

**Town of Gilford**  
**Planning Board**  
Work Session Minutes  
Gilford Town Hall – Conference Room A  
November 30, 2009

Members present: Chair Polly Sanfacon; Vice Chair John Morgenstern; Regular Members Jerry Gagnon, and Richard Vaillancourt; and Alternates Dennis Corrigan and Wayne Hall. Also present were John Ayer, Director of Planning and Land Use, and Steven Whitman, Planning Board Workforce Housing Consultant with Jeffrey H. Taylor and Associates, Inc. Members absent: Selectmen’s Representative Kevin Hayes; Regular Members Dick Waitt and Richard Sonia; and Alternates Carolyn Scattergood, Andrew Garfinkle, and David Arnst.

P. Sanfacon convened the meeting at 3:00 p.m. with the Pledge of Allegiance and an introduction of those present. She then turned the time over to J. Ayer.

J. Ayer reviewed the work that had transpired regarding workforce housing since the November 9<sup>th</sup> work session, including reviewing and commenting on the draft workforce housing ordinance prepared by S. Whitman. He then deferred to S. Whitman to lead a discussion and review of the draft ordinance. S. Whitman proceeded to review the draft workforce housing ordinance section by section.

J. Morgenstern asked what the meaning of “designated” in Table 1 on page 4 text to “housing types”. S. Whitman said it is what is proposed by the developer in the plans. J. Morgenstern would like to see that clarified so it is not setting a requirement to provide affordable housing.

D. Corrigan said he would like to see the ordinance shorter and change the word “affordable” housing to “workforce” housing. J. Morgenstern said he would like to make sure our ordinance still complies with the statute. D. Corrigan says he thinks it will and S. Whitman agreed.

D. Vaillancourt said he is concerned that a requirement to provide sprinklers will make some units too costly to qualify as affordable. P. Sanfacon said she would like to get back to those issues later if we have time.

S. Whitman discussed having affordable housing close to jobs and asked the Board if they wanted that to remain in the ordinance. Board members discussed the issue and determined to remove it. D. Corrigan said he wanted to change “encouraging” affordable housing to be providing a “realistic and reasonable opportunity” to develop affordable housing. J. Morgenstern said the tern “ensure” in the second sentence should be changed to “promote”.

S. Whitman asked if the process described in Section III., Applicability, is the same as elsewhere in the zoning ordinance or the subdivision regulations. D. Corrigan said it could be put in the subdivision regulations. S. Whitman suggested he and J. Ayer review the regulations for duplicate process. The Board determined to remove from Section III. C. “In the interest of encouraging affordability,” from the first line.

The Board discussed Section III.D. P. Sanfacon said she thinks we need more information regarding Conditional Use Permits in the zoning ordinance. J. Ayer will ask Town Counsel if what is in the zoning ordinance or the draft ordinance is enough or if it needs to be strengthened.

S. Whitman said he added a definition for workforce housing in Section IV, Definitions. D. Vaillancourt questioned the mortgage standards under the definition of “Affordable Owner-Occupied Housing”. Discussion ensued. D. Corrigan said that is a HUD standard. S. Whitman said we might be able to remove the definition if the term is not used in this draft ordinance. He said he would check.

D. Corrigan said we have an Article of definitions in Chapter 3 of the zoning ordinance. We should put these definitions in there. J. Ayer said not necessarily. It would add another amendment (or several) to the ballot and there are other articles where definitions pertinent to that article have provided their own definitions.

S. Whitman said Section V. is the meat of the ordinance. It provides an incentive to developers to provide workforce housing as a percentage of units on a density bonus basis. S. Whitman asked if there were other ways the Board would like to promote workforce housing.

J. Ayer said possibilities the Board has considered in the past include allowing accessory apartments and amending the existing multi-family regulations to allow septic and well usage instead of municipal sewer and municipal water only. Discussion ensued. S. Whitman suggested Meredith’s ordinance which has good provisions for accessory apartments. He suggested looking at not requiring attaching such accessory apartments to the main dwelling. He said it could be done outside this ordinance.

J. Morgenstern asked regarding Table 1 what is the minimum development size to get the economy of scale to make one want one to develop workforce housing? Discussion ensued.

D. Corrigan said regarding Section VI that paragraph A. is the key. Workforce homes need to be consistent with others in the development. J. Gagnon asked about green development standards. S. Whitman said that in the last paragraph of A there is a requirement encouraging at least a minimal effort to address energy efficiency.

Regarding paragraph D., S. Whitman said that the Town of Wolfeboro pulled out this paragraph. They did this because others did this or it was covered elsewhere in the ordinance. Discussion ensued. D. Corrigan said we could put it in the subdivision regulations. S. Whitman said he would be in touch with J. Ayer to review the subdivision regulations and determine if the subject matter is covered there.

Section VII. The Board discussed how to enforce affordability. J. Morgenstern says the lien provisions cover it. S. Whitman said NHHFA would enforce the affordability long-term too. D. Corrigan said it is his experience that the enforcement system works well.

S. Whitman said there would be annual reporting required. NHHFA could turn over

enforcement to some other agency such as Laconia Land Trust. J. Morgenstern asked if this could also work for rentals. S. Whitman said it could.

S. Whitman said the issue came up which Consumer Price Index (CPI) the provisions in Section VII. A. should be tied to – the New England/Northeast or the National CPI. Discussion ensued. J. Gagnon and D. Vaillancourt said the New England/Northeast CPI and others agreed. D. Corrigan asked if the incremental increase in value goes to NHHFA. S. Whitman said no. W. Hall asked when the lien gets imposed. Discussion ensued. S. Whitman said it is hoped it doesn't get that far.

S. Whitman discussed the issue of fire sprinklers. He noted that if it's required in Gilford, it will likely be required in other communities, so the costs will be equal for all the pool of housing, so the affordability of Gilford's units will be the same as the next community's.

J. Morgenstern said philosophically if we have plenty of workforce housing, do we want to do this. S. Whitman reminded the Board that the Town has a contractual obligation with NHHFA to produce a draft ordinance to present at town meeting and a short time to do it. There would likely not be enough time to calculate if Gilford has its fair share. Further, if no ordinance is brought forward to town meeting, NHHFA may very likely require the Town to reimburse its grant. J. Morgenstern said S. Whitman has cleared up his misgivings about the workforce housing ordinance about the units being market rate based, but if there's not a need for more affordable housing, the voters are likely not to pass this.

S. Whitman discussed the next meeting time. The Board determined to meet Tuesday, December 15<sup>th</sup> at 3:00 p.m. in Conference Room A, or at 7:00 p.m. in the Library Conference Room if the library is available.

Michael Kitch, reporter for the Laconia Daily Sun, asked if this does not pass, will this put the Town in a legal bind? J. Ayer said it is possible, but the question might be better asked of an attorney. Discussion ensued.

Motion made by J. Gagnon, seconded by D. Vaillancourt, to adjourn the meeting at 4:25 p.m. Motion passed.

Respectfully Submitted,

John B. Ayer, AICP  
Director of Planning and Land Use