

TOWN OF TEMPLE, NEW HAMPSHIRE
PLANNING BOARD
January 15, 2020
MINUTES OF PUBLIC MEETING & HEARING

Board members present: Allan Pickman, Bill Ezell, Randall Martin, Bruce Kullgren, Jr., Nicole Concordia, Tedd Petro, Brian Kullgren

Call to order by Pickman at 7:02 p.m.

Pickman welcomed the group in the audience and presented a plan to overview existing zoning and PRD ordinances, and review the proposed zoning amendment changes.

Pickman explained questions concerning both existing ordinances and proposed ordinance changes would be handled separately and in order after each presentation to the group.

Pickman asked the Planning Board members to introduce themselves to the audience.

Pickman reviewed the existing zoning for basic subdivisions. Pickman noted the zoning started in 1974 and was broken into three districts: Village, Mountain and Rural/Agricultural (R/A).

The basic R/A district is a 3 acre minimum size, with 300' frontage on a class 5 road, and 35' setback from the road. Lots have State septic and a 75' well radius on the lot.

Pickman went on to explain the PRD zoning as "innovative". A three acre lot is required for an allowed structure, clustered together to create "open space" with the deduction of slopes and wetlands from the buildable land.

Pickman pointed out the with a PRD, it may end up with less housing and the town can regulate the conditions of the subdivision. The PRD has shared open space that is shared by the occupants and can allow for private roads. Pickman indicated there were only 3 or 4 PRDs in town.

Bruce Kullgren explained the ADUs have been in town for several years, and was a State mandate to adopt the ordinance. He called them "in-law apartments". Kullgren read through Section 7 in the Zoning Ordinance rules and noted proposed changes in Section 7C.

Kullgren pointed out that many existing examples of the ADUs predate zoning (Maynard, Birchwood, Weston).

7:18 p.m. Kullgren Jr. opened the floor for questions, with Ezll keeping time at three minutes for each speaker.

Holmes: Is slope of 25% in PRD to be counted in buildable?

Pickman: Indicated it is not.

Connolly: What exact percentage of housing currently has ADUs in town?

Board: Hard to determine.

Concordia read written remarks on "why the proposed Temple zoning changes" and explained a scenario with respect to income/wages and housing prices evident in Temple.

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Pickman presented the three proposed zoning changes, commencing with the duplex dwelling.

Pickman explained changes would be allowing duplex dwellings on a minimum 3 acre building lot with 300' frontage on a class 5 road. The setback would be 70', twice that which is presently existing. The units would not have to be owner occupied, and would not be allowed to be further subdivided. Pickman stated there would end up being one building on a 3 acre lot.

Pickman further explained Small Dwelling Density Bonus, with a minimum parcel size of 24 acres. There would be a "much larger" setback of 100', not 35', and for every unit under 1600 s/f, a third unit could be added on later "down the road".

Pickman showed a study of existing housing, and with the creation of more units allowed, may push down on pricing for older people and young families. Pickman reviewed handout charts of conventional housing, duplexes and PRD build-outs on a 31 acre sample parcel of land.

The ADU ordinance was proposed and discussed by Pickman, with the subordinate 40% now proposed to an even 50%.

8:06 p.m. Question and Answers, time kept by Ezell.

Write in questions to Ezell:

- Sean Radcliff- question of 1000 s/f density bonus on PRD- does it address water and septic?
- John Kiley- Board has not done enough homework, needs to do more research, training sessions need to be attended, hold off until next year, forums not in favor, setbacks not meaningful, PRD more open space for density bonus, property in \$400K range not affordable, ADU eliminate restriction on %, Planning Board proposal are contradictory to rural character objectives.

Connolly: Agrees with Kiley comments. Wanted small housing costs from Planning Board.

Kullgren, Jr.: reviewed costs to build a 1600 s/f home, with audience comment.

Pickman: homes will sell for whatever the market will bear.

Connolly: his neighborhood has 50 houses with 10 apartments, pointed out that was 20%. Is there a need? Wait until next year and reconsider.

Amy Cabana: Why not? We're stuck in the past- why are changes bad? With duplexes and condos, each person has pride of property ownership.

Connie Kiley: Board needs to do homework- all just "pulled out of a hat". Need more forums and Con. Com. input and need to know more.

Christine Robidoux: Board need to review 150 page workforce housing and innovative land use manual and can't do this without "all on board". State stats- ½ child per house/ senior means less kids in multi-family units.

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Mike Madden: Does not want to look at duplexes and promote commercial real estate. If it becomes commercial, it should be taxed as such.

Steve Anderson: Anderson noted he has been in town for 30 years, as has Pickman. He is "either way" on rural development and the PRD being affordable wouldn't work. ADU at 40% or 50% makes no difference.

Scott Hecker: Hecker presented a letter from the Temple Conservation Commission dated January 14, 2020 to be included in the meeting minutes. He noted, as Chairman, the Commission does not support the proposed changes, but is "eager to work with us".

Discussion followed, with a suggestion that the Planning Board and town take a "market based approach" to have town involved in affordable/ workforce housing. Pickman pointed out this would entail involving new boards, loan monies, just like building a school. Ezell: a town land committee would be needed and formed to do anything with town land.

Ron Pouls: Christine Robidoux's Temple Community Planning Committee is designed to be a compliment to the Planning Board. Pickman noted most items were not Planning Board issues.

Dick Benotti: Would vote no to changes. Board doesn't have numbers to put together to justify for this year, and contractors "wouldn't have time to do anything this year anyway".

Matt Cabana: Majority seems against proposals. "Snapshot of reality": House for sale on West Road for \$249K with 30 buyers showing up. Outlook for jobs in area is up- town needs to be prepared because "it is coming".

Ivy: Thanked Concordia for her good information, wondered why our urgency? State is coming out with "tool box" and Planning Board doesn't have the necessary information down to make "short term decisions with relation to long term ones".

Olivia Holmes: Questioned Pickman for his 1600 s/f number with relation to the proposed amendments. Pickman: reviewed numbers in the ordinance.

Steve Anderson: Found 2-family "very interesting" but didn't know how town would go door to door to monitor. Count might give selectmen more control.

Lincoln Geiger: PRD density needs more work- SWRPC to get overlays for land, and had Pickman clarify density bonus. Geiger discussed difference between PRD and conventional density development, and exploring "agrihood" options. Pickman noted Carol Ogilvie will be taking on rural neighborhoods and may be able to come in and help us with a "task force with a tool box".

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Honey Hastings: What is our share of affordable housing- 10% or 50%? Pickman pointed out we cannot predict or control price of the market, but we can propose changes. Hastings pointed out the need for more study.

Gary Scholl: Perhaps regulate what a house should look like and who should move in- young with children, aging. What is the market in this area? Process needs to start with the demand, with jobs and income.

Christine Robidoux: Noted from Amy Cabana's previous comments that 29 people didn't buy the house on West Road. Christine said she has been attending housing seminars for 10 months now. The average salary for a teacher is 45K, \$1133 per month for rentals.

Communities are successful by attending/ using Plan NH, SWRPC, advisors, others. Grants are available from Monadnock Development, Plan NH, USDA, others. "It all starts with a community coming together and coming up with a plan". Has a conflict with duplex and ADU. Excessive setbacks for "Duplex" renters makes them feel unwelcome with this term and she wouldn't vote for it. Christine questioned open space percentages in the PRD. Pickman responded that this is a creative opportunity.

Honey Hastings: When is the Board going to decide on these articles? Proposed to close the hearing and discuss/ decide tonight.

Discussion followed, with Pickman explaining any big changes would require another hearing; we could run with this and let the voters decide or change substantively and have a hearing.

Connie Kiley: summary is to work with others, take two years and look at it more- not for this year.

9:24 p.m. Hearing is closed.

Planning Board discussion and vote:

9:45 p.m. Pickman moved to vote on articles as written, seconded by Brian Kullgren and so voted.

4 votes in the affirmative, 3 votes in the negative, motion carries.

Yes votes: Nicole Concordia, Bruce Kullgren Jr., Allan Pickman, Brian Kullgren. No votes: Bill Ezell, Randall Martin, Tedd Petro.

Other business: Doug Heck, re site plan review, application.

Brian Kullgren and Tedd Petro not present.

Pickman reviewed application, reviewed Section 4 and discussed screening to be on the final plan. Heck questioned overlapping requirements with the ZBA on the application.

Ezell made a motion to accept the application as submitted, seconded by Concordia, with the application being accepted, so voted.

Pickman to schedule hearing and send out abutter notices.

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Pickman made a motion to table the minutes until the next Planning Board meeting, seconded by Concordia, so voted.

Motion to adjourn by Martin, second by Pickman, and so voted at 9:47 p.m.

Minutes submitted by Randall Martin

~The next meeting will be held on February 5th, 2020 at 7:00 p.m.~

Planning board, Bill,

I have some questions and concerns about the proposed zoning changes to encourage affordable housing. Although I understand the thrust of the change to the PRD, it seems the size is still too large. There is nothing in the zoning that ensures the houses at 1,500 Sq Ft would still be affordable. The only way to ensure they would be affordable is to make them smaller. I think the size that triggers the change should be 1,000 Sq Ft. A lot of us grew up in houses that small.

Affordable housing that is very dense housing can have same number of people living in them (by intention). At some point the water supply and septic will be a problem unless they have a shared water supply and septic system. The PRD changes do not appear to address water supply and septic problems/cross contamination..

Lastly, I understand the intent of the duplex clause but there is nothing that prevent having two extremely large houses joined by a wall and calling it a duplex. Again, the zoning doesn't address the affordable aspect. Shouldn't duplex units also be constrained by size?

Thank you for your service. Thanks for listening.
-Sean Radcliffe

Town of Temple
Planning Board
PO Box 191
Temple, NH 03084

Members of the Planning Board;

I would like to take this opportunity to provide comments on the Planning Board's proposed changes to Temple's Zoning Ordinance. I would have preferred to make these comments in person but a long-standing commitment precludes that.

I would like to make a few general comments and then specific comments on the proposals.

General Comments:

1. By the Board's own admission, they have not done any research on what the definition of affordable housing should be, what Temple's current stock of affordable housing is or what the likely impact of these changes on Temple's current stock of affordable housing would be. While Members of the Board have said frequently that they are "hoping" that the changes will have the intended effect, it would seem prudent for the Board to research the likely impact before submitting to the voters.
2. There were literally dozens of NH housing related training sessions offered to planning boards in 2019. In 2020, the State is introducing a "toolkit" and again offering dozens of training sessions for planning boards to help them address the need for additional housing in New Hampshire. The Temple Planning Board did not take advantage of the 2019 training, and by jumping out with proposals now, is not availing itself or the Town of the State funded advice in 2020.
3. The Planning Board held a forum in December to give Temple residents an opportunity to express their opinions on the proposed changes. Three dozen residents attended and the Board received a lot of input. The comments were overwhelming against the proposals; only one resident spoke in favor of the changes. The Planning Board discussed the input at two meetings after the forum and decided to ignore all of the public input. Why hold a forum if you're not willing to listen to what residents say?

Specific Comments:

1. Duplexes
With no restrictions on the number of units, non-owner occupied rental duplexes could change the fundamental nature of our neighborhoods. The setback requirements, particularly with no screening provisions ("vegetation" could be just grass), would not

have any meaningful affect. And most importantly, there would be no requirement that the rents be affordable.

2. PRD's

In Planned Residential Developments of at least 24 acres, the density of houses could be increased by up to 50% and the required open space per unit reduced by 33%. The only requirement is that houses be initially limited to 1500 sq ft (expandable to 1950 sq ft).

- a. Why target our larger tracts of undeveloped land?
- b. What research has been done on this type of development?
- c. Why not require more (not less) open space per unit in exchange for the density bonus?
- d. The market prices locally for new structures of this size on small lots are in the \$340,000 to \$350,000 range. After expansion, likely prices are in the \$400,000 range. Does the Planning Board consider this to be "affordable?"

3. Accessory Dwelling Unit (ADU)

Under this proposal, an ADU inside a residence could be up to 50% of the living space of the entire residence. The limit is currently 40%. There are thought to be roughly three dozen of these ADU's in Temple.

Today, residents can separate say 30% of their floor space, move into that section and rent out the remaining 70%. The way the numbers work, residents today couldn't similarly separate 45% and rent out 55%. While this change would allow the latter situation, why not simply eliminate the percentage restriction?

Again, the question of whether these units would meet the definition of affordable.

In numerous surveys, Town residents have strongly and consistently said that they want the Planning and other Boards and Committees to maintain our rural character, farmlands and scenic vistas. These proposals are contrary to those stated objectives and again most importantly, without demonstration that they would enhance the supply of affordable housing.

I suggest that these proposals be tabled and that the Planning Board take advantage of the State's resources in 2020 to develop well researched proposals for 2021.

John Kieley
37 Holt Lane
Temple, NH 03084

January 14, 2020

Town of Temple
Planning Board
PO Box 191
Temple, NH 03084

Dear Planning Board:

It is the responsibility of the Temple Conservation Commission to protect natural resources within our town under New Hampshire RSA, Chapter 36-A. From time-to-time, town boards consider applications for activities that affect the natural environment and the Conservation Commission is obliged to comment. The Planning Board's latest proposed zoning changes is one such example.

In reviewing these proposed changes to the Town's Planned Residential Development (PRD) ordinance the Conservation Commission finds that the proposed changes are contrary to the preservation of our town's rural character and could increase housing density, target our larger forest and farm lands for development and reduce current open space requirements. All of these could be harmful to the natural environment and also contrary to Temple's Master Plan.

Following is a quote from the Town's Master Plan as prepared by the Planning Board:

“Creative land development processes requiring permanent open space and agricultural uses should be encouraged to support the town's desire to retain open space.”

The Conservation Commission does not support the proposed changes to the Planned Residential Development zoning. The Commission urges the Planning Board to withdraw this proposal and take advantage of more community input as well as the State's 2020 educational programs to position towns for success as they address the need for additional housing in New Hampshire. The Conservation Commission would like to work with the Planning Board in doing this.

Sincerely,

Scott Hecker, Chair
Temple Conservation Commission

Response to Temple Planning Board Proposed Zoning Changes January 15, 2020

What is Affordable?

“Affordable housing” generally means housing that is available to a renter household earning up to 60% of the area median income, or an owner household earning up to 80% of the area median income, **at a cost that is no more than 30% of their total household income.**”

- a. Temple’s median household income was reported to be \$79,821 in 2017 resulting in an affordable home price of \$239,463.
- b. State: Local “maximum affordable purchase price” is \$278,000 requiring household income of \$89,700.
- c. Current Median Market Rate for a home in Temple is \$305,000. This is roughly a 5% increase in the last year.
- d. State: Local “maximum affordable monthly rent” is \$1210 requiring household income of \$48,440 (\$23.29/hour).
- e. Temple has adopted a State Workforce Housing ordinance which if used, would guarantee affordability. Oversight of Workforce Housing in Temple would be required of the Planning Board, unless Temple establishes a Housing Commission under RSA.
https://www.templenh.org/sites/templenh/files/pages/a_temple_zoning_ordinance_2019.pdf (page 26)

2020 Opportunities

State of New Hampshire Housing

- a. The State Task Force on Housing will provide training for Planning Boards in 2020. They will also provide a “toolkit” for local towns including sample ordinances designed to permit development consistent with a town’s vision and local resources.
- b. State materials currently available to the Municipal Planning Boards include the Innovative Land Use Manual (2008). They will be updating it in 2020.
<https://www.nh.gov/osi/resource-library/planning/documents/innovative-land-use-planning-techniques-2008.pdf>

Temple

Following are the community initiatives that are being used by other NH towns to address their housing and branding needs:

- a. Review and Update (If needed) the Open Space Plan in the Master Plan (2008)
- b. Review and Update the Natural Resources Inventory (2004-2005)
- c. Create a vision on Affordable Housing
- d. A plan for implementing the vision
- e. Political will and support from the community
- f. Effective community organizing and communication
- g. Regulatory and non-regulatory tools tailored to the situation
- h. Financial resources
- i. Available partners

Note: The Future Land Use Plan, an important part of the Master Plan, was last updated in 2003.

**Response to Temple Planning Board
Proposed Zoning Changes January 15, 2020**

Definitions from the Town of Temple, NH – Zoning Ordinance

Accessory dwelling unit (ADU):

(2017) A residential living unit that is within or attached to a single-family dwelling, or detached, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

Frontage:

The length of the lot bordering on a Class V or better road.

Lot, Plot, or Parcel:

A parcel of land occupied or intended for occupancy by one main building, together with its accessory buildings, and uses customarily incidental to it, including the open spaces required by this Ordinance.

Multiple Dwelling:

A residential building designed for occupancy by two or more families. *See Section 7: Multiple Dwellings for specific zoning ordinances.*

Planned Residential Development (PRD):

The purpose of this Article IV Section 19 is to encourage reasonable flexibility in the development of land for residential purposes, to promote the most efficient use of land and to preserve significant natural and man-made features and open space in the design and development of residential projects.

Tract:

(2002) A parcel of land proposed to be subdivided or approved as a Planned Residential Development (PRD).

Workforce Housing:

The term workforce housing means permanent housing, intended as a primary year-round residence that is available to households regardless of age and is best provided near places of employment.

Per NH R.S.A. 674:58, workforce housing is affordable (meaning housing costs are no more than 30 percent of income) to renters making up to 60 percent of the area median income and homeowners making up to 100 percent of the area median income. <https://stayworkplay.org/blog/not-what-but-who-is-workforce-housing/>

For Additional Information:

New Hampshire Housing Market Report (November 2019)

<https://www.nhhfa.org/wp-content/uploads/2019/11/NHHFA-HMR-November2019.pdf>

New Hampshire Office of Strategic Initiatives, Planning Division

<https://www.nh.gov/osi/planning/index.htm>

NH Workforce Housing Guidebook

https://www.nhhfa.org/wp-content/uploads/2019/06/Workforce_Housing_Guidebook.pdf