

**Unofficial
As of 01/26/10**

**HOOKSETT PLANNING BOARD
WORKSHOP MEETING
MINUTES
HOOKSETT MUNICIPAL BUILDING - CHAMBERS
Monday, January 25, 2010**

CALLED TO ORDER

Chairman J. Gryval called the meeting to order at 6:08pm

ATTENDANCE

Planning Board:

Chair J. Gryval, Vice-Chair D. Marshall, Town Administrator, C. Granfield, M. Cannata, F. Kotowski, J. Mudge, Town Council Rep. N. VanScoy, D. Hemeon, and Robert Duhaime (arrived 6:55pm).

Excused: B. Sullivan.

Absent: Y. Nahikian.

Zoning Board of Adjustment (ZBA)

R. Bairam, J. Levesque and Town Council Rep. J. Gorton.

Conservation Commission

D. Hess, J. Turbyne, 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.

2010 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 amend Articles 4, 5, 5A, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 height requirement, which currently reads, "building height shall not exceed thirty-five (35) feet when a Hooksett Fire Department ladder truck is unavailable. If a Hooksett Fire Department ladder truck is available, no building shall exceed seventy-five (75) feet in height." The new language shall allow for a maximum building height of forty (40) feet OR thirty-five (35) feet (NEEDS FURTHER DISCUSSION WITH BOARD) in all zones for residential use, forty-eight (48) feet for multi-family in all zones allowing multi-family use and forty-eight (48) OR seventy-five

(75) feet (NEEDS FURTHER DISCUSSION WITH BOARD) for all commercial and industrial uses where allowed.

The purpose of Amendment No. 1 is to reduce the height of the maximum building allowed for residential and multi-family projects from 75' to 35', 40' and 48'?????

J. Duffy: Height of buildings – was 35 ft in height unless the Town owned a ladder truck, then it could be 75 ft in height. The reason height was submitted was for Cigna. They wanted to build 75 ft high, and the Town at that time did not have a ladder truck. I looked through the ordinance and 75 ft (7-story city type building) is not the intent to have in Hooksett. I asked Yervant, Peter and Dan for good height. Yervant said 35 ft residential, 48 ft multi-family, commercial or industrial. Peter said 40 ft residential and 75 ft for commercial and industrial.

D. Marshall: What is the definition of multi-family?

P. Rowell: I didn't separate for multi-family. It doesn't make a difference whether 40ft or 75 ft.

J. Duffy: The Brookview Sr. Housing project was an issue with height. The project was next to single house lots and the project was towering above those lots. I just want feedback of what the Board prefers.

D. Marshall: Definition of multi-family?

J. Duffy: 3 units or more.

D. Marshall: Including townhouses?

J. Duffy: Apartments, condos or buildings with 3 or more units, but no more than 24 units.

D. Marshall: Granite Hills are all attached to each other, are those multi-family? Limit those to 48 ft, or 40 ft or 35 ft. We would need to check the height on some of those.

D. Tatem: How many commercial buildings in Town are over 48 ft.? If we broke it out residential 35-40 ft, 48 ft restrictive in commercial zones. If commercial is abutting residential use, something different like 48 ft or like that.

J. Duffy: I checked ordinances in different towns. There were no 75 ft for commercial or industrial, they were all in the high 40s.

F. Kotowski: Is this issue about aesthetics or about fire safety?

J. Duffy: We have a fire ladder truck now.

F. Kotowski: So it is not a fire issue, it is an aesthetic issue.

C. Granfield: We would need to know how many are out there, and see if there was something so out of line.

J. Duffy: More important is the reason not to allow 7 ft high buildings in residential areas.

C. Granfield: That I would agree with, but not for commercial.

D. Hemeon: 75 ft is not very high.

J. Duffy: For residential Peter suggested 40 ft. and Yervant recommended 35 ft. What about residential?

P. Rowell: 40 ft for residential.

D. Tatem: It is calculated by the highest horizontal gable or slope of a pitched roof. The Zoning Ordinance and Development Regulations are different.

P. Rowell: It is the average ground level to the ridge. A 2-story building with 10 ft floors with a pitched roof quickly adds up to 35 ft.

J. Duffy: What about multi-family? Yervant doesn't want the height beyond 48ft.

D. Hemeon: So that would be 2 stories.

P. Rowell: With a flat-pitched roof, you could get 4 floors.

D. Marshall: I suggest 40 ft for residential, 48 ft for multi-family and leave 75 ft for commercial and industrial.

P. Rowell: Or they could come for a variance through the ZBA.

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 3 to add a new Section Q to read: The keeping or raising of livestock and poultry is only permitted in the low density district? However, it is also not permitted in any Conservation Subdivisions. Livestock and poultry shall include, but not be limited to: cattle, goats, sheep, swine, horses, buffalo, bison, llamas, alpacas, emus, ostriches, yaks, elk, deer, chickens, turkeys or guinea fowl.

The purpose of Amendment No. 2 is to restrict the raising of livestock and poultry to the low-density residential district.

J. Duffy: Currently there is nothing in our zoning ordinances for farm animals. Without anything it is assumed it is permissible. A lot of people all of a sudden are buying chickens to raise. There are 3 ways to look at it: 1) don't do anything because there are not too many problems, **OR** 2) put forward some language, **OR** 3) other stretch is to mirror the Town of Bow to be very restrictive to include requiring indoor coupes.

D. Hemeon: The LDR has 200 ft of frontage?

J. Duffy: Yes. Right now chickens are everywhere. What about all the people who have them now and say they are grandfathered? How do you enforce that?

D. Hemeon: Do we have a lot of goats and chickens?

P. Rowell: Not a lot, but there are chickens in places you would be surprised.

C. Granfield: From past experiences, we need something in our ordinances. Someone may move next to an existing property that has 3 goats. If we don't have a huge problem now, we should be proactive to minimize future problems.

P. Rowell: We should disallow except for the LDR zone. NH is an agricultural state. If this is not outlined in our ordinances, then it is assumed it is allowed.

J. Duffy: I also added that it should not be allowed in open space.

D. Marshall: This only refers to livestock not agricultural. I would be OK to restrict this to LDR.

N. VanScoy: I don't think I would agree with it. There are horses on the corner of Pleasant St. and Merrimack St.

J. Gorton: It would be applicable only to LDR. My mother-in-law owns property on Rte 3A with 100 acres of land in the MDR zone. It seems ludicrous that they can't raise livestock.

D. Marshall: If your mother-in-law decides to sell and now she has 50-60 lots, every one of those lots would be allowed to have livestock because it would have been pre-existing on the entire property. If we don't add this ordinance, we could have 50 lots with livestock.

J. Gorton: I wouldn't have a problem with that.

P. Rowell: There should be acreage criteria and have the ZBA sort it out.

C. Granfield: Size is important. You wouldn't want ¼ acre lot.

D. Hemeon: I recommend we take this ordinance off for this year.

J. Gryval: We will take it off for this year.

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 add a new Article 16-B for a Mixed Use Village District, which will encourage a blend of residential, personal services and small scale commercial, office, financial and medical uses consistent with the character of a village center.

The purpose of Amendment No. 3 is to create a new zone for the "Village" area of town. This zone will allow for a mixed-use of residential and small-scale businesses.

J. Duffy: We formed a committee several months ago. We started to try and put a map together of what we thought would be the Village area. The committee members include Jack Munn & Mary Brundage from SNHPC (around the table tonight), Alden Beauchemin (in audience tonight), Nancy VanScoy, Kathie Northrup, John Gryval, Eileen Ehlers, and Heather Shumway. SNHPC is here to present what we have come up with so far and to see if we can present to the Town voters.

J. Gryval: We are one of a few towns without a town center. This is a great idea.

J. Duffy: We propose converting some zoning to allow more mixed uses and small businesses. Someone may live in the same building as a doctor's office. The first step is to change zoning.

J. Munn: Hooksett needs a Village Center. We completed a study from the Master Plan 2004 Village Center recommendations. The committee worked through 4 proposed zoning districts. The idea is to combine all 4 zones. The committee thought about an overlay district, but thought it was easier for a new zoning district similar to the Rte 3 PZ district. This new district would allow case-by-case waivers by the Planning Board. There is also an amendment to have a Conditional Use Permit (CUP) that provides additional safe guards for neighbors on Main St., and Merrimack St. The Planning Board can attach conditions as they see fit to protect those areas. This opens doors for mixed use, but safeguards with the CUP and waivers with the Planning Board.

P. Rowell: Do we put it in as written or tweak it?

J. Duffy: Page 7 definitions, those definitions will go into Article 22. Development Regulations design criteria is in the Development Regulations not the zoning ordinances.

P. Rowell: One thing I noticed is the lot size for ability for city water and sewer. All parcels should be city water and sewer.

D. Marshall: Page 5, the max building height is different in this zone.

J. Duffy: Residential 45 ft, and commercial 48 ft.

J. Munn: We should tie it into the same exact height from the first amendment discussed tonight.

J. Turbyne: Some have square feet and others don't for use when others are not limited.

J. Gryval: This is for smaller sections like a barbershop, instead of something larger that would take up the entire district.

J. Turbyne: Be consistent on some size limitations.

J. Munn: A small-scale commercial 3,000 sq ft limit is permitted use. The applicant has the right to go to the Building Dept. for a permit. Something larger in size of more impact, those would need a CUP.

D. Marshall: The idea is to keep it small in this district to maintain an old center district. At least in this area to have it quaint.

P. Rowell: A theater would be allowed, but keep it small.

D. Marshall: There is still flexibility this Board can give.

J. Munn: It is case-by-case with a CUP for size.

D. Hemeon: What is URD?

J. Duffy: Urban Residential District.

M. Cannata: Visuals should be available once the amendment is posted.

P. Rowell: Has there been a reduction in parking for this district?

J. Munn: Yes. We will add on at the end of the process. Parking is on the sides or behind the buildings.

P. Rowell: We need adequate parking. There are only 3 lots over 2 acres. The rest is owned by the Town or Boston & Maine Railroad. The lot size will limit what can be developed.

J. Gryval: The consensus is to leave this ordinance in.

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 the definition for Accessory Building and add definitions for Bed and Breakfast, Conditional Use Permit, Farmer's Market, Personal Service Establishments and Small Scale Neighborhood Oriented Retail in Article 22?

The purpose of Amendment No. 4 is to amend the definition of Accessory Buildings and add five new definitions.

J. Duffy: This is for Article 22 to add definitions. It is what Jack suggested for the Village District and accessory buildings that Peter suggested. I don't know if Peter has any concerns with what I wrote.

P. Rowell: Accessory, this would allow 600 sq ft. Currently we consider accessory under 200 sq ft; like a shed. The setback is 4 ft. A 2-car garage needs to meet the setback of the zoning district. All setbacks from 4 ft to 10 ft for up to 600 sq ft. What do we call a swimming pool? To date we call it an accessory.

J. Gryval: Is 17 ft too high?

P. Rowell: Are we dropping down 600 sq ft?

D. Hemeon: 24' x 24' is just under 600 sq ft. You would want it a little higher in case someone may want to have a lift in his garage.

P. Rowell: 4 ft for an accessory building. I have been telling people 12' x 12' shed or a swimming pool would require a 4 ft setback. 200 sq ft is a good size. The Building Code doesn't cover anything under 200 sq ft.

D. Hemeon: You could put in a 200 sq ft shed as long as you have a 4 ft setback.

J. Levesque: 30 ft wide you meet the setbacks.

J. Duffy: Change from 600 sq ft to?

J. Gorton: 250 sq ft?

J. Gryval: 200 sq ft?

J. Duffy: 200 sq ft with a 10 ft setback.

P. Rowell: 25% of the yard area can be occupied with accessory. We are talking front and side setbacks. The lot coverage should have some percentage. I don't know if this is the place to put it.

D. Tatem: We are putting into the Development Regulations.

P. Rowell: If you are controlling the lot coverage, it should be in the zoning ordinances.

D. Tatem: Is there anything now in the zoning ordinances for lot coverage?

P. Rowell: Cluster and elderly housing.

D. Tatem: I don't think impervious coverage is in the zoning ordinances.

M. Cannata: Storage trailers, any play in this amendment for various sizes?

P. Rowell: As long as they are registered, they count as a motor vehicle. If not registered, then it would be this ordinance.

M. Cannata: Seems like a need for clarification.

J. Gryval: I know a guy who put two 40 ft trailers together and is running a body shop. Drop it down to 200 sq ft with a 10 ft setback.

D. Marshall: Have the CUP consistent with others in the ordinances.

J. Duffy: Lot coverage was taken out of the 2008 zoning ordinances and put into the Development Regulations.

P. Rowell: The 25-30 ft front setback, often times the accessory cannot be located in the front line of the primary structure, so the accessory is in the back of the home. This ordinance would allow accessory in the front of the house.

J. Duffy: We can add that accessory structures shall not be located in front of the primary building. Then we would want a definition of a primary building. The rest of these definitions are for the Village. CUP, we don't currently have a definition. Farmers Market?

P. Rowell: Define Farmers Market as either indoors or outdoors?

J. Munn: It could be both.

D. Tatem: Peter, in your experience, are they ever too big for where they are having them?

P. Rowell: If they were to become huge with 40 vendors, we could have the Planning Board look at it.

J. Munn: We talked about this recently. Attract people back to your center. Have some informal review of the use. Add under permitted uses, maybe with a review by the

Planning Board. It is time for the Planning Board to say permitted use or CUP. Some may be so small and just need a quick approval by the Planning Board. Others may be larger and can generate a lot of traffic and may require some type of plan with vendor locations.

C. Granfield: My only concern is that I have never heard of anyone going to the Planning Board for approval of a farmer's market. Typically it is organized through the Town Administration. It is operational before the Town.

J. Duffy: This is not in the ordinance for any other district, just the Village district.

J. Munn: You could easily separate it out under permitted use.

P. Rowell: Special event permit?

C. Granfield: To me that is more like that process.

F. Kotowski: With a farmer's market concept, the Town knows day-to-day who is doing business in the Town. You would want to know "who I am". Some permitting is needed.

J. Munn: A business license.

J. Duffy: In this case, a special event permit.

M. Cannata: If it is not limited, is that an invitation to deteriorate its intent?

J. Munn: It has to be agricultural.

P. Rowell: There is a lengthy definition in the RSA.

J. Duffy: Take out CUP for Farmers Market and put it as permitted uses in the Village District.

J. Gryval: And take out "not" limited to agricultural.

J. Duffy: The Village is for personal establishments; small scale retail neighborhood.

J. Turbyne: Are these definitions town-wide?

J. Duffy: Yes, but they are only mentioned in the Village District.

J. Turbyne: A double stall garage is not an accessory structure.

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 Wetlands Conservation Overlay District, Section E. Special Exceptions, to allow for the relief from the wetland forty (40) foot buffer if certain guidelines are met; change the language of “Conservation Commission approval” to “Conservation Commission recommendation” and to require a Wetlands Functions and Values Assessment for impact to the wetlands and wetland buffers.

The purpose of Amendment No. 5 is to allow for a special exception for impact to the wetland buffer, and require a Wetlands Functions and Values Assessment for all wetland impacts.

J. Duffy: Currently if infringement of a wetland itself, you would need a special exception from the ZBA with prior comments from the Planning Board and Conservation Commission. For any impact to the wetland buffer, you would need a ZBA variance and this is tougher to get. It is suggested that both wetland issues be on the same level and changed to special exceptions (no variance). For relief of impact to a wetland buffer or wetland, you would need a wetland’s functions and values assessment to the ZBA and share with the Conservation Commission. Rather than the Conservation Commission approving, they are only recommending. Approval is by the ZBA. The Conservation Commission doesn’t have the authority to approve. For full definitions, see pgs 4 & 5. I shared some information with Steve Couture on a special exception vs. variance, and providing an analysis to Boards before the ZBA acts on the special exception. I will send him the final language tomorrow.

C. Robertson: We did send Steve this and he and the Conservation Commission would prefer to retain the approval vs. just a recommendation.

J. Duffy: The ZBA is the actual body who approves the final variance or special exception with the Conservation Commission’s recommendation. The Board that is approving is not the Conservation Commission. The Conservation Commission only has authority to recommend. This amendment wasn’t intended to take away anyone’s rights.

D. Hess: This doesn’t grant the Conservation Commission the right to approve the special exception, it just gives the Conservation Commission the right to approve and then give to the ZBA. 6 of 8 Conservation Committee members have verbalized their concern on this amendment. The Conservation Commission has the expertise for wetlands, and as long as no abuses, we want it kept how it was.

J. Duffy: I just wanted it to be clearer. Did Steve have any comments with the rest of it?

D. Hess: Section II of the next page, again after looking from planning flexibility, the ZBA after consulting with the Conservation Commission changed from “may” to “shall” do an investigation.

D. Hemeon: Shall means it has to be done?

J. Duffy: Yes.

D. Hess: Yes, a wetlands function value.

D. Tatem: We have a wetlands and wildlife specialist from Maine in our office. I will submit a letter to the Conservation Commission tomorrow to inform them when we would require the study. An example would be 12 house lots, and the Conservation Commission taking over the open space.

D. Hess: If the zoning ordinance says “shall”, they have to do it. You can’t delegate that to a subsidiary document.

P. Rowell: Access ways, etc. is a limited special exception.

J. Duffy: To include a special exception for the buffer.

P. Rowell: Lump the two together for impact to the wetland and the buffer. A 10 ft impact into the buffer zone, if left as “shall” this would require a function value. Leave that up to the ZBA.

J. Gryval: Put back to “may”.

J. Duffy: A couple of lines toward the bottom, the Planning Board assesses other investigations. I changed this to the ZBA. I am not sure why the Planning Board was listed there in the first place.

D. Hess: For statutory authority, the Planning Board assesses such costs. The ZBA is not expressly in the statute. Many ZBAs have done it without rejection. The Planning Board is the only land use agency with specific authority to impose it.

J. Duffy: Can we say the Planning Board **AND** ZBA?

D. Marshall: How about “the Planning Board at the request of the ZBA”.

D. Tatem: #9, last sentence granting relief . . . functions and values should not be compromised. Shouldn’t that be “minimally” compromised?

F. Kotowski: What is minimal? Who defines?

D. Tatem: To State for impact, cross wetland here for “X” impact.

C. Robertson: “will not be compromised to the least possible intent”.

D. Ross: You will impact the wetlands to some extent.

D. Marshall: “will not be significantly compromised”.

D. Tatem: “compromised to the least extent possible”.

D. Ross: I would like to see the Conservation Commission have the determination. Their interest is to protect the wetlands. The other Boards rely on their recommendation or not for approval decisions. The Conservation Commission is not a statutory authority to approve, but we do have authority with Town Boards. We can't put restrictions on the Planning Board.

P. Rowell: Dan, doesn't the State ask for recommendation from the Conservation Commission on the Dredge and Fill?

D. Tatem: Yes.

J. Duffy: But not for a wetland buffer. The State doesn't require it.

C. Robertson: We would like the ZBA only to be able to do the special exception, but only with the Conservation Commission approval.

R. Duhaime: I am all for the Conservation Commission members wanting more input. It would not be compromised as long as the ZBA doesn't approve something the Conservation Commission doesn't want approved.

P. Rowell: For minimal impact crossing, the State will allow the use of the property. People need to make improvement to their property.

J. Duffy: For impacts to wetlands or wetland buffers have both as a special exception. Before either one decided upon by the ZBA, have the functions and values study completed and determine what the Conservation Commission would want.

D. Ross: Changing what is required from “may” to “shall” for the environmental impact assessment, are you now changing the requirement?

J. Duffy: Now it is very broad. There is no definition for an environmental impact study. I will rework this ordinance and e-mail it out to everyone. We don't have another workshop meeting scheduled. We added to the Feb 8th Planning Board agenda to finalize zoning ordinance language.

D. Hess: We will get comments to you by Feb 4th ; Conservation Commission meets on Feb 3rd.

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 7? Elderly, Older Person and Handicapped Housing, Section A.3.c), All handicapped housing, whether stand alone or as part of elderly or older person housing, should comply with the design requirements of the Architectural Barrier-Free Design Code for the State of NH, as amended and licensed by the appropriate state agency to now read: “All handicapped housing, whether stand alone or as part of elderly or older person housing, should be ADA compliant”, and to amend Article 7.B.3.a) to replace a density of six (6) dwelling units per acre overall for a single development to a density of three (3) dwelling units per acre overall for a single development.

The purpose of Amendment No. 6 is to require all handicapped units to be ADA compliant and to reduce the density of elderly, older person and handicapped housing to three units per acre.

J. Duffy: This is the outcome of Jensen’s to change language to “shall comply with architectural barrier design” vs. ADA.

D. Marshall: ADA has no voice over single-family homes. All handicapped housing will address all requirements associated with any residential property.

J. Duffy: We should leave that alone. Now 6 units per acre, years ago it was 10 units per acre. Multi-family regular housing is 1 unit per acre or 6 units per acre for elderly. 10 acres = 10 units regular multi-family housing or 60 units elderly. 20 acres = 20 units regular multi-family or 120 units elderly. I want to decrease to 3 units per acre, basically cutting it down in half. We have seen so many 55 yrs + housing; 525 units are approved but may not all be built. We are higher than other Towns in the area. Higher than Manchester and Londonderry.

D. Marshall: No problem with changing density. I am still confused with the first part. Our regulations currently say ADA compliant and that is where we had a problem. Should it be an architectural barrier free design code?

J. Duffy: It now says an architectural barrier free design code. ADA is not for single-family homes.

J. Gryval: Jensen’s agreement was they would not do ADA. They are doing “Easy Living” and we were going to drop ADA from the ordinance because it doesn’t apply to single-family.

P. Rowell: Easy Living is a certification program.

D. Marshall: Does Easy Living meet the architectural barrier free design code from the State of NH? We should at least comply with the State.

D. Tatem: 10% of the units are required to be ADA compliant.

D. Marshall: We need 10% to be the architectural barrier free design.

J. Gryval: We need to know if Easy Living meets the architectural barrier free design.

D. Tatem: Do you just change the 10%?

J. Duffy: Change 10% ADA to 10% architectural barrier free design.

D. Marshall: Is Easy Living recognized by any State or is it private?

D. Ross: An article with more than one question from a voter? Then you would get a single answer for two questions, and the two answers might be different. Separate the article for the barrier. If you don't, the vote may not be what you want.

J. Duffy: I was told to keep articles at a minimum.

D. Ross: More than one question in one article seems deceptive. It is not wise to do that.

D. Marshall: I agree with David. Someone may vote not in favor of the density. I would rather have two articles standing on their own.

J. Gryval: The rep. from the Governor's office on ADA said she would help us write the ordinance.

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 amend Article 16-A, Workforce Housing to add a new Section D.1.a? to include general criteria for Workforce Housing, and amend Section B. Requirements, and remove Section F. Relationship to other ordinances and regulations.

The purpose of Amendment No. 7 is to amend the Workforce Housing Ordinance so that it is compliant with the State Statute.

D. Hess: I am prime sponsor of a bill that seeks to amend and revise the current workforce housing statute. Once a builder gets approved for workforce housing, they get a waiver of the density requirement. This allows the builder to reduce the footprint, so that there are more units at a reasonable price. The current law has nothing to prevent a developer to flip and use units at the highest and best use. Section 8 housing, condos on the Manchester line, after 3 years they made a 150% profit. There is nothing in the law to

flip housing. The proposed amended bill would allow the Planning Board to put restrictive covenants for up to 20 yrs duration.

D. Marshall: Do we do anything now or wait for the State again? One developer said so many units of workforce housing would be “affordable”. His price was \$250,000 per unit. Where is the affordability in that?

D. Hess: I agree with you completely. Adopted in current law, your current inventory may be decided in whether or not you have to approve more workforce housing. Hooksett may already have its fair share.

P. Rowell: The Board needs to have some type of study to see if we already meet the workforce housing criteria. The RSA is not clear on what is enough.

D. Marshall: SNHPC did an inventory already.

P. Rowell: They didn’t do it all; only the rent control units.

D. Marshall: In demographics, they did the whole Town. Now they need to pull data out of that.

J. Duffy: It is the fair share for the region, not just a town. Last report completed 5 yrs ago said Hooksett doesn’t have ample housing. At the first meeting Feb 8th we will review it. The ordinance in place now doesn’t address anything about density or certain criteria the way the whole mechanism works. The Planning Board sees a plan and may approve it with conditions. If the developer doesn’t feel they can build it because of conditions, they have 30 days to come back to the Planning Board. There are no density or setbacks. We have seen 3 applications, all 100% workforce housing. Most towns have density requirements that if you build 20 units, you get a density bonus of 15% if workforce housing. We have none of that. Today I had conversations with Atty. Buckley and Steve Keach who just came out with the workforce housing guide booklet. We leave the Town open without this ordinance.

D. Marshall: This ordinance also doesn’t address density. Repeal what we have.

J. Duffy: If we don’t have ample workforce housing, they can require we have it.

J. Gryval: We don’t know how much workforce housing we already have. We don’t know what our fair share is.

D. Marshall: So claim we have our fair share and let them prove otherwise.

P. Rowell: I think the Planning Board can set what the fair share is. I agree with Mr. Marshall to repeal it.

J. Duffy: The Town of Bedford hired someone like Bruce Mayberry to evaluate.

P. Rowell: We have values in our assessing office. I have counted up 400-500 units that would qualify under workforce housing.

J. Duffy: These are not section 8 housing.

P. Rowell: All manufactured housing is affordable. We have 200 manufactured housing units.

J. Duffy: A lot of those are restricted to elderly.

P. Rowell: We have Manchester Manor.

D. Marshall: And we have Granite Hills will many units available under \$200,000.

J. Gryval: I thought the deed restriction was in perpetuity.

J. Duffy: The deed restriction is per the Planning Board for workforce housing.

D. Marshall: Right now we have unlimited authority for workforce housing.

J. Duffy: In the RSA, it states the workforce housing guidelines have to be spelt out in our ordinance. What you have before you is what we put together for general criteria. We couldn't come to a conclusion on the density bonus. Dan worked on this today. I also asked Steve if I could meet with him again.

D. Ross: We need some kind of ordinance to deal with workforce housing. In MA, once they got their approvals, they then built mansions.

D. Marshall: We have our hearing on this on Feb 22nd.

J. Gryval: We are not ready for this.

P. Rowell: What are we going to do if we can't work through Jo Ann's changes? We should repeal and wait for State changes and the study.

D. Hess: I am not sure you have a 2 yr moratorium. SNHPC determines affordable housing. Do a list of your fair share.

J. Gryval: What do we do with the ones already applied for?

P. Rowell: If we look carefully, we will be able to show we have our fair share.

F. Kotowski: What are SNHPC numbers?

P. Rowell: I don't think SNHPC counts housing like the RSA defines it. The girl I spoke with Friday said it is deed restricted. The RSA doesn't count existing housing stock that way. We have Carrington Farms and manufactured housing.

J. Duffy: They also take into consideration new housing and that far exceeds workforce housing. Applications we have for workforce housing now would fall under the current zoning ordinance. The applicant at Granite Hills, they will need a lot of variances.

D. Hess: Statue says, if you already have your fair share, then you don't have to accept anymore. Jo Ann's approach is the safest approach. Do the study. If the study finds we have sufficient inventory, then we don't need to accept more.

M. Cannata: Is there a grace period?

D. Hess: No grace period, effective January 1, 2010.

OTHER

Ravenwood

J. Duffy: Ravenwood went to court last week. The Planning Board denied continuances. Steve Keach's wife got sick and he filed an appeal to explain the reason why he needed another continuance to the Planning Board. The Judge had no problem with the Board continuing before Steve Keach's wife had an issue. I got the feeling that because it was a family emergency, the Planning Board should have allowed him to explain himself. There is no decision by the Judge yet. What I walked away with was that we should have something in our ordinance that there should only be "x" amount of continuances and that is it.

D. Marshall: At the end of the 90 days, we should deny without prejudice for the following reasons, instead of wasting our time for 2 yrs.

Kiwanis Trail System

F. Kotowski: I am the president of the Kiwanis. The last few years we have been working on the trails project in Hooksett. MS&G Carriage Hill trail project was put in very quickly. Unfortunately the aggregate was heavy stuffy blasted out of the roadway for Carriage Hill. The stuff is coming up and it is tough to walk and bike on. We are approaching the STATE DRED for money. We need funds for drainage work, and aggregate on top. We will get a good cost on gravel through MS&G. We are looking for support as agent for the Town to apply for a grant.

D. Marshall motioned to send a favorable letter to New Hampshire Department of Resources & Economic Development Division of Parks & Recreation - Bureau of Trails in support the Hooksett Kiwanis Club's continued development and maintenance of the trail system within the Town of Hooksett. Seconded by N. VanScoy. Vote unanimously in favor.

Thank you to ZBA & Conservation Commission

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

*N. VanScoy motioned to adjourn at 8:05pm. Seconded by R. Duhaime.
Vote unanimously in favor.*

ADJOURNMENT

Chairman J. Gryval declared the meeting adjourned at 8:05pm.

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator