

Planning Board Report

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Board Meetings
Wednesdays at 7:00 PM
in Main Meeting Room
at 84 Chester Street
Or virtually via Zoom

Southern New Hampshire Planning Commission

The Southern New Hampshire Planning Commission (SNHPC) continues to assist the Planning Board with professional planning services on an as-needed basis. SNHPC recently provided growth data for the surrounding towns as part of the annual update of the 2021-2028 Capital Improvements Plan (CIP). This coming year SNHPC will assist with the updating of the Town's seven impact fees. And, if a grant is approved, SNHPC will be assisting with updating the Town's Source Water Protection Plan.

Ongoing and Current Planning Board Activities

Over the past year the Planning Board updated the Subdivision, Site Plan Review, and Driveway Regulations. The Board also updates the CIP every fall. The CIP is intended to be a planning tool to assist the Board of Selectmen, Budget Committee and Town Departments in preparing the annual budgets and warrant articles for the CIP projects. This year, in addition to the annual CIP update, the Board also expects to update the Town's seven impact fees, and the Town's Source Water Protection Plan.

Fiscal Year-to-Date Planning Board Activity

Subdivisions

Locations & number of unbuilt lots / units in newly approved and / or current residential subdivision applications: None, however, two new subdivision applications are pending.

Locations and remaining number of unbuilt lots / units in recently approved (unless marked pending), residential multi-lot subdivisions that are active: 7

- | | |
|-----------------------------------------|-------------------|
| • Crowley Woods | 60 Lots |
| • Derry Road – South Woods Condominiums | 20 (Duplex) Units |
| • Haverhill Road – Jenkins Farm | 2 Lots |
| • Pipit Estates (pending) | 8 Lots |
| • Pulpit Rock Road | 1 Lot |
| • Hemlock Lane – Cedar View Estates | 4 Lots |
| • Wason Road – JEMCO I | 4 Lots |
| • Wason Road & Rte. 102 – JEMCO II | <u>4 Lots</u> |

Total: 103 Lots/Units

(All these subdivisions are subject to Impact or Offsite Improvement Fees.)

The Planning Board has been made aware that applications for two large subdivision will be submitted this spring. These subdivisions will be located on Route 121, aka Haverhill Road.

Other Board Activities

- Subdivision Approval Extensions 1
- Site Plan Reviews (Residential) 2
- Site Plan Reviews (Non-Residential) 1
- Lot-Line Adjustments 2
- Conditional Use Permits (Non-Residential) 1
- Home Business Permits 2

- Subdivision Site Plan Reviews (pending shortly) 2
- Subdivision Approval Extensions (pending shortly) 1
- Site Plan Reviews (Residential – pending shortly) 4
- Site Plan Reviews (Non-Residential - pending shortly) 3

Planning Board Revenues, Supervised Accounts, Assets & Sureties

Gross receipts from applications etc. as of 2/8/21	\$ 4,090
Balance of Off-Site Improvement funds as of 2/1/21	\$ 6,014
Balance of Impact Fee accounts as of 2/1/21	\$ 234,546
Subdivision / Road Performance Cash Accounts as of 2/1/21	\$ 390,675
Subdivision / Road Performance Bonds as of 2/1/21	\$ 659,250
Subdivision / Road Performance Bonds (pending shortly)	~\$ 150,000
Total:	\$1,444,575

Proposed Zoning Amendments

(Please note the complete documents for these amendments are available online on the Town / Planning Board website, and at the offices of the Town Clerk and Planning Board.)

Are you in favor of the adoption of Amendment # 1 to the Town’s Zoning Ordinance as proposed by the Planning Board?

Amend: Article 2- Definitions – by adding a definition for “Internal Lots”.

Purpose: *To add a clarifying definition of “Internal Lot” as referenced in Table 1 and Section 6.12.2 – Internal Dimensional and Design Requirements with respect to Article 6 – Open Space Subdivision and Article 7 – Age-Friendly Subdivision.*

Are you in favor of the adoption of Amendment # 2 to the Town’s Zoning Ordinance as proposed

by the Planning Board?

Amend: *Articles 2 – Definitions – by adding a definition of Bed & Breakfasts & 5.3.3 – Special Exception Uses – by adding 5.3.3.13 - Bed & Breakfasts.*

Purpose: *To allow Bed and Breakfast facilities by Special Exception in the General Residential and Agricultural District (Zone R1), and to add a definition in Article 2 -Definitions.*

*Are you in favor of the adoption of **Amendment # 3** to the Town’s Zoning Ordinance as proposed by the Planning Board?*

Amend: *Article 4.14.3.1 – Fences.*

Purpose: *To clarify that fences must be located on the fence owners’ lots.*

*Are you in favor of the adoption of **Amendment # 4** to the Town’s Zoning Ordinance as proposed by the Planning Board?*

Amend: *Article 6 - Open Space Subdivision.*

Purpose: *To eliminate the unit-density incentive bonus for age-restricted housing, and commensurately increase the unit-density incentive bonus for workforce housing, to help the Town accomplish its fair-share obligation to address the Town’s and State’s critical shortage of workforce housing. This amendment is expected to benefit people of all ages indirectly, including seniors who wish to downsize. Workforce housing should not be confused with “low-income” income housing. For example, to qualify for workforce housing in 2020, the 100% median area income limit was \$98,000 for a family of four.*

Currently, Chester is experiencing significant development of larger, higher-priced homes. These developments do not include construction of lower-moderately priced homes for starter families, moderate income earners, or senior citizens looking to downsize. This development strategy is also raising the cost of existing homes on the market and pricing them “out of reach” for the average family.

Therefore, the Chester Planning Board is recommending the elimination of the “age-restricted housing” density bonus, and commensurately increasing the “workforce housing” unit density bonus for moderately priced housing that meets State and Federal guidelines. The Board has recognized that local developers have never used the age-restricted density bonus in the 15 years of its existence. This amendment does not increase the total available dwelling unit density bonus, it just reallocates it. The Board believes by approving this amendment it will encourage developers to build some workforce housing here in Chester to meet our population’s needs.

We all should also recognize the legal landscape regarding development density is changing. Local land use zoning, particularly dwelling unit density is increasingly under threat by new

initiatives from state government levels motivated by the critical statewide shortages of workforce and other types of affordable housing. Some of the initiatives are also being promoted by developers, realtors, and their lobbyists who are seeking to overturn local zoning ordinances to force higher densities of housing construction to improve their profitability.

Last year, in response to these pressures, despite huge opposition by the House and local municipal officials, the NH Senate created a Housing Appeals Board which has concurrent jurisdiction with the Superior Court. Any persons aggrieved by a decision of local planning boards now have the right to appeal decisions to the Superior Court or the Housing Board of Appeals. This means plaintiffs can bypass the court system and go to the three-member Board of Appeals. The Planning Board believes by approving this amendment, the Town's land use zoning, particularly unit density limitations, are more likely to withstand an appeal to either the Housing Board or a court challenge. The Board also believes this amendment helps prove the Town is making a good faith effort to address the workforce and other affordable housing shortages.

*Are you in favor of the adoption of **Amendment # 5** to the Town's Zoning Ordinance as proposed by the Planning Board?*

Amend: *Article 9.4 – Accessory Dwelling Unit (ADU) Requirements.*

Purpose: *To amend Section 9.4.10 by adding an exemption to Article 3.1.1.1 of the Town's Building Code, thereby removing the requirement of fire sprinkler systems for Accessory Dwelling Units.*

The Board welcomes any questions and input regarding the Town's Zoning Ordinance and Regulations, subdivisions, site plan reviews and other Board activities.

The Board generally meets on the first, second and fourth Wednesdays of the month in the main meeting room at the Chester Municipal Office Building starting at 7:00 P.M. For the duration of the Covid19 pandemic, however, the Board will be holding virtual meetings online via Zoom. For information on the Zoom link, or to call in to the meetings, please review the link on the meeting agendas posted on the Planning Board's webpages. The meetings are also aired live on Comcast's Channel 20, or can be streamed anytime from Chester PACT's "On Demand" service available on PACT's website.

The Planning Board Office is located at 84 Chester Street, Room 5, in the Municipal Office Building. The Planning Board Office hours are Monday through Friday from 8:00 AM thru 4:00 PM (excluding lunch hours).

The Town of Chester Zoning Ordinance and Subdivision and Site Plan Regulations can be viewed and downloaded from the Planning Board's webpage on the Town of Chester's website [<http://www.chesternh.org/boards-committees/planning-board>] Copies of the following documents may also be viewed and downloaded from this page: public hearing notices, meeting agendas, meeting minutes, subdivision plans, capital improvement plan (CIP,) impact fee reports, proposed and recently adopted zoning amendments and other documents.

Respectfully submitted,

Chester Planning Board

Brian L. Sullivan, Chairman
Evan B. Sederquest, Vice Chairman
Elizabeth B. Richter
Richard A. Snyder
Michael A. Weider
Aaron D. Hume, Alternate
Charles F. Myette, Ex-Officio/ Selectman

Staff

Andrew L. Hadik, Town Planner