

Official
As of 04/05/10

HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING - CHAMBERS
Monday, February 22, 2010

CALLED TO ORDER

Chairman J. Gryval called the meeting to order at 7:15pm.

ATTENDANCE

Chair J. Gryval, Vice-Chair D. Marshall, Town Administrator, C. Granfield, M. Cannata, J. Mudge, Town Council Rep. N. VanScoy, D. Hemeon, and Y. Nahikian.

Excused: F. Kotowski and R. Duhaime.

Absent: B. Sullivan.

Representing the Town of Hooksett

Town Planner, Jo Ann Duffy, and Stantec Engineer, D. Tatem.

J. Gryval: Alternates Jack Mudge and Yervant Nahikian are voting tonight.

2010 PROPOSED 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 in all zones for residential use, forty-eight (48) feet for in all zones allowing multi-family use and seventy-five (75) feet in all commercial and industrial zones.

The purpose of Amendment No. 1 is to modify building height for residential, multi-family and commercial/industrial use. Residential building height would increase by 5', multi-family building height of 24 units or less would increase by 8', multi-family building height of more than 24 units would decrease by 12', and commercial/industrial building height would remain the same.

Open 1st Public Hearing

No comments.

Close 1st Public Hearing

D. Marshall motioned to remove Amendment No. 1. Seconded by C. Granfield.

N. VanScoy: Did I miss something? Why are we removing this amendment?

D. Marshall: Per Town Attorney recommendation.

Vote unanimously in favor. Amendment No. 1 removed.

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 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. 2 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 in order to begin to recreate the Village as the center of the community.

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

Proposed Change for 2nd hearing based on meeting w/residents

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 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 (REMOVE)** and medical uses consistent with the character of a village center. **(ADD) The full text of this Ordinance, along with a District boundary map, will be available for inspection at the Community Development Department, Town Hall; and at the polling station.**

The purpose of Amendment No. 2 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 in order to begin to recreate the Village as the center of the community.

J. Gryval: We had a meeting last Thursday night with the Village District residents. We will be making changes to Amendment No. 2 based on that meeting and will have a 2nd public hearing on March 8, 2010. We will have Q&A’s from the Board first, then have Q&A’s from the public.

D. Marshall: We are looking at the paperwork dated February 19th on the bottom.

J. Duffy: Tonight's hearing is for the Amendments that were advertised before we met with the Village District residents. As a result of the meeting with the residents, I have made changes for a 2nd public hearing. We modified boundaries. Also for some of the uses, they thought it was maybe too intense for the "Village". For uses that were permitted under the Conditional Use Permit, we are recommending the following be removed: banks and other financial institutions, commercial theaters and halls, & membership clubs and gyms, and private recreational facilities, hotels, motels, tourist courts, cabins, including retail businesses within these buildings which are conducted for the convenience of the residents or guests. Uses that remain could be carried out in a Village and not be detrimental to the residents. I spoke with Jack this evening, 2 things added: full text – map would become part of adoption of district.

Y. Nahikian: The map we have in front of us?

J. Duffy: You have the revised map that is taking out sections of the proposed mixed use Village District, as a result of the meeting last Thursday with the Village residents.

Open 1st Public Hearing

Dick Sullivan, 7 Morgan Dr.: A multi-family is no more than two units on an acre. What is a unit?

J. Gryval: One living unit.

Mary Farwell, 24 Grant Dr.: Under the CUP section it doesn't have a size for a restaurant.

J. Duffy: At a previous meeting, it was no more than 5,000 sq ft for a bank, 6,000 sq ft for a gymnasium, and no comments on the size of a restaurant.

M. Farwell: I have a concern if someone were to take down a couple of houses and throw in an Applebee's. Another question, what is a public utility facility?

J. Duffy: What are they called Jack?

Jack Munn, SNHPC: Transformer stations.

M. Farwell: The maximum height is 48 ft; is that correct?

J. Duffy: 48 ft for commercial and 40 ft for residential.

M. Farwell: How many floors is that?

J. Duffy: 48 ft would be about three stories.

M. Farwell: 3-story commercial buildings in this district seem too high to keep the “Village” character.

D. Marshall: We had not more than 5,000 sq ft for the original restaurant size. The question is do we want to keep it or not?

J. Gryval: It was debated the other night and the conclusion was it was OK.

Y. Nahikian: 5,000 sq ft is too big for a restaurant. Also, I agree with Mary that 48 ft is too high. With a flat roof that gives you a 4-story building.

J. Duffy: At the last meeting they chose 48 ft. In other parts of town 48 ft is for a multi-family. 40 ft was going to be the change for the rest of Town; now it is 75 ft because we have a ladder truck.

Y. Nahikian: 75 ft is too high and 48 ft is too high.

J. Gryval: It should be for something like a tea room, but not a large restaurant.

J. Duffy: Yervant, what do you recommend for sq ft for a small restaurant?

Y. Nahikian: Maybe 3,000 sq ft total.

D. Sullivan: You are dropping this amendment for a revision. 75 ft is allowable in the MUD.

J. Gryval: The Village District is another district by itself to allow for small types of commercial businesses.

D. Sullivan: Is the 75 ft height precluded?

J. Duffy: Currently you can have a 75 ft high building. What this ordinance does is change to 40 ft for residential or 48 ft for commercial.

D. Sullivan: Then the 75 ft would not come forward.

D. Marshall: That is the reason we dropped amendment #1. Our attorney said we could change each district or have a general provision change. Every district can have its own limitations.

D. Sullivan: Would it be difficult to police?

D. Marshall: No, because there would be a building permit. 40 ft for residential, and 48 ft for non-residential. For the Village: 1) sense of community and center of Town, and 2) keep the character as it exists. To do this, we don't want to extend the height of the buildings. My suggestion is 40 ft for all, no 48 ft, and cut restaurants down to 3,000 sq ft.

Joan Lydon, 7 Morgan Drive: Why include Main Street? You have the church to Rte 3, Town Hall, and ball fields.

J. Gryval: We took away the area from the river, because it was too narrow. This area is feasible. Is the circle in front of the church Town owned?

D. Hemeon: It was deeded to the Town when they changed the road. The cul-de-sac is the Town's.

J. Lydon: Are you proposing getting rid of ball fields and the cemetery? Also there is a 55 yr + community.

J. Gryval: Not the whole area, just sections. Naturally you won't change the cemetery and ball fields.

J. Duffy: We included the Town land, Town Hall, and the fields as part of the overall Village.

J. Lydon: Why? It leads to something happening to the ball fields.

J. Duffy: One thing as a permitted use is to have a Farmer's Market down on the fields.

J. Gryval: The Town offices are in the Village district.

Vincent Lembo, Jr., 56 Main St.: The fields?

D. Hemeon: The 19-acre lot just across from your house is State owned. The Town has an indefinite use. North of the pin is Town owned.

D. Marshall: Public utilities can be included in the Village. The State fields are restricted, but could be included in the Village.

V. Lembo: Is the finished floor area the whole base?

D. Marshall: It is the whole footprint of the building.

J. Gryval: That should be clearer; total floor vs. finished floor.

D. Hemeon: For the 40 ft height restriction, Robies is over 40 ft. What if it burns down?

D. Tatem: Rebuild for same use and size.

J. Duffy: And build within one year.

M. Cannata: After a year?

J. Duffy: They would have to conform to the new zoning and need a variance through the ZBA.

David Marston, 1614 Hooksett Rd: I am generally in favor of the Village district. This is just one step in a continuing process. A Village district is for people who feel like walking. The idea is to have some place to park in the Village and walk around to do different things. I hope we can keep the long-range goal in mind. This is a new zone. See how people react over the next 10 yrs. Look at how the Master Plan is doing. I participated in the Village Charette a few years ago. We should not be scared of density. I would be arguing for setbacks overtime to allow people to walk throughout the Village.

M. Farwell: What is the distinction between permitted use vs. conditional use (CUP)?

J. Gryval: Permitted is OK to do now. For the CUP, they would have to get the Planning Board's permission.

M. Farwell: The site on Rte 3A south of the traffic light is very close to the road with the west side having a cliff. Someone may take one of those houses and use it for professional offices. What if someone wanted to put Dr. office there?

J. Gryval: If a home now then a Dr. office, they would have to come here.

D. Sullivan: What is multi?

J. Duffy: 3 or more.

D. Sullivan: If I wanted to put up 10 apartments on a site that would carry it?

J. Gryval: You would be over the 3 limit in this district's permitted use and you would need a CUP, but the Planning Board would not give permission.

M. Cannata: If the projected Dr. office comes in, they come in with series of needs that do not exist now (parking, handicapped, amount of spaces, flow). They would have to come to the Planning Board and maybe wouldn't even be able to do it.

M. Farwell: There is a limited stretch based on the topography.

J. Duffy: 3 or more is a multi-family, but you have to come in for a site plan and would need to meet requirements.

J. Duffy: Setbacks are different in that area.

J. Duffy: An MDR site with municipal water and sewer allows multi-family now.

D. Sullivan: Cap?

J. Duffy: No cap, 2 units per every 2 acres are allowed.

N. VanScoy: For the height concerns, we talked about peaks.

Y. Nahikian: The height is limited to the peak of the building. If a flat roof, 40 ft high is enough.

N. VanScoy: It would come to the Planning Board Aesthetic Committee.

Y. Nahikian: I don't know how the Aesthetic Committee can enforce something if different than zoning. For the Village district, why was the portion by the river excluded?

J. Duffy: The meeting last week with residents, they were a very vocal group who did not want to see this area rezoned. The lots are small with no parking and they didn't want to see businesses there.

Y. Nahikian: The lots being small makes it better use for pedestrians and on the river. Maybe less residential and have small shops and docks along the river. An image in 10-20 years.

J. Gryval: Yervant, as an architect, was do you recommend for the height and area?

Y. Nahikian: A couple of weeks ago we said peaks should not exceed 35 ft.

D. Tatem: Minimum pitch?

Y. Nahikian: 7 ft pitch.

C. Granfield: What would be a comparable building in this area?

Y. Nahikian: Most 2-story buildings.

D. Tatem: 35 ft to peak with pitch, just say "building height 35 ft to peak with a pitch of 7/12".

Y. Nahikian: You shouldn't make a distinction between residential and non-residential.

D. Marston: There are two churches in this district.

J. Gryval: Size of the buildings?

Y. Nahikian: The more you put lots together, there is no Village character. I think we should put a restriction of how many lots.

D. Marshall: Restaurant size? 5,000 sq ft is excessive, 3,000 sq ft would be better.

D. Tatem: 3,000 sq ft gross?

Y. Nahikian: Restrict height and how many seats.

D. Tatem: Is storage in the basement considered within the 3,000 sq ft? I wouldn't think a basement would count.

J. Duffy: That's why we said finished floor area, but you just said to use total floor area.

D. Tatem: Gross floor area with storage exempt?

J. Duffy: What is the definition for gross floor area?

Y. Nahikian: 2,000 sq ft finished (for seating area) and 3,000 sq ft gross.

M. Farwell: What is the final language?

J. Duffy: Gross floor area does not include storage.

D. Sullivan: A take-out restaurant doesn't have seating.

J. Gryval: The district excludes drive-ups, but doesn't exclude take-out restaurants.

D. Sullivan: There are a dozen Chinese restaurants within 10 miles that have take-out with a lot of traffic.

D. Tatem: Sit down 2,000 sq ft, but total 3,000 sq ft. If only hand over counter with no sit down, then 3,000 sq ft. Regardless, they need to provide a site plan to the Planning Board and would need on-site parking.

D. Sullivan: What about a large take-out restaurant with no drive-up?

D. Tatem: What is the concern with that?

J. Gryval: The issue is the size of the building, not the volume.

M. Farwell: This is a big room and is about 2,000 sq ft. What would be the parking requirement for a 2,000 sq ft building?

D. Marshall: Look at the McDonald's parking lot. The parking there was required for that building.

V. Lembo: What is the sq ft of the floor area?

D. Marshall: He might have to find the lot for frontage.

J. Duffy: If he had a 3,000 sq ft restaurant, he would need 55 parking spaces.

D. Marshall: Understand we made some change in height, size, and outline of the Village district. This goes to another hearing on March 8th and we cannot make any changes then. If you have other things you want changed, do it now and don't wait.

Phyllis Lembo, 56 Main St.: I was recently driving through Merrimack where there have been church closings. Now one of their churches is a martial arts studio. That could happen here.

V. Lembo: What is the space required for a daycare?

D. Marshall: Not with us, just within State regulations.

V. Lembo: The Holy Rosary Church could become a private school, daycare, or kindergarten?

J. Duffy: All of those are regulated by the State. They require so much sq ft per student and play area. They would have to come in for a site plan.

V. Lembo: Private school, they could tear down the church and build a 3-story building there.

J. Duffy: They would have a height restriction.

J. Lydon: Pg 6 signage paragraph (b) size and free-standing, could someone clarify that for me?

J. Duffy: The final copy has 12 sq ft and 24 sq ft.

Peter Farwell, 24 Grant Dr.: Is there any thought of a limited # of lots to combine? In Kennebunk Maine there are very nice restaurants along the water. I suspect there will be a purchase of several lots. Would you lose the environment of the Village if 5 lots were purchased?

J. Gryval: We can limit frontage, but not lot sizes.

P. Farwell: Couldn't limit to 7 lots?

D. Marshall: Common sense, you would need 7 willing sellers all at the same time. That just won't happen.

P. Farwell: As the river progresses towards being clean, that whole area can come back with river boats, etc. If someone came along with a good price, it would be a good deal and run with it.

D. Marshall: Main St. to the river, the Town would have to sell, railroad would have to sell (not going to happen), other side of river north of traffic light that splits down by river would have to sell. Then there are the State environmental services "Shoreland Protection" with a lot of requirements.

P. Farwell: If you take out the railroads and cemetery, there is not a lot of land left.

N. VanScoy: The maximum sign area should read a clearer sentence - pg 6 (d).

M. Cannata: One side 24 sq ft signage, frontage is the key. What about a side sign?

J. Duffy: They can only have one sign.

N. VanScoy: Why are you removing areas of the Village? This district was to allow mixed use along Main Street. We should go back to the intent of the district.

J. Gryval: We received a lot of resident comments that the lots were small.

J. Duffy: We wanted to be somewhat accommodating, so as to not lose the whole thing. The residents were very vocal not to include the area along Merrimack St. Like Yervant said, get something in there and look at it in the future. The residents are having a hard time trying to accept there may be a business next door. I can understand that. A lot of residents didn't want to see anything near their homes at all.

Close 1st Public Hearing

D. Marshall motioned to delete the Merrimack Street and east side of Main Street sections from the Village District parcel boundaries map. Seconded by N. VanScoy. Vote in favor. Y. Nahikian opposed. Motion carried.

D. Marshall motioned to adopt Article 16-B as proposed tonight. Seconded by N. VanScoy.

Y. Nahikian: The Village district should be something different than Hooksett Road. You want to create something different in the historical area. I understand concerns from residents on Merrimack St. If they want residential, the Village district is not residential. Village is mixed and that is what makes it alive. A 20 ft setback is a lot if you want to make it for pedestrians and keep the character and landscaping of the Village.

J. Gryval: If it is an area you expect people to be walking, 20 ft seems a lot for the Village area.

D. Marshall: In that area, the ROW is narrower. 20 ft of public ROW with a sidewalk = 16 ft to the building. Commercial 15 ft ROW then 9 ft to building. This makes a tighter unit.

J. Lydon: You could also do wider sidewalks.

J. Gryval: If we allow too much frontage, people will start parking in the front of the building.

M. Cannata: At the last meeting, didn't we state when someone votes in opposition of a motion, they need to state why?

J. Gryval: We discussed it, but didn't vote on it.

Vote unanimously in favor.

D. Marshall motioned for a 2nd hearing on Amendment No. 2. Seconded by N. VanScoy.

Vote unanimously in favor. (2nd hearing March 8, 2010)

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 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, Definitions, and to change the side and rear yard setback of accessory buildings from four (4) feet to ten (10) feet and from "no closer than sixty (60) feet" to "must be located at or behind the front building line of the primary residence or structure" in the low density residential district, medium density residential district, urban residential district and high density residential district?

The purpose of Amendment No. 3 is to amend the definition of Accessory Buildings by defining size, location, height, etc., to change the setback of accessory buildings and to add five new definitions to Article 22.

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

J. Duffy: Peter asked we remove accessory building and add into another article. There is a definition in Article 22. Peter would like to have it in actual residential zones. The new Amendment No. 8 would stand as its own article.

J. Gryval: I like an accessory building not being allowed in the front of a building.

D. Marshall: The Town Attorney comment on Amendment No. 1, what he is essentially telling is why amend something in five articles when they can be made in one article as a general provision or in a definition.

J. Duffy: Currently there is language in there in black. Peter asked we amend the same section in all residential zones to read this other way. This ordinance is so old, last time it was amended was 1989-1990. Carol previously mentioned codification.

C. Granfield: Through codification, there will be a legal review of conflicts.

J. Duffy: It would be nice to have a table of uses. The way it is written now it is so confusing and hard to find anything. I worded this the way Peter asked for it.

D. Marshall: If you take out Amendment No. 3 now, you would have to insert a new Amendment No. 8 for a 2nd hearing, but this will only get one shot.

J. Duffy: I sent this amendment to Peter, but didn't hear anything back.

D. Marshall: He had the same information at the workshop. Why wasn't it cleared up then?

Open 1st Public Hearing

No comments.

Close 1st Public Hearing

*D. Marshall motioned to reword Amendment No. 3 as printed tonight and have a 2nd hearing. Seconded by N. VanScoy.
Vote unanimously in favor. (2nd hearing March 8, 2010)*

*D. Marshall motioned for a 1st hearing on Amendment No. 8. Seconded by N. VanScoy.
Vote unanimously in favor. (1st hearing March 8, 2010)*

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 18 Wetlands Conservation Overlay District, Section E. Special Exceptions, to allow for the relief from the wetland forty (40) foot buffer through a Special Exception, providing that a Wetlands Functions and Values Assessment for impact to the wetlands and wetland buffers may be required.

The purpose of Amendment No. 4 is to allow for consideration of a special exception from the Zoning Board of Adjustment for impact to the wetland buffer, which may also require a Wetlands Functions and Values Assessment for all wetland impacts.

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

J. Duffy: Our attorney agreed and said this article is reasonable.

Open 1st Public Hearing

No comments.

Close 1st Public Hearing

D. Marshall motioned to send Amendment No. 4 to the voters. Seconded by N. VanScoy.

Vote unanimously in favor.

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 7, Elderly, Older Person and Handicapped Housing, Section B.3.f), “Within any elderly or older person housing developments, a minimum of ten (10) percent of the dwelling units shall be compliant with the requirements of the Americans with Disabilities Act (ADA) to now read: “Within any elderly or older person housing developments, a minimum of ten (10) percent of the dwelling units shall be compliant with the design requirements of the Architectural Barrier-Free Design Code for the State of NH”,.

The purpose of Amendment No. 5 is to require ten (10) percent of the units within an older person/elderly project be designed to meet “Barrier Free” codes for architectural purposes.

J. Gryval: ADA has no jurisdiction over private dwellings, however we still want to maintain 10% “barrier free”.

Y. Nahikian: What good does it to make 10% elderly or handicapped if the units are sold to other people who don’t need that?

D. Tatem: Two developers agreed to the ADA. The other developer agreed to have the “barrier free” design have available. This provides housing units available for both parties and more inventory of “barrier free” housing units in Town.

Y. Nahikian: They are not keeping units for the handicapped?

D. Marshall: They will automatically build 10% “barrier free”. With ADA, they would not build unless a purchaser asked for it.

M. Cannata: Will there be a deed restriction for resale?

J. Duffy: It will be noted on the plan and the Building Dept. tracks it.

D. Hemeon: You will see more developments like Jensen’s.

J. Gryval: We should ask they have the units throughout the development and not just in one area.

D. Marshall: “Barrier free” is a selling point.

Open 1st Public Hearing

No comments.

Close 1st Public Hearing

D. Marshall motioned to send Amendment No.5 to the voters. Seconded by C. Granfield.

Vote in favor. D. Hemeon opposed. Motioned carried.

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.B.3.a) to eliminate: “The Zoning Board of Adjustment may allow a density of six (6) dwelling units per acre for a single development. Soil conditions, slope, the suitability of the land for such construction, or its location may dictate less than the maximum density” and replace with: “The Zoning Board of Adjustment may allow a density of three (3) dwelling units per acre for a single development. Soil conditions, slope, the suitability of the land for such construction, or its location may dictate less than the maximum density”.

The purpose of Amendment No. 6 is to reduce the density of elderly, older person and handicapped housing from six (6) units per acre to three (3) units per acre.

Gerry Holleran, 42 Whitehall Road: You need 4 acres to do elderly housing. In the MDR or HDR, you would be allowed to put 12 units on 4 acres. Isn't that you require 4 acres a deterrent? How many parcels do we have that are 4 acres of MDR & HDR? The baby boomers, born 1946 – 1964, are just coming into the elderly age group. Sooner or later the market works things out.

J. Gryval: Elderly housing is a great thing, but you also need housing for the younger generation. This restricts from 6 units to 3 units per acre.

Open 1st Public Hearing

G. Holleran: The Board just approved the Holt project.

J. Gryval: That is workforce housing not elderly.

J. Duffy: In 2006 the Town had 4.1% age restricted housing. This was the 2nd highest, with Raymond being the highest at 4.5%. Since 2006 we have added 255 new units (some built) and we are now at 10%. We really do have quite a bit compared to surrounding towns in our region.

G. Holleran: I can understand that, but we will still need housing for old folks. They add to the community and don't stress the school system.

M. Farwell: Amend the last sentence #6 to include elderly language.

J. Duffy: We can add elderly language to 7.b.3.

M. Farwell: What is the regular old multi-family housing density?

J. Duffy: 2 units for every 2 acres. It was 15 units per acre, then we cut it back last year or the year before to 6 units. Funding for the elderly has dried up. No one can get funding, because it is based on the economy. Right now there are no new elderly projects coming in.

M. Farwell: Merrimack Heights for example would need more acres?

J. Duffy: HDR cannot exceed 12 units per acre with municipal water and sewer.

M. Farwell: Mixed use district like the Library?

D. Marshall: Is residential permitted in mixed use?

J. Duffy: Yes in some of the mixed use.

J. Gryval: Is the library mixed use 1 or 2?

J. Duffy: It is mixed use 2.

Close 1st Public Hearing

D. Marshall motioned to add 7.b.3 language and send Amendment No.6 to the voters.

Seconded by M. Cannata.

Vote in favor. D. Hemeon opposed. Motioned carried.

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 replace Article 16-A, Workforce Housing, with new verbiage to be consistent with the State Statute?

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

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

J. Duffy: This is for workforce housing. Our attorney's comment is that he likes it.

J. Gryval: We need to conform to the current State statute.

J. Duffy: Our attorney thought it is reasonable and liked the requirement by Steve Keach (read from Town Attorney letter dated February 22, 2010). There has been a lot of discussion among Board members that we have our fair share. SNHPC hired Bruce Mayberry to do a regional assessment. I sent Peter's assessment data to Jack Munn at

SNHPC and he found a lot of flaws with it. Jack suggested SNHPC provide us an assessment based on our assessing data. SNHPC will have a report for you prior to our next meeting. They don't get into rental units in their housing stock. If you feel strongly about the possibility of pulling off the workforce housing ordinance, because you think we have enough, I put in a new Amendment No. 9. If you don't have Amendment No. 9 and you pull off Amendment No. 7? You still need to put forward Amendment No. 9. I recommend you go along with what Steve Keach proposed for the wording of Amendment No. 7.

J. Gryval: SNHPC just did an analysis for Derry.

J. Duffy: You need something to back this up in court.

D. Hemeon: Jo Ann, have you checked with Bedford, Manchester, or Allentown?

J. Duffy: Bedford and Londonderry have one.

D. Hemeon: I would be curious to see Bedford's.

J. Duffy: Steve Keach got involved this year when NHHFA hired him to write the workforce housing handbook.

C. Granfield: You mentioned SNHPC just did an analysis. Does Derry have one?

J. Duffy: Some towns went forward last year when they said you have to put something in your books on workforce housing.

Open 1st Public Hearing

No comments.

Close 1st Public Hearing.

D. Marshall motioned for a 2nd hearing on Amendment No. 7. Seconded by N. VanScoy.

Vote unanimously in favor. (2nd hearing March 8, 2010)

Amendment No. 8

Are you in favor of Amendment No. 8, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to amend Articles 4, Low Density Residential, 5, Medium Density Residential, 5A Urban Residential and 6 High Density Residential, E.5. to read: On any lot, an accessory building greater than 200 sq ft may be erected and maintained only with building setbacks in accordance Sections 1,2,3 and 4 of this item. An accessory use structure, less than 200 sq ft and no higher than 17', may not be constructed within 10' of the property nor between a line drawn parallel to the street and passing through the closest edge of the primary building.

The purpose of Amendment No. 8 is to amend the setback requirements for accessory buildings.

*D. Marshall motioned for a 1st hearing on Amendment No. 8. Seconded by N. VanScoy.
Vote unanimously in favor. (1st hearing March 8, 2010)*

Amendment No. 9

Are you in favor of Amendment No. 9, as proposed by the Hooksett Planning Board, for the Hooksett Zoning Ordinance to eliminate Article 16-A, Workforce Housing Ordinance.

The purpose of Amendment No. 9 is to eliminate the Workforce Housing Ordinance that was adopted in 2009, since it appears that Hooksett has their fair share of Workforce Housing.

*D. Marshall motioned for a 1st hearing on Amendment No. 9. Seconded by N. VanScoy.
Vote unanimously in favor. (1st hearing March 8, 2010)*

OTHER

House Bill 1395 – Workforce Housing

D. Marshall: This bill is sponsored by Rep. Hess and makes various changes to the workforce housing requirements. What is reasonable “fair share”? Is it what the developer believes is reasonable? The court will need to determine. We still have a problem with workforce housing with words like “substantial” and “reasonable”. These words need definitions.

*N. VanScoy motioned to adjourn at 9:05pm. Seconded by C. Granfield.
Vote unanimously in favor.*

ADJOURNMENT

Chairman J. Gryval declared the meeting adjourned at 9:05pm.

Respectfully submitted,

Donna J. Fitzpatrick
Planning Coordinator