

CONWAY PLANNING BOARD

MINUTES

JANUARY 16, 2003

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CONWAY PLANNING BOARD

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JANUARY 16, 2003

A meeting of the Conway Planning Board was held on Thursday, January 16, 2003 beginning at 7:05 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Dick O'Brien; Vice Chair, Robert Drinkhall; Martha Tobin; Alternate, Cesare Macchionni; Planning Director, Thomas Irving; and Recording Secretary, Holly Meserve.

PUBLIC INFORMATION MEETING – ARTICLE 147-15.E.(3) – ACCESSORY DWELLINGS

Ms. Duane appointed Mr. Macchionni as a voting member. Ms. Duane asked if the Board had any questions; Mr. O'Brien asked about affordable housing and cost of rents. Ms. Duane stated that the first draft had that requirement, but would have put a burden on the Town so it was removed. Ms. Duane stated that we went to just allowing in-law apartments. Mr. O'Brien asked if they could charge what they want. Ms. Duane answered in the affirmative and stated that affordable should be removed.

Mr. Drinkhall stated you couldn't have it without a housing authority. Ms. Duane stated that is correct. Mr. Drinkhall stated that they would be able to charge what they want. Ms. Duane stated that you could have an accessory unit without a kitchen. Mr. O'Brien asked what is considered a kitchen. Ms. Meserve stated that you need a combination of a sink, refrigerator and a stove. Ms. Duane stated that we are just allowing a kitchen.

Ms. Duane stated that there is a hotel in Town that are renting rooms, and that is not the way to live. Mr. Drinkhall stated that we have no means of inspections. Ms. Duane stated that State law doesn't allow it. Ms. Duane reviewed the proposed application. Mr. O'Brien stated that this is not going to be one building with four apartments. Ms. Duane answered in the negative. Ms. Tobin asked if you could put two units in a garage. Mr. Irving stated that this allows one accessory unit. Mr. Irving stated that it doesn't preclude at this time adding another cottage.

Mr. Macchionni stated that this does not require an inspection. Mr. Irving stated that there is a State electrical and plumbing code, but not a building code for residential structures; however, the Town will inspect if asked. Mr. Macchionni stated that most would not ask for an inspection. Ms. Duane stated that we don't inspect two-family homes now either. Ms. Tobin stated you couldn't have one attached and then one detached. Ms. Duane stated that they could only have one accessory apartment.

Mr. Drinkhall stated if it is not in the rules it will happen. Ms. Duane stated if there were more apartments they wouldn't be packing them into one apartment. Ms. Duane asked for public comment; Bart Bachman asked for a clarification on the removal of the word "affordable". Ms. Duane stated that it would require creating a housing office and that would be creating another position in Town Hall with benefits and they did not want the Town to go that way.

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Ms. Duane stated that we tried to make the apartments for a person, who was working here; that was the reason for the leases to be submitted, but the people did not want to go that way. Mr. Lucy stated that the word work force is broad and asked if there is a definition for that. Ms. Duane stated that they are for executive level and not management, as management should be making more money. Ms. Duane stated that we have removed all terms of workforce housing or there would have been a definition.

Mr. Drinkhall was concerned if this went forward and was defeated it may hurt it if proposed again another year. Mr. Drinkhall stated that we were concerned with the appearance. Ms. Duane stated that we don't regulate the design of single-family homes now and we cannot regulate taste. Mr. O'Brien stated that it would help someone pay for his or her taxes.

Ms. Duane stated that subsection (a) needed to be removed. Mr. Irving stated under section (d) we have no mechanism to adhere that they are being complied with because they don't have the authority to inspect. Ms. Duane stated that she did speak to the Town Building Inspector and the application is also an informative process. Ms. Duane stated that she would speak to the Town Building Inspector again. **Ms Tobin made a motion, seconded by Mr. Macchionni, to post Article 147-15.E.(3). to a public hearing on January 30, 2003. Motion carried with Mr. Drinkhall abstaining from voting.**

PUBLIC INFORMATION MEETING – ARTICLE 147-15.E.(2) – WORKFORCE HOUSING

Ms. Duane stated that this is now an increase in density and not workforce housing. Mr. O'Brien asked what do you think would go into these. Ms. Duane answered studios, one- or two-bedrooms. Mr. Drinkhall asked where would you find the space to build one of these buildings. Ms. Duane stated that you could do something like this with the Comfort Inn.

Mr. O'Brien stated that we have to be careful of what zone these would be allowed. Ms. Duane stated that is why it is restricted to municipal water and sewer. Mr. O'Brien stated that would eliminate East Conway Road. Ms. Duane stated that this would allow the old school house site behind the post office in North Conway to be converted to apartments. Ms. Duane stated that you could maximize a lot to make it more affordable for the builder and minimize their financial risk in order to make the money. Ms. Tobin stated that this would allow older buildings to be converted. Mr. Irving stated that we already have a provision that allows a building over 50 years old to be converted to 4 apartments.

Mr. O'Brien stated that he's not sure where they would build them. Mr. Irving stated that they might find that it is more feasible to buy adjacent lots, merge and rebuild. Mr. O'Brien stated it would be okay if people who are already living here use these, but if it brings more from out of Town it will be a burden onto the Town. Mr. O'Brien asked where does it say the impact on the Town. Ms. Duane stated that her research was workforce housing and the economic growth. Mr. O'Brien stated that he would like to see the downside of this ordinance. Ms. Duane stated that she would research that. Mr. Drinkhall stated that we don't know what the cost will be to construct, therefore, we don't know what the rent will be. Ms. Duane stated that we had the review of leases, but it was removed.

Mr. O'Brien stated if there are no restrictions there is nothing to stop them from jacking up prices because of supply in demand. Ms. Tobin stated that we have to something. Ms. Duane

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stated that you're only posting to a public hearing. Mr. Drinkhall asked what is the density in surrounding towns. Mr. Irving stated that RKG is looking into that for us. Mr. O'Brien stated that they are looking at rebuilding the high school and he doesn't want to be looking at a new high school in another 10 years. Ms. Duane stated that we can plug along with it or we can manage our growth. Ms. Duane stated that we have to be able to provide housing and this would allow for the private sector to provide housing.

Mr. Drinkhall stated that this is more of a regional issue and we may be over developing ourselves Mr. Drinkhall stated that this would be a much greater density then the surrounding towns. Ms. Duane stated that we have the water and sewer, the shopping, the hospital; we're already the hub. Ms. Duane asked for public comment; Mr. Lucy asked what prompted this study. Ms. Duane stated that it was brought up through the master plan process. Mr. Lucy stated that he commends the efforts, as it is a lot of work.

Mr. Lucy stated that this is not a new problem, it goes back 150 years and they had a different way to deal with it. Mr. Lucy stated businesses use to take their of their own. Mr. Lucy stated that you don't have to live where you work, most just want to be able to get here. Mr. Lucy stated that he is concerned with the impact. Mr. Lucy stated that we have 12 portable classrooms at the high school now. Mr. Lucy suggested buses and public transportation. Mr. Lucy stated that it looks to him its going to feed on itself; the rent will go up and taxes have never gone down. Mr. Irving suggested amending Article 147-15.E.(2) to include "provided there are at least three dwelling units minimum".

Ms. Tobin made a motion, seconded by Mr. Macchionni, to post Article 147-15.E.(2) as amended to a public hearing on January 30, 2003. Ms. Tobin stated that it is not a perfect fix. Mr. O'Brien stated that the Board of Selectmen would like to see it moved to a public hearing so people could comment on it. Mr. Irving stated that David Robinson did email his concerns. Ms. Duane stated that Mr. Robinson's concerns were the preservation of the architectural and historical character of the buildings. Ms. Duane read a letter from Marge Webster.

Mr. Drinkhall stated that he just doesn't think this will fill the goals. Ms. Duane stated that the only reason to send to a public hearing is to give the people a chance to comment. Ms. Duane stated that you are not agreeing or disagreeing with the ordinance your just posting it to a public hearing. **Motion carried with Mr. Drinkhall abstaining from voting.**

PUBLIC INFORMATION MEETING – ARTICLE 147-6 – DEFINITIONS – ACCESSORY DWELLINGS

Mr. Irving read the definition and stated that the definition does not accommodate detached buildings. Mr. Irving suggested adding the wording "an apartment accessory to a single-family dwelling either attached or detached" and "such accessory apartments shall be not less than 300 square feet and no greater than 800 square feet". **Mr. Drinkhall made a motion, seconded by Mr. Macchionni, to post Article 147-6, accessory dwellings definition, as amended to a public hearing on January 30, 2003. Motion unanimously carried.**

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Holly L. Meserve, Recording Secretary

147.15 Lot Size.

E. Special Exceptions.

(3) In order to help provide ~~affordable~~ year round rental housing , the Zoning Board of Adjustment may grant a special exception for one accessory apartment as an accessory use to an owner occupied single family dwelling, on any size lot (provided that where precinct water and sewer are not available, appropriate permits shall be obtained from the New Hampshire Department of environmental Services for additional septic loading), subject to the following conditions.

~~(a) The property owner must occupy either the principal or accessory unit.~~

(b) Attached accessory apartments shall occupy a maximum of 800 sq. ft. and a minimum of 300 sq. ft. Additional entrances shall be designed to ensure compatibility with the goal of retaining the appearance of a single family residence.

(c) Detached accessory apartments shall occupy a maximum of 800 sq. ft. and a minimum of 300 sq. ft.

(d) A one time application with fee for review is required to be completed prior to submission to the Town of Conway.

(e) Prior to Zoning Board of Adjustment granting the special exception, a written approval must be obtained from the Town of Conway building inspector and precinct fire chief that all applicable building codes will be adhered to.

147.15 Lot Size.

Holly

E. Special Exceptions.

(2) The Zoning Board of Adjustment may grant a special exception for up to twelve dwelling units ^{PER ACRE} in the village commercial and highway commercial districts under the following circumstances:

- (a) All lots must be serviced by municipal water and sewerage.
- (b) Architectural design plans must be submitted to the Zoning Board of Adjustment at the time of application to ensure compliance with zoning regulations.
- (c) Dwelling Units shall be a maximum of 1,000 sq. ft and a minimum of 300 sq. ft.

prev br n / LS
300sq was min

Town of Conway
Accessory Apartment Application

SECTION I: OWNER INFORMATION

Name of all owners on the deed:

Property Address:

Owners Mailing Address:

Home phone:

Business phone:

Lot Size:

Map:

Parcel:

SECTION II: APARTMENT INFORMATION

LOCATION OF APARTMENT WITH IN EXSISTING STRUCTURE:

LOCATION OF DETACHED APARTMENT:

SIZE OF APARTMENT:

BUILDER: _____

Builders Signature

ELECTRICIAN: _____

Electricians Signature

License number

PLUMBER: _____

Plumbers Signature

License Number

Building Codes that must be adhered to:

THIS SECTION IS FOR INFORMATION PERTINANT TO THE CONSTRUCTION OF AN APARTMENT TO ENSURE THAT LIFE SAFETY CODES ARE BEING ENFORCED. TO BE DRAWN UP BY BUILDING INSPECTOR.

Building Plans must be submitted to the Town of Conway as part of this application.

Licensed plumbers and electricians must be used to ensure code compliance. Building inspections will be performed only by request of the homeowner.

SIGNATURE OF ALL HOMEOWNERS LISTED ON THE DEED:

TOWN OF CONWAY BUILDING INSPECTOR



Tri-County Community Action

Serving Carroll, Coos & Grafton Counties

448 WHITE MOUNTAIN HIGHWAY, TAMWORTH, NH. 03886

[603] 323-7400 ~ Toll Free 1-888-842-FUEL (3835) ~ Fax (603) 323-7411

December 10, 2002

Sheila Duane
Town of Conway
1634 East Main Street
Center Conway, NH. 03813

Dear Sheila,

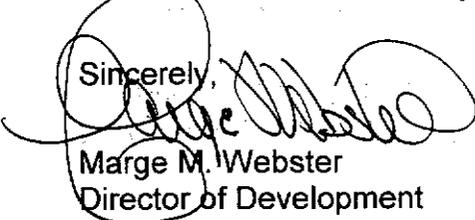
Tri-County Community Action supports your efforts to reduce the regulatory barriers to permit Workforce Housing in Conway, New Hampshire.

The strong population and economic growth over the last decade has created many benefits for most communities and citizens, but it also has generated a demand for housing that the marketplace has been unable to meet. The results are rising home purchase prices, record low vacancy rates and higher rents, that presents a significant affordable challenge to Conway's continues economic growth and vitality.

The need for Workforce Housing is acute in Conway and unless we allow our housing market to keep pace with our economic growth we will kill the economic engine that we are relying on for our continue success in this decade. Workforce Housing is for men and women working in your community everyday, who cannot find nor afford adequate housing.

Tri-County Community Action spent \$370,372.18 serving 2814 or 33% of your residents in 2001 with many of these being housing related issues.

Sincerely,


Marge M. Webster
Director of Development