



Mason Planning Board

January 27, 2010

Approved

Attending

Mark McDonald, Chris Guiry (ex-o), Linda Cotter-Cranston, Dotsie Millbrandt

Absent

Pam Lassen (chair), Bruce Mann, Joe McGuire

Call to order

7:45 PM

Next Meeting

February 26, 2010

Old Business

New Business

Final Public Hearing: Amendments to the Town of Mason Planning Ordinance

The proposed amendments are:

ADD new Article XX: Accessory Dwelling Unit Ordinance; to permit by special exception a second dwelling unit that is secondary & accessory to the principal single-family dwelling unit. The owner must occupy one of the dwelling units, which must be within or attached to the principal dwelling unit. The intent is to provide flexible and affordable housing opportunities for owners, their families and unrelated persons.

ADD new Article XXI: Multi-family Overlay Ordinance; to permit multi-family dwellings on lots within the GRAF district that take frontage from NH 13. Individual structures may contain 2-5+ dwelling units located on lots of at least 1 acre, not including wetlands, steep slopes and rock outcroppings. The intent is to comply with state statute and provide a reasonable opportunity for affordable multi-family housing required by state statute.

ADD new Article XXII: Open Space Design Ordinance; to permit an alternative subdivision design intended to preserve undeveloped open space, protect wildlife habitat and water quality by assessing the site, followed by a multi-step design approach that reduces sprawl, condenses development through incentives while maintaining overall density.

About a dozen citizens were in attendance.

The board summarized the provisions of the Accessory Dwelling Unit (ADU) amendment and the changes as a result of the previous hearing held on December 16, 2009, plus a review of the documents by NRPC and legal review by town counsel.

- The ordinance permits attached ADUs and interior ADUs, but not detached ADUs (e.g., a separate rentable structure out in the back yard is not allowed).
- The ADU license is good for 3 years.
- There are fines if the license expires if the owner no longer resides on the property. Owners who are absent for military duty may apply for an exemption from this provision (Service members Civil Relief Act, Public Law 108-189, December 2003.)
- Various changes in the language of the ordinance for clarification.

There was little discussion on ADUs, and no changes were proposed.

The board summarized the provisions of the Multi-Family Housing Overlay (MFH) amendment and the changes as a result of the previous hearing held on December 16, 2009, plus a review of the documents by NRPC and legal review by town counsel.

- The lot on which multi-family housing is constructed needs one acre, exclusive of wetlands, steep slopes (25% or greater) or rock outcroppings, for each planned and existing residential dwelling. So a structure with 5 dwelling units would require at least a 5 acre lot, larger if wetlands or slopes are present, in addition to 350' frontage on NH 31.
- Two stories is the maximum height for residential structures.
- Various changes in the language of the ordinance for clarification.

There was some discussion on the MFH amendment, primarily to expand the explanation. No changes were proposed.

The board summarized the provisions of the Open Space Design (OSD) amendment and the changes as a result of the previous hearing held on December 22, 2009, plus a review of the documents by NRPC and legal review by town counsel.

- All OSD subdivisions must contain 25% or more workforce housing units.
- Single family housing only.
- No density bonuses...the maximum density is that of the underlying GRAF zone, 4 acres per dwelling.
- The density of development on the site may be reduced by the presence of wetland soils, steep slopes greater than 25%, rock outcroppings or protected resources, if those are not part of the conservation land.
- Open space must be 50% of the total parcel.
- WFH units have a maximum size of 1350 sq. ft (e.g. 26' x 26' x 2 stories), and can't be expanded for 10 years.
- There are no special legal documents or procedures to keep the WFH units inexpensive; the price can float with the market, but will be on the low side due to the small size.

The board presented some new information obtained since the previous OSD hearing. The Mason property assessment summary now contains a breakdown of how many properties in Mason have a residential structure and a valuation within the Workforce Housing range

(\$262,000 or less). (Previously the assessment summary did not distinguish between residential and non-residential assessments.) That number is 42% of Mason's total housing.

Discussion centered on whether Mason needs the OSD ordinance to meet its obligation under the workforce housing law. These factors indicate Mason may be compliant without it:

- Mason currently has 42% of its housing with a value within the 100% Area Median Income limit.
- Construction of new housing in this range is still occurring. 19% of the new homes constructed between 1999 and 2003, and 11% of the new homes constructed between 2004 and 2009, are within the workforce housing limits.
- Mobile homes and modular homes can be sited anywhere in the GRAF district, which comprises about 80% of the town's area. The total cost can easily fall within the workforce housing limits for most sizes of mobile homes and many types of modular homes.
- Mason does not provide many employment opportunities within the town, including both public and private employment. Thus, Mason has more workforce housing stock than is needed to provide homes for those employed in town.

Discussion then addressed this question: If Mason does not need the OSD ordinance for workforce housing purposes, is it still useful for land conservation and improving the footprint of subdivisions? The ordinance has been considerably watered down since it was first proposed, and many of its conservation aspects have been reduced or eliminated. Only one member of the public was still in favor of pursuing it.

The board took a vote to close the hearing.

Chris made a motion to accept the Accessory Dwelling Unit amendment as written for inclusion on the March 2010 Town Warrant. Mark seconded. Vote: All in favor.

Mark made a motion to accept the Multi-Family Housing Overlay amendment as written for inclusion on the March 2010 Town Warrant. Linda seconded. Vote: All in favor.

The board decided to withdraw the Open Space Design amendment. Dotsie made a motion to withdraw the Open Space Design amendment from the March 2010 Town Warrant. Mark seconded. Vote: All in favor.

Notes

The full text of the amendments needs to be available at the Town Clerk's office by February 1. The wording describing the amendments to be included on the ballot needs to be available also.

Adjourn

Dotsie makes a motion to adjourn. Linda seconds. Meeting is adjourned at 9:20.