or more would require sewer and water. Someone could come in and do a subdivision; under the density bonus. 20% of total units for workforce housing, 10 additional units at market rate, and get reduction of the size of the lots. The developer wouldn't make money off the workforce housing units, but they could make more units on the other end. Dan and I have been talking about this for days now. In mixed-use districts, only 2 allow for residential use. They have different categories for residential use. We probably don't want to look at mixed use this year. If we look at one thing, it will open up a can of worms on the other side. There are people who are really for this and people who are really against this. The Town Attorney for Goffstown was not clear on this. They did a small paragraph, but they did not meet the statute. This particular amendment needs to be clear and easy to follow. Bedford came up with a similar overlay district with MDR and their lot size and setbacks are smaller. This amendment, if you want to do it here, is your incentive. Deed restrictions are to be placed on lots for 30 yrs. Paperwork would need to be sent to the Town for rental housing each year, so that rents are in compliance. The Town would have to be more active on this, and it will result in more paperwork.

Some questions I have:

- (1) Where would you allow this in Town? Statute allows it to be in a larger area of the Town. For HDR, you can't just say that is the only place it can go. Look at the Town as a whole, some in LDR, some in MDR. Do want to allow this in the cluster ordinance?
- (2) The ongoing responsibility for resale and rental restrictions would be whose responsibility? I put the COE, but I don't know who that would be. All Towns are struggling with this right now. There is not a lot of help from SNHPC. I was hoping they would come up with the model ordinance.

L. Moynihan: If the voters vote it down, then what?

P. Rowell: Can you work this in similar to the ADA requirements?

D. Tatem: It is not mandated. They can get exceptions, if they go with workforce housing.

P. Rowell: They don't want in clustered, they want it scattered through Town.

R. Guay: You can't build workforce housing in Carriage Hill.

J. Gryval: A single owner occupied won't see 100% of the medium income for a 4-person household. Rental incomes are 60% for a 3-person household.

M. Sorel: When you back into the numbers, who qualifies (townhouses, garden style condominiums, or rentals)?

R. Guay: For a \$241,000 loan amount, the purchase price is about \$260,000. As of March 1st, the requirement will be a minimum 10% down and financing 90%. \$82,500 is the medium income.

C. Pearson: Is the State going to tell us we are out of compliance?

D. Marshall: At some point, they will tell us we are out of compliance.

L. Moynihan: How do they determine our inventory of housing under \$140,000 assessed value?

R. Guay: I am talking about any purchase price.

L. Moynihan: We only have 171 homes under this?

J. Duffy: The homes built since 2004, most are much higher in price.

R. Guay: Back out the accounting fee. They take out the condo fee.

J. Duffy: You can't just take the elderly into account. You have to consider families in this.

L. Moynihan: 171 new homes?

J. Duffy: The summary of Hooksett's 4.73% of the region's share of affordable housing is 74 elderly units, and 97 family units.

C. Pearson: What is acceptable?

J. Duffy: You need something in your ordinance for families.

D. Marshall: The Context is in front of us. We may want to put this off a year and wait and see what the State will do. Amend the wording on the ballot.

J. Duffy: The wording will be the shorter version.

D. Marshall: Considering we have eleven (11) of these amendments, it may be worth taking off the workforce housing for this year.

R. Guay: You would have to have water and sewer.

Robert Duhaime: In 2006, Neighborhood Works was looking closer to the Manchester area. I was surprised the reaction of residents "not in my neighborhood". You have to have water, sewer, and be closest to Manchester. Are there any buildable lots left there?

D. Tatem: The ordinance proposed is not workforce housing developments, but only a percentage.

R. Guay: Example, within a 20-lot subdivision, only 2 would be workforce-housing lots.

D. Tatem: The developer could have a bigger house somewhere else in the development. The developer would get fifteen (15) extra lots with the workforce housing incentive. WH. They would have bigger houses that would sell at a lesser price (i.e. \$260,000).

M. Sorel: I am concerned that we put something before the voters this year. I don't disagree with what Goffstown has done. They are at least providing something before the voters.

C. Pearson: Acting on a lot of gray area, people are going to come in and constantly fight.

M. Sorel: July 1, 2009 is the effective date.

D. Marshall: Maybe make it simple like Goffstown.

J. Duffy: Referred to revision details; it doesn't give any incentive of any sort.

M. Sorel: The RSA provides the incentive.

D. Marshall: The RSA does not provide the incentive.

J. Gryval: Is it in perpetuity?

D. Tatem: It is for 30 yrs. Pair it down for a 10% bonus. Be descriptive but much shorter.

C. Pearson: If voters vote this down, we don't know what will happen.

D. Marshall: It would have to include a statement that it is a State law requirement.

J. Duffy: Failure to adopt the long version, may allow developers to go through the court. The short version is the better option.

M. Sorel: Use Goffstown's format. The purpose of this amendment is to comply with the new State law. We have to comply.

J. Duffy: Goffstown's article does not say they comply.

C. Granfield: Make it comply, but make it simple. You may have to change it for next year.

D. Marshall: Reduce it to one page. This is a test vote. If they pass it in simple version, then we can amend it next year.

J. Gryval: It is mandated. What choice do we have?

Roger Duhaime: The cell tower, we couldn't just tell them they couldn't have it. We had to give them the reasons. Make it simple. In the meantime, we are trying to be compliant with the State law.

M. Sorel: Moderate low-cost housing is entry-level housing (townhouses or garden style condominiums). We need to put something on the ballot, so it is not exposed.

Robert Duhaime: Jo Ann, work it and we will look at it again.

Amendment No. 8

Are you in favor of the adoption of Amendment No. 8, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 25, Section G., Permit Time Limits to read: Any work, for which a permit has been issued by the Code Enforcement Officer, must be actively pursued within six (6) months and must be

completed within eighteen (18) months of the issuance of the permit. The Code Enforcement Officer, on timely application by the applicant/owner, may extend the permit for not more than twelve (12) months. The extension may not be approved, if the exterior of the building is not fully completed or safety issues exist.

The purpose of this amendment is to include a time limitation for completion of work.

J. Gryval: Received and read Article 2, Amendment No. 8 into the record.

P. Rowell: The time limits on some of these project go on forever. The time limits are not very clear. Start the project within 6 months, or the permit is null and void. Complete the project in 18 months, or it is null and void. For an extension, it should be in a timely manner, before or shortly thereafter the 18 months. It has to be completed on the outside, not just Tyveked or the roof undone. Safety issues are always a concern.

J. Gryval: Change timely application to 18 months.

M. Sorel: The original draft had 12 months for completion.

P. Rowell: This is a broad timeframe. This is also going to cover a Walmart or a Lowes project.

Y. Nahikian: Do you just repay the permit fees, or if undone, do you have to go back before the Planning Board?

Robert Duhaime: Do you pay a penalty?

J. Gryval: What happens if he doesn't complete the project?

P. Rowell: We would go to court. The RSA states we can charge \$275.00 per day.

D. Tatem: Should there be language that for unfinished work, there is a daily fine of "X" dollars?

P. Rowell: If you don't comply with RSA 657, it is understood cross the board.

Y. Nahikian: What about subdivisions that are started but not completed?

P. Rowell: This only covers building permits.

C. Pearson: The health and financial hardship of the individual should be considered.

P. Rowell: Any decision I make, can be appealed to the ZBA.

D. Tatem: If it is not started, then Peter could pull the building permit.

P. Rowell: If it is finished on the outside, we may extend their project for a small fee.

N. VanScoy: There should be language that it may not be extended for more than 12 months.

Roger Duhaime: It is all in enforcement. There has to be some type of deadline.

P. Rowell: Something concrete, if the 2 ½ yrs runs out and they have been doing work, we may make exceptions.

B. Ehlers: Ongoing projects are grandfathered in.

Y. Nahikian: As long as the outside is 100% complete, then they are taxed by Assessing.

Amendment No. 9

Are you in favor of the adoption of Amendment No. 9, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 22, Definitions, add a new definition: Accessory Use – A use which exists on the same lot and which is customarily incident and subordinate to the principal use and a new definition for affordable unit: **Workforce housing/owner occupied:** housing which is intended for sale and which is affordable to a household with an income of no more than one-hundred (100) percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located, as published annually by the United States Department of Housing and Urban Development, and as made available by the Hooksett Community Development Department. **Workforce housing/renter occupied:** rental housing which is affordable to a household with an income of no more than sixty (60) percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located, as published annually by the United States Department of Housing and Urban Development, and as made available by the Hooksett Community Development Department. Housing developments that exclude minor children from more than twenty (20) percent of the units, or in which more than fifty (50) percent of the dwelling units have fewer than two bedrooms shall not constitute workforce housing for the purposes of this subdivision.

The purpose of this amendment is to add a new definition named Accessory Use to the Zoning Ordinance and replace the existing Affordable Unit with a new definition for Workforce Housing to coincide with the new Workforce Housing Ordinance definition.

J. Gryval: Received and read Article 2, Amendment No. 9 into the record.

J. Duffy: There are three new definitions to Article 22. The “purpose” definition in our ordinance is for an affordable unit. This is when Phil Hare did the phasing article. The phasing requirement does not apply to affordable units. Affordable no longer works with what they just came out with for workforce housing.

J. Gryval: The wording is the same as workforce housing.

J. Duffy: Replace it with the new language. Take out all of this wording here and put it in the back-up text and say accessory using, workforce housing owner occupied, and workforce housing rented.

Amendment No. 10

Are you in favor of the adoption of Amendment No. 10, Section I, Buffer Zone to read: Whenever a commercial lot abuts a residential use, zone or district, a buffer shall be provided, subject to the approval of the Planning Board; and amend Article 10-A, H.3.(f).4. Screening and Buffering required for adjoining residential properties (a)-(g) all references to residential district and boundary be changed to residential use, zone or district; and Article 11, Section D., Buffer Zones, to read: Whenever an Industrial District lot abuts a residential use, zone or district, a buffer shall be provided, subject to the approval of the Planning Board; and Article 12, G., Buffer Zone, Article 13, Section H.2.(d), Article 14, Section G., Buffer Zone and Article 15, G., Buffer Zone to read: A natural vegetated buffer zone of seventy-five (75') shall be maintained between any abutting State highway. Whenever a commercial lot abuts a residential use, zone or district, a buffer shall be provided, subject to the approval of the Planning Board. The buffer shall not be less than twenty-five feet (25') in width and shall be planted with a dense screen of shrubbery and trees not less than six feet (6') in height at the time of planting. In order to maintain the dense screen year-round, at least fifty percent (50%) of the plantings shall be evergreens. Existing natural growth may be included as part of the screening. No penetration of this buffer zone shall be allowed. With the approval of the Planning Board, a suitable combination of other elements may be incorporated within the buffer.

The purpose of this amendment is to consistently include a 25' vegetated buffer between any commercial and industrial use and any residential use.

J. Gryval: Received and read Article 2, Amendment No. 10 into the record.

J. Duffy: Right now, it is a zone in most places. We thought if we say "use" or "zone" wherever it says buffer, we would be consistent. Most people think you need a buffer for the use, but it is for the zone. This one should be rewritten and have all this as backup and shorten it.

Robert Duhaime: Jo Ann, industrial lots all have to have a buffer anyway. You are saying there are loop-holes?

D. Tatem: This protects the residences in Hooksett, even if they are not in a residential zone.

Amendment No. 11

Are you in favor of the adoption of Amendment No. 11, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Article 10-A, Table of

Performance Zone Sign Standards, amend Identification Sign (Building) for buildings with more than two tenants with multiple floors.

The purpose of this amendment is to address the size of signs when there are multiple tenants in a building.

J. Gryval: Received and read Article 2, Amendment No. 11 into the record.

D. Tatem: The Zyacorp project (Cinemagic) is big building way off Rte 3. It was OK to allow a larger building sign. In Article 10-A and 20-A, you have 4.25 x linear feet away from the road. The building sign is only 32 sq ft, if it is not 150 ft or more off the road. It makes sense for a one or two tenant unit building. An example is Hooksett Commons. It is 300 ft off of Rte 3. Those signs can be 70 sq ft. Luckily, they put a background on their façade for building signs. Those signs could have all been 70 sq ft. You could not restrict one or two unit buildings, but restrict multi-units (3 or more). The building mounted sign can only be 40-50 sq ft. Remember, these buildings will have a big sign out on the road. The only thing we haven't come up with yet, is it safer not to have a calculator but have a specific footage?

J. Duffy: When you come up with that number, you multiply x the number of tenants. The front of the façade of the building for Hooksett Commons, limited them for their signage.

D. Tatem: Be more consistent knowing there is a sign out front.

C. Pearson: I like 32 sq ft.

D. Tatem: Any building with more than two tenants, separate the public entrance 16 sq ft. Two floors are dedicated with a 12 ft entrance. This would be a note, multi-units with 150 ft away from road equals 32 sq ft signage. You are doubling their building signage.

Y. Nahikian: A 1,000 sq ft tenant will have the same sign as a 10,000 sq ft tenant? The impact fees are higher for a 10,000 sq ft building. Why is he only allowed the same size as a 1,000 sq ft tenant?

D. Tatem: The Ninety-Nine Restaurant or Zyacorp (Cinemagic) lot size does not matter. The signage must be 32 sq ft. You should be consistent for each unit vs. the lot size.

Y. Nahikian: I was referring to building square footage. Zyacorp (Cinemagic) sign by the road is very small. And the Lowes' sign is in a detention area.

D. Tatem: Your ordinance allows the sign to be 10 ft high. Lowes chose to go lower. Cinemagic was allowed a 96 sq ft sign. The other Cinemagic lots cannot have any signs.

M. Sorel: Right now it is allowed to have a 70 sq ft sign if the building is 300 ft back from the roadway. Now we are proposing reducing to half of that to a 32 sq ft sign.

J. Duffy: This is something we added into the ordinance last year. We weren't thinking of Hooksett Commons. That building got chopped up. No one came in and asked for a 70 sq ft sign.

M. Sorel: My position on signs is clear. They sell products. Our sign ordinance is restrictive. I don't think a 70 ft sign down to the proposed 32 sq ft sign is progressive.

C. Pearson: I have traveled to other states, and the community adapts to the signage. In DC and the suburbs, they have beautiful small signs. The sign is probably 32 sq ft. The aesthetically pleasing signs will sell the product as much as the grotesquely large signs.

M. Sorel: I make the argument to this Board, people coming before the Board now are not being treated like those grandfathered sites. I don't disagree with you on those sites along the East Coast. We are now trying to create from something we already have. I don't see it as beneficial to the Town of Hooksett.

P. Rowell: Have you looked at a divider? The farther back you go, the larger the sign becomes. Example, if they are 500 ft from the road, give them a chance to have a larger sign.

L. Moynihan: How is the distance from the road determined?

J. Duffy: Wherever the frontage is. If it is on a corner, it is the roadside.

L. Moynihan: Is the distance on the side sign the same criteria for the front sign?

Roger Duhaime: We are taking without giving them anything. It is all for the benefit of the Town. When in the PZ, they can't get a bigger sign. It is all for the benefit of the Town. These people are not getting notified. We had someone coming before us who wanted relief for their backside. In the PZ, if you have a residential property, you get no relief.

J. Gryval: If you're in the PZ and residential, then you won't have a sign. I am one who is not in favor of littering with signs.

Robert Duhaime: For the Whitney House, we had to limit the tenants on signage. Some people will abuse signage. The plaza has a narrow area on the Hooksett Road side. The City of Conway has been changing their shop signage to limit the signs. If you are looking for them, you will find them. Limiting signs will not injure everybody.

C. Pearson: Was there any decision on the last one about the signage size?

D. Tatem: For less than 150 feet from the roadway, requirements will stay the same. For Over 150 feet, multi-units (3 tenants or more) the signage will be 32 sq ft. The Ninety-nine Restaurant got a waiver; they took down their pylon sign and went with a monument

sign and allowed 2 ft higher. It is not a hard fast rule. If there is a circumstance, they can go to the Board.

M. Sorel: The waiver granted for the Zyacorp (Cinemagic) sign took the allowable square footage for the site. The two front lots are paying taxes on lots with no signage.

OTHER

J. Levesque: Read Article 7 Elderly, Older Person, and Handicapped Housing, General B.1.d) into the record. The ZBA and Planning Board should meet jointly when possible. The applicant should meet informally with both Boards, before a special exception application decision is made. Referred to Article 24 Board of Adjustment, our plans and submittals were lacking, but we were still heard them. Before they apply, they should propose their need separately or jointly to both Boards. The Planning Board should (not shall) have a joint meeting. There should be no barrier. There is no formal route of communication.

New Town Council Rep. to Planning Board

M. Sorel: I would like to welcome our new member to the Planning Board, Nancy VanScoy.

Thank you to ZBA & Conservation Commission

J. Gryval: I would like to thank the ZBA and Conservation Commission for participating in this workshop tonight.

*R. Duhaime motioned to adjourn at 8:45pm. Seconded by M. Sorel.
Vote unanimously in favor.*

ADJOURNMENT

Chairman J. Gryval declared the meeting adjourned at 8:45pm.

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator