

TOWN OF DEERFIELD
DEERFIELD CONSERVATION COMMISSION
December 14, 2009
MINUTES

Call to Order:

7:08 pm: Erick Berglund called the Meeting to order.

Present:

Erick Berglund~ Treasurer, Diane Thompson, Dave Linden & Kate Hartnett

Members Absent:

Chair~ Serita Frey & Wes Golomb

Visitors:

Planning Consultant, Jack Mettee

Citizen' s Comments:

None

Approval of Minutes:

None

Work Force Housing Presentation:

Kate Hartnett introduced Planning Consultant, Jack Mettee, independent planner, who is working with the Planning Board on the Work Force Housing project. Mr. Mettee informed the Commission that there is a State Law that will be effective in January 2010 that states that all communities in the State of New Hampshire must provide reasonable and realistic opportunities for Work Force Housing. It does not mean that there is some area that the Town designates as multi-family housing; it will be more of an effort to meet the intent of the law. It will differ from one community to another, as there are different sets of circumstances for each town.

Mr. Mettee stated that there is basically an imbalance with respect to cost of housing and the increase in income over the past ten years. He used the example of the average home price in Deerfield in 2000 which was \$175,000.00, and how seven years later it was \$315,000.00 (an 80% increase in the cost of an average house). At the same time, the immediate income of a family of four increased from \$61,000.00 to \$86,000.00; an increase of only 42%. Consequently, people who were at that median had a hard time affording a house.

Mr. Mettee explained that many get the impression of Work Force Housing as being like the projects and some are afraid that these housing projects will have a lot of kids, which would increase the school taxes. He said that the people that need the Work Force Housing are the average citizens, such as teachers, police officers, trades people and young professionals who are typical workers (people who don't make 86,000.00 a year). There are several apartments and houses in Portsmouth, NH that were actually sponsored by a private/non-profit company that was completely outside the government; they took charge of everything, such as income qualifications. He gave an example of a 31-unit project in which only had one school child.

The Planning Board has been giving public education meetings and has had meetings with other groups or clubs in Town (the Fire Department, the Rescue Squad and Republicans & Democrats) trying to reach out to make sure they understand what Work Force Housing really is. There are three amendments that will heard at the Public Hearing on Thursday night.

One is for a Multi-Family Conversion that takes the existing multi-family that is in the zoning ordinates (which allows conversions up to four units) and expands it to allow for additional units; as the State Law's definition says a multi-family home is five or more units. With a small change in the existing regulation, they are trying to meet that definition.

Secondly, they are proposing an Open Day District, which is a half a mile from the Town's center; within that half mile radius they will be allowed to construct a multi-family unit, as long as a portion of them has Work Force Housing in them. That spot was chosen, as the current zoning has the senior housing overlay district; using that as a way to regulate suitable housing. They calculated the number of units; in the proposed ordinates it will cap at 1% of total housing stock (around 87 units). The Planning Board and the Work Force Housing Community thought that the best thing to do is to put it close to the Town center where there are services that people can get to, as well as

noting that there is already multi-family housing in the center of town (ex: Cornerstones). The idea is to limit the number of units they can have in a building, which is six, so that it will not be too huge of a building.

Thirdly, is to take the existing Open Space Development Ordinance and squeeze in a couple of provisions to allow for Work Force Housing; so that when they cluster their Open Space Development, some of those developers who have had incentives can build a few extra units just for Work Force Housing. One of the concerns was the number of Work Force Housing units that can be in the Town and they can limit that by putting an umbrella concentric ring that happens to be 2.5 miles (about 50% of the Town and ties into the State provision that says that the Town must provide Work Force Housing for Constructed Housing); a majority of the Town that is zoned to residential. They are trying to stay within the State Guidelines, but also to be sensitive to the concerns of the people of Deerfield. Erick Berglund asked if the 50% percent of the Town meant the land area. Mr. Mettee confirmed it was the geographic area.

Mr. Mettee said some citizens are concerned about how they are going to look and if they will detract from their community. He referred to the pictures in the presentation packet of houses which do not look like large constructed apartment buildings. They can be designed well, be managed well and look attractive in the community. He addressed a case study in Rye, NH that took an old colonial and turned it into eight units of affordable housing. They have built in those provisions in the proposed amendments, in that, the character of these must be consistent with the character of the neighborhood (in terms of architectural and exterior design).

He stated that Work Force Housing does not increase school enrollments and that they generally have lower demand on schools than regular houses, as they tend to be smaller to make them more affordable. It is the larger \$300,000.00 houses that have three or four bedrooms that averages to have .63 school children (almost a school child per unit); smaller units have less than a quarter of a child for over the average in New Hampshire. Generally speaking, Work Force Housing will not generate any more school children than market rate housing.

Diane Thompson stated that the images of those houses are very attractive and asked if there would be something managed through the Planning Board to ensure they look like that. Mr. Mettee stated that they did not present it very well at the Town Meeting last year, so they conversed about trying to educate the people of Deerfield on what Work Force Housing can really be. He believes the rent averaged about \$1,200.00 a month with the market rate, so it could probably be driven down to \$700.00 to \$800.00 a month for Work Force Housing. He confirmed that they are intervening the market, but it is not price control. Instead of saying they must do something, they are going to provide incentives. He gave an example of if Zoning allowed them 10-units on a 20-acre parcel, they will allow them to build two more units as long as they make those units for Work Force Housing (which wouldn't be much more, as the developer already has mobilization costs and the roadway).

Mr. Mettee said that by the State Law they have to target the median income for a family of four; based on a regional number. He gave an example that if they had a \$90,000.00 median for this region (multiply that times three roughly), it would be a \$270,000.00 house. The way they define a cost of house affordability, is 30% of the income. Diane Thompson asked how it would work in terms of resale value. He replied that there would need to be some kind of a deed restriction on the Work Force Housing property to insure that there is continued affordability. Typically, the value of the house increases and in most cases they would make money on the resale, but in this case, they would not be guaranteed to make the market rate for the resale of the Work Force House. However, he is recommending to the Town for whatever the 30% of income price happens to be at the time of sale, they would look at the immediate income (for example: \$95,000.00, so instead of being \$270,000.00 they would be able to sale for \$295,000.00; making \$25,000.00 for five years).

Mr. Berglund asked who manages this and who bears the cost, as the deed restriction is only good in the deed. Mr. Mettee said the Town would engage through the developer (or the manager of an apartment building) or a third party, which could be the New Hampshire Finance Authority, the Work Force Housing Coalition in Portsmouth or a private company. There are private companies out there that work specifically with Work Force Housing who do the "dirty" work; they check to make sure the income is accurate and process all the paperwork with respect to that and are required to report that information back to the Town. However, the Town is not responsible for actually doing it. He gave an example that if there were ten Work Force units and two of them go on the market this year, they would want to make sure that whoever is buying them is also going to be a Work Force person, as one of the provision of the State Law is called "Fair Share". It basically is a concept that every community in their region must share the burden of Work Force Housing; the Southern New Hampshire Regional Planning Commission can actually allocate them a number of Work Force units to achieve. He stated that it is a number that is almost impossible to get to. They have to meet their fair share also five or ten years from now; so they would want to try to keep the Work Force units they have in the Work Force category (that is why the Town needs those reports to show that those units that they approved ten years ago are still Work Force units). He referred to the out sourcing to companies that manage the units, and said they would put an administrative charge on the cost of the sale (a small number, like 1%).

Mr. Mettee stated that the people on the Work Force Committee decided to provide opportunity for those people who are making only \$60,000.00 or \$70,000.00, and so they provided further incentives in the proposed amendment. If they meet not just the 100%, but 60% or 80% of medium income, they can qualify. Mrs. Thompson asked if they would need to re-qualify for this housing if they get a pay increase or win the lottery. He replied that they cannot be told they have to leave the house; they are ok until they decide they want to leave.

Kate Hartnett added that Mr. Mettee has worked with volunteers and Peter & Fran Menard (who are in the Real Estate field), who are ones that really understand what the people's needs are in the market and support this. Mrs. Thompson asked what the Conservation Commission needs to be concerned of, other than updating the master Open Space Plan. Mr. Mettee replied that he doesn't think there are any concerns; he is just asking the Commission to spread the word so that people do not think it will have a negative impact on the Town.

He stated that the density would be based on the State's septic regulations for bedrooms; they will still have a fairly sizable lot, but will concentrate the development. He confirmed that the reaction from the other groups in Deerfield has been good. He added that talking through all the questions and concerns the people have had has made it less frightening to the citizens.

Financial Officer's Report:

Treasurer, Erick Berglund, updated the Commission on the meeting with the Board of Selectmen (BOS) to present the budget. He stated that the budget they proposed was \$2,428.00 and it was accepted by the BOS according to the Minutes, the Vote and his recollection. There was one dissenter on the Board, as he did not agree with moving the \$44.00 no longer used for the post office box and putting it into the part-time secretarial line. He stated that they approved it by the majority, but at the Municipal Budget Committee (MBC) meeting they approved it as \$2,384.00. He added there was also an attempt by an MBC member to reduce the DCC Budget to \$1,500 which was defeated.

Mr. Berglund stated that as of the end of November, there is \$283,281.84 in the Conservation Fund. He did some research as that number seemed very high, and he found that there was some land use change tax this year (at about \$30,000.00).

He mentioned that a while back there was a check sent to the Town regarding High Meadows (the Fred Dodges farm), where there is an easement the Conservation Commission is monitoring. In late 2006 there was a \$2,000.00 check sent to the Town by the developer to cover the monitoring cost, but somehow it was discovered that the check never made it to the Conservation Fund. Mr. Berglund got the Town Treasurer to do some research and they found no record of a deposit in 2006 in that amount (nor did they find any big deposit made to the Conservation Fund). He has asked the Treasurer to take another look in 2007 and in the Town's deposits.

Mr. Berglund referred to the invoice from Bear Paw for \$100.00, and has requested an invoice from the Lamprey River Water Shed Association that will be \$100.00; he asked the Commission members for their approval to pay both of these membership dues for 2010.

MOTION: Kate Hartnett made a Motion to pay the membership fees for 2010.

SECONDED: Diane Thompson seconded the Motion.

VOTE: Erick Berglund called for the Vote.

It was a Unanimous Vote in Favor.

Mr. Berglund informed the Commission that they have expended about \$1,000.00 in their budget for this year.

Strategic Planning Update:

Kate Hartnett moved to Table this for Serita Frey can be present.

Land Conservation:

None

Regulated Wetlands:

Erick Berglund reviewed with the Commission the recent correspondence letters from the Department of Environmental Service (DES):

- Wetlands and Non-Site Specific Permit # 2007-02481; for Howard Viens, regarding 6 7 & Sunset Lane, Deerfield, NH (Map-207, Lot-52). To repair "in kind" an existing 15 linear feet of retaining wall, after-the-fact approval for a seasonal boatlift with a 12 ft x 8 ft seasonal canopy on Pleasant Lake, Deerfield, NH.
- Shoreland Impact Permit #2009-02317; for Mike Desroche, regarding 4 Pond View Lane, Deerfield, NH (Map-206, Lot-28). To impact 3,872 square feet for the purpose of expanding a non-conforming structure.
- Wetlands and Non-Site Specific Permit #2009-01641; for NH Department of Transportation, Concord, NH (NHDOT Project #15266) regarding NH Route-107, Epsom / Deerfield, Waterbody: Griffin Brook. To remove a 13 foot long bridge and replace with a 20 foot clear span bridge using a reinforced concrete slab, abutments, wingwalls and realign 120 feet of stream impacting 5,660 square feet. of riverine wetlands.

- Notice of Administrative Completeness/ Standard Dredge & Fill Application/ Wetlands File #2009-02839; regarding PSHN ROW, Deerfield (Tax Map/ Lot # Various). To acknowledge that on 11/20/09 the NH DES Wetlands Bureau received a Standard Dredge & Fill Application and materials requesting a permit for jurisdictional impacts related to the proposed project.

New Business:

Kate Hartnett stated that the Open Space Committee and the Planning Board would like to work with the Deerfield Conservation Commission on an exciting document that has been prepared by the New Hampshire Audubon Society; which is a review of all the land use planning documents that they use in the Town and how they relate to protecting wildlife habitat and the natural resources. The zoning, the subdivision, the site plan review and other documents are all evaluated in terms of 19 topics (for ex: shoreland, surface waters, wetlands, natural hazards, light pollution, landscaping, natural vegetation, forest & forestry flood plains, agriculture and productive soil). She stated that she will do her best to make sure that everyone in the Conservation Commission has a chance to review this.

Ms. Hartnett said that the NHA is doing some great work with the Planning Board through I-93 CTAP funding. She hopes that they can use the NHA land use review in the 2009-10 SNHPC update of the Open Space Plan, funded through another CTAP initiative.

Old Business:

None

Education Outreach:

Kate Hartnett moved to Table this for Serita Frey can be present.

Announcements & Correspondence:

None

Citizens Comments:

None

Adjournment:

9:05pm

MOTION: Dave Linden made a Motion to Adjourn.

SECONDED: Kate Hartnett seconded the Motion.

VOTE: Erick Berglund called for the Vote.

It was a Unanimous Vote in Favor.