



SALISBURY PLANNING BOARD

Planning Board – Public Meeting April 4, 2011 Meeting Minutes

Joe Schmidl, Chairman	- Present	Raymond Deary – Alternate	- Present
Doug Greiner – Vice Chairman/Secretary	- Present	Stacia Eastman – Alternate	- Absent
Al Romano - Member	- Absent	Ella Thomas – Alternate	- Absent
Anne Ross-Raymond – Member	- Present	Vacant – Alternate	- N/A
Karen Sheldon – Selectman Ex-Officio	- Present	April Rollins, Planning Assistant	- Present

Visitors that signed the Sign-In Sheet: Matt Monahan (CNHRPC), Ken Ross-Raymond, Pete Ballou and Bill MacDuffie

Chair Schmidl opened the meeting at 7:04 p.m. and appointed Ray Deary to act as a voting member in Al Romano’s absence.

NEW BUSINESS

Review and approve the meeting minutes of March 7, 2011 – The Board reviewed the March 7, 2011 draft meeting minutes. Ray Deary made a **motion** to approve the meeting minutes of March 7, 2011 with amendments. Selectwoman Sheldon **seconded** the motion and the **motion passed unanimously**.

Nomination of Chair – Doug Greiner made a **motion** to nominate Joseph Schmidl as Chair of the Planning Board and Ray Deary **seconded** the motion. The **motion passed unanimously**.

Nomination of Vice Chair – Ann Ross-Raymond made a **motion** to nominate Doug Greiner as Vice Chair of the Planning Board and Selectwoman Sheldon **seconded** the motion. The **motion passed unanimously**.

OLD BUSINESS

Workforce Housing Ordinance (RSA 674:58) – Matt Monahan, CNHRPC – Chair Schmidl introduced Mr. Monahan and noted that he has been working with Towns on Workforce Housing Ordinances. Mr. Monahan provided the PB with statutory references and a handout named “Overview of Workforce Housing Issues”. Chair Schmidl asked PA Rollins if she was able to get a report of all of the possible housing under the \$238K dollars determined at last week’s meeting. PA Rollins reported that there are 571 residential homes with buildings and +/- 338 of the homes would qualify as workforce housing. Chair Schmidl stated that would be almost 60% of the Town. Mr. Monahan noted that some of the 338 homes may not have two bedrooms which would disqualify a few. The PB reviewed the overview handout.

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OVERVIEW OF WORKFORCE HOUSING ISSUES

1. Ways to for a community to comply:
 - a. Land use regulatory framework (zoning, site plan, subdivision, etc.) is not, cumulatively, exclusionary.
 - b. If land use regulatory framework has the effect of being exclusionary, community adopts a workforce housing ordinance.
 - c. If land use regulatory framework has the effect of being exclusionary, community has its “fair share” of the region’s workforce housing.
2. Land use framework is not exclusionary: this means that workforce housing (of every type), affordable at a particular dollar value, can be built in town. Common obstacles include: overly large minimum lot sizes town-wide, restrictions on single family or manufactured housing, various growth management provisions, excessive regulation standards such as road requirements (site plan and subdivision regulations) and unworkable cluster ordinances are examples.
3. Community adopts a WFH ordinance if needed: most commonly this is an overlay district that uses cluster ordinance density incentives. Also, it can provisions to make apartments or manufactured housing easier to build and may also have growth management relief components. It will also have requirements for the developer to follow and may also include a “trigger” that results in the ordinance being in effect when a town does not meet its “fair share” and it not being in effect when a town does meet its “fair share.”
4. Fair share: under this component a town has, in a given year, the number of units that would represent its share of workforce housing units needed in the region. Issues include:
 - a. How is a “region,” meaning specific geographic area defined?
 - b. How is “need,” meaning how many units does the region need, defined?
 - c. How are the units distributed amongst the region’s communities?
 - d. What is the dollar value of an “affordable” unit?
 - e. How does a community “count” its units?
 - f. Data source limitations.
 - g. Validity of the number: may be good for current year only.
 - h. Above all, it is the court that will determine if a town “meets” its share: i.e. they need to be convinced that the methodology used to determine the fair share number was reasonable.

Vice Chair Greiner stated if the PB decided to do an “overlay” district, it could be considered spot zoning and Mr. Moanhan replied with any overlay district there would be a basis for it, so it is not arbitrary. Mr. Monahan stated it makes more sense to construct workforce housing on roadways or a Town’s transportation infrastructure, to be able to access things like water/sewer. Mr. Monahan noted there would be an approximate \$20K gap to make up, so the Town would need to provide incentives for the builder ex. 22ft. road cut to 20ft. roadway on cluster development, would be a 2ft. savings on pavement. Chair Schmidl noted the Town has an Open Space Development Ordinance that does provide some incentives.

Ann Ross-Raymond asked how the Town’s “fair share” is determined. Mr. Monahan replied by a. through e. of #4 and the “Labor Market Area” (LMA) which is tied to the economy. Mr. Monahan stated the LMA is an age old measurement and determines where people work with no competing methodology. Mr. Monahan noted that the Court calls “fair share” an affirmative defense and the “need” is tracked by the Census. Selectwoman Sheldon asked what has driven workforce housing and Mr. Monahan replied the 1990 Court Case. Selectwoman Sheldon asked if the Open Space Development Ordinance helps the Town be more in compliance and Mr. Monahan replied yes. Vice Chair Greiner stated the Town is covered, if we have 338

homes that qualify then out Town is tied to a region, would have enough for workforce housing. Mr. Monahan stated a builder would have to prove/show that the Town is exclusionary. Ken Ross-Raymond asked if any Towns have a number yet. Mr. Monahan stated he did an analysis when the Census numbers came out but he wants the numbers to well vetted, so the figures will be as good as you can get. Chair Schmidl stated the Town's membership with the CNHRPC will allow for them to take the numbers for review. Chair Schmidl noted controlled growth is one section that may slow the process down, as well as limiting building permits but other than that the current figures bare us out. Mr. Monahan noted a survey of apartments/renters may be needed.

Ray Deary asked how Towns are supposed to document their "fair share" and Mr. Monahan replied the PB could insert a paragraph in the Town's Master Plan or use the CNHRPC's spreadsheet (that is still a work in progress). PA Rollins suggested the PB consider a brief statement in the Annual Report, so the number is checked every year.

Selectwoman Sheldon noted the workforce housing homes cannot be sold for more than they were built for and Mr. Monahan replied they can be sold for a small percentage higher but there would be a deed restriction on the property. Vice Chair Greiner asked how long the deed restriction would be for and Mr. Monahan replied the PB could define how long the restriction lasts, for years or in perpetuity. Mr. Monahan noted the PB may want the Town's Attorney to look at Controlled Growth, to not limit the growth but time growth but it may be decided as not enforceable and be eliminated totally.

The Planning Board thanked Mr. Monahan for his time!

ADJOURNMENT –The Planning Board adjourned at 8:43 p.m.

NEXT MEETING - *The Planning Board will meet at 7:00 p.m. on Monday, May 2, 2011 at the Academy Hall (upstairs).*

Minutes prepared by April Rollins, Planning/Zoning Assistant