A special meeting of the City Planning Board was held on March 25, 2009 in the City Council Chambers in the City Hall Annex at 7:00 PM.

Present at the meeting were Members Drypolcher (who as Chair presided), Swope, Dolcino (who arrived at 7:38 PM), Gross, Harrington, Hicks, Meyer, and McClure (who was present as the alternate representative from the City Council). Mr. Woodward, Ms. Hebert and Ms. Osgood of the City Planning Division were also present.

At 7:03 PM a quorum was present and the Chair called the meeting to order for the purpose of holding a public workshop relative to Traditional Neighborhood Development.

Mr. Woodward explained that an earlier public workshop on the Transfer of Development Rights was conducted at a special meeting of the Planning Board on July 23, 2008. Roger Hawk of Hawk Planning Resources, LLC made a presentation based on a report entitled, "Transfer of Development Rights, Evaluating the Options for the City of Concord, NH" that he had prepared and submitted to the Board. The report and workshop presentation focused on two alternatives, one being the actual transfer of the development rights (TDR) to build dwelling units on a parcel outside of the Urban Growth Boundary (UGB) to a parcel inside of the UGB, and the other being a development transfer credit (DTC) whereby the right to build additional units inside of the UGB could be purchased for a fee, and the proceeds of the fees would be dedicated to a fund for acquiring open space outside of the UGB. It was also noted that these alternatives are not necessarily mutually exclusive.

He reported that the Board had several conclusions and directives arising from the workshop. The Planning Division was asked to identify areas that could be receiving areas for transferred units or where purchased credits could be utilized. In addition to issues related to densities, it was noted that design guidelines needed to be addressed for development that would incorporate transferred or purchased rights for additional units. The Board considered the control of sprawl as much a reason to adopt a TRD or DTC program as protecting open space. It was noted that existing density standards allowed within the UGB may have to be reduced in order to encourage the market for the purchase or transfer of units.

He further indicated that to add development capacity through increased density, design issues must be considered in order to address concerns of compatibility and acceptability in areas receiving transferred units or development credits. As identified during the Master Plan process, one option for residential development to occur at higher densities but in an acceptable design format is to mimic the design of Concord's older neighborhoods with mixtures of single, duplex, three- and four-unit dwellings, as developed on grid street systems. This was discussed in Master Plan 2030 in the Land Use Section under the heading of "New Directions for the City's Land Use".

Mr. Woodward then introduced Roger Hawk, President of Hawk Planning Resources LLC who discussed the report entitled, "Reinforcing Traditional Neighborhood Character through Density Bonuses" setting forth a proposal for a Traditional

Neighborhood Development (TND) option for Concord based on the City's older neighborhood characteristics.

Mr. Hawk explained that TND is not just limited to being a vehicle for transferred rights and credits as it can be used as a design option for infill development in higher density districts. However, the TND option offers another development format which can be used to facilitate receipt of transferred units or credits. While the report finds that gross densities of eight units per acre are typical in the City's older neighborhoods, in the RS and RM Districts, Traditional Neighborhood Development standards can be applied at a density of five units per buildable acre, thereby adding development capacity in the RS District and the potential for compatibility and acceptability in both districts.

He reported that key elements contributing to Concord's traditional neighborhood character included dense compact design, pedestrian scale, architectural variety and quality, access to public open space, efficient use of the city's infrastructure investment, strong sense of social connectivity, variety of housing types and densities, a close proximity to retail and employment, interconnected streets, and a variety of transportation choices.

Ms. McClure asked what was the basis for selecting the study blocks. Mr. Hawk responded that these were some of the more desirable neighborhoods that are fairly typical of the City. They are representative of traditional densities and architectural styles. There were ten study blocks selected; four from Penacook, four from the west end of Concord, and two from the south end. They were chosen primarily for their variations in residential density and housing types.

Mr. Hawk explained that the key is having a variety of one, and two or more dwelling units with about 2000 square feet of open space for each dwelling unit. Street width and front yard setback are very important in the character of the neighborhood. More intimate older neighborhoods have narrower setbacks. He noted that current architectural styles tend to highlight garages and driveways while older architecture does not. With today's lifestyles, two parking spaces are necessary in higher density traditional neighborhood settings. Single car width driveways should be encouraged.

(Ms. Dolcino arrived at 7:38 PM.)

Mr. Swope noted that in the older neighborhoods of the city there is a variety of architectural styles but with new construction a developer would rather construct all the buildings in a project as much the same as possible in order to control costs.

Mr. Gross noted that the difference between older neighborhoods and new developments is the variety of building styles. In order to accomplish variety the City will need to provide incentives in the land use regulations. Also, if the City is going to ask the older neighborhoods to accept a higher level of density, it will have to assure those residents that it will not create a major change to their community.

John Langill from Cherry Hill Homes explained that one of his development principles has been that they do not build the same exterior styles within a development. He explained that he had done a lot of research on this type of development when he created Little Pond Estates and really wanted to construct a traditional style development with that project. However, he ran into a lot of problems with the interior layout. Eventually he gave up on the idea because he could not get around the problems. At that time the market just did not want that style of development. Marketability was his biggest problem. It was just too big a hurdle for him.

Ms. Meyer was not sure it was realistic to dictate a certain building style but she felt it might be possible to use standards such as lot shape and size, road design, landscaping, and general building features.

Mr. Hicks commented that the more multi-family rental units there are in a traditional single family neighborhood, the more likelihood there is to have a transient population that is not necessarily desirable. He would probably want to move out of his traditional neighborhood if a multi-family building was constructed in his neighborhood.

Laura Bonk, a resident of Tahanto Street, reported that her neighborhood is about 50% rental property and she thinks it is a huge asset to the neighborhood. She felt it was often hard to tell which buildings housed tenants and which were owner occupied. She then asked if the Planning Board could regulate driveways. She felt that single width driveways made for a prettier neighborhood.

Mr. Swope felt one of the keys would be to have a good mixture of building style. There cannot be an overwhelming majority of just one type of building style.

Mr. Harrington felt one of the things that would be interesting to know is what made this traditional style neighborhood appealing to residents and then build on that.

Mr. Langill explained that for any development, the numbers had to work. He reported that, without having done any research on it, his sense was that if the City provided some kind of transfer program, a developer could tear down a couple of older, less desirable buildings that are past their prime and construct a new, higher density building subject to reasonable design criteria set by the City and make the numbers work. If the risk for the developer was reduced, there is a certain point where it might be palatable.

There was a discussion regarding the utilities in front of residential buildings and what would happen if front yards setbacks and road widths were narrowed.

Carlos Baia, Deputy City Manager for Development, explained that transformers and utility service boxes are not normally constructed in the right-of-way. He liked the idea of moving the setbacks forward. He also reported that staff is looking at regulations regarding road widths, as they are not very environmentally friendly and not conducive to development. He hopes to get the revised regulations to the Planning Board for review in the next few months.

Mr. Swope felt the key to this is how to build in incentives to make it interesting to prospective developers.

Mr. Hawk suggested adopting a form of density transfer bonus system in conjunction with design standards. Too many design controls on where the density is going to be placed will disincentivize the process. There needs to be a middle ground that is not onerous but still provides the standards that are important to the city.

Mr. Langill noted that trends in home construction have changed dramatically in the last five years. The preference now is for smaller homes with upgraded details. The trend is changing as the population ages.

Robert Nichols from East Concord explained he had read the report and found it very enlightening and intriguing. He thinks the time has come for something like this. To construct a PUD or cluster development requires at least ten acres. There are not many lots of ten acres or larger with City services available. He looked at this has more appealing as an infill on a smaller tract. He liked the ability for a mix of housing styles. He also suggested that perhaps the single family homes could be constructed along the perimeter of a development with the multi-family and duplex units in the interior part of the lot. He also felt the need for ten acres could be reduced.

Mr. Gross felt it would be very helpful if somebody could identify areas that the City would like developed in this fashion and a conceptual development plan under a new proposal compared to what it would look like under current regulations. He also asked for more information about the mechanism for accomplishing a transfer of development rights. Would a developer purchase credits outside the UGB and come to the City with a request to develop within the UGB?

Mr. Swope would prefer that the developer find the open space and negotiate his own agreement to purchase the development rights.

Mr. Swope felt it needed to be easy for the developer both in time and in price. The City should not put up too many roadblocks no matter how the option is designed, and it needed to provide for both large tracts and infill sites.

Ms. McClure asked how open space would be protected in exchange for development. Mr. Swope responded that the theory would be for the developer to pay an amount and then the City would have that money available to purchase open space.

Staff was directed to provide a few examples of how this type of incentive could work.

Ms. Meyer felt urban infill is not likely to be for people who want three-car garages. It is likely to be workforce housing. That may be the appeal to a developer because that would likely be less costly construction. Mr. Hawk responded that one other incentive could be to allow greater density in exchange for constructing a number of workforce housing units.

Mr. Langill felt the receiving area would be key. It has to be developer-friendly where a developer will gladly go and develop.

The Planning Board requested that Mr. Hawk provide the Board with a framework and models for a Transfer of Development Rights program.

Other Business

Mr. Woodward reported that the City had received a grant to prepare an ordinance for the protection of the City's aquifers and groundwater resources, as recommended in the Master Plan. Staff has been working on that project with a consultant and is ready to have the Board receive a presentation on the approach and the specifics of a proposed ordinance. He suggested a special public workshop-type meeting of the Planning Board with the consultant, similar to this evening's meeting. He indicated that there would be a draft ordinance available for the Board's review prior to that time. Members agreed to meet on Thursday, April 30, 2009 at 7:00 PM in the City Council Chambers for this purpose.

There was no further business to come before the Board and the meeting adjourned at 9:03 PM.

A TRUE RECORD ATTEST:

Douglas G. Woodward
Clerk

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