

PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
October 19, 2022

TIME: 7:00 p.m. – 8:40 p.m.

DATE APPROVED: 11/02/22

MEMBERS: Susanne White- Chairperson, Melinda Gehris -Vice Chair, Adam Charrette, Ed Sauer, Steve Livingston, Nancy Egner

EX-OFFICIO: James Bailey III

PLANNING DIRECTOR: Robyn Payson

ALTERNATES: Kim Opperman, Dana Clow

Excused: Steve Livingston, Ed Sauer, Adam Charrette

Public: Mary Rogers, Babette Haley

Call to Order:

Chairperson Susanne White called the meeting to order at 7:00 PM.

Susanne White called the roll; she appointed Dana Clow to sit in place of Ed Sauer and Kim Opperman to sit in place of Steve Livingston.

Minutes: 10/05/22 Melinda Gehris made a motion to approve the minutes. Jim Bailey seconded the motion. The motion carried unanimously

WORK MEETING

Gateway Zone

Matt Taylor CNHRPC

Matt Taylor handed out a map of the proposed Gateway zone and reviewed the first draft of the ordinance.

He said his understanding of the goals of the Planning Board was to have mixed use commercial and residential development in the zone. He said it is tough to measure density, but you do know in general square footage of what can be built on a lot. He said he is proposing using a “floor area to land area” ratio as part of the regulations in combination with the building coverage percent that currently exists. He said those two things can be incentives for a developer to build up. The floor area to land area ratio would be the maximum density you could have on the site if you have public water and public sewer. Matt Taylor spoke about bringing a TIF district in to accomplish that. He said the mix of commercial to residential is 30%. He said the Board may want to consider increasing that to 50%. He said there may be a developer who wants to do single story commercial and an apartment building.

Kim Opperman said he thinks there will be an issue if they become too specific on what could be approved.

Matt Taylor said looking at the mix is that the Town is going to want as much commercial as you can get out of the site because that is the highest value.

Kim Opperman said that commercial development is not happening right now.

Matt Taylor said that almost every use that is allowed in the Commercial zone will be allowed in the Gateway, there will just be the addition of residential included. He said commercial may not be working right now but if people are living there, they are going to need services.

Kim Opperman said they just didn't want to hem ourselves in because we want a developer to come in and say what they want to do.

Matt Taylor directed the Board to the end of the ordinance that talks about waivers. The Planning Board has the authority to waive almost everything. He said if the Planning Board got a project before them that they liked and it didn't have the right mix, they have the ability to grant waivers. He said you want to make it as streamlined as possible.

Susanne White asked for an example of a Conditional Use Permit being addressed concurrently. Matt Taylor said if you had a proposed development that is mixed use, the residential uses are conditional uses so that would be a permit that would be included with different standards of review. The Planning Board can act on that and site plan approval at the same time.

Jim Bailey said at the last Selectman's meeting Jack Franks of Avanru Development came in and asked about other locations that could be developed. He said he suggested that the area where the proposed Walmart was going to be had commercial with residential planned behind it. He said they were interested in coming to town and doing things.

Susanne White said there was a discussion during the affordable housing application about bringing a manufacturing plant and then open a trade school.

Matt Taylor said that in the zoning they want to leave the uses as open as possible. That is what a mixed-use district is all about. He said he had originally included "industrial" uses as a conditional use, but the Board might want to fine tune that. He said there were light industrial uses that could be included.

Kim Opperman said that could be huge because people want to do light industrial in places where they are going to have a reasonable work force and a nice quality of life that is not as difficult as Manchester or some of the bigger cities.

Matt Taylor said with site development you can create a quality environment for people to live, then you have that work force for business.

Dana Clow said if every possible use is allowed the first couple in set the tone and that may preclude other types of businesses. He said it is a lot of area, but it is limited, and what happens is you have the possibility of conflicts between uses sited side by side. The housing for work force will attract amenities. You want to have commercial development, but you might find that

in close quarters it presents a lot of challenges.

Matt Taylor said there are some uses that the Board doesn't want close to each other. He said as far as your site plan review for any project, you want to evaluate the mix of uses; how they are buffered, and how noise is abated. Whatever industrial uses you allow have to fit in with the residential uses.

Mary Rogers asked for an example of a recent planned urban development that has worked.

Matt Taylor said the most prominent example is Tuscan Village in Salem New Hampshire. He said the scale is different, but it is mixed use, and if Hillsborough wants a development like that, they have to consider scale. There is also an example in Bow that hasn't been constructed yet to build a mixed-use development that includes commercial. Hillsborough is going to be a smaller scale with a community septic if there isn't the sewer capacity. There is capacity for water, and you could use that.

Susanne White said she wondered if some of the permitted uses should be changed to conditional uses. She said they would not decide it tonight, but it is something to think about.

Mat Taylor asked the Board if they thought a 30% commercial requirement made sense. He said they could change it in the ordinance to 50% and if you had a good project that didn't meet the letter of the law the Board has the ability to waive it.

Kim Opperman said 30% would kill the deal for residential development. You have to show a lender that you have a tenant for that commercial portion. He said we can't fill our downtown, how can we fill out of town?

Matt Taylor said it is the "chicken and the egg" scenario. He said if you leave it strictly residential you could have any developer come in and put-up apartment buildings. He said his impression was that was not what the town wanted.

Kim Opperman said you wouldn't find a developer interested in doing commercial unless they are in a high-density area.

Matt Taylor said that wasn't his experience in Bow. He said he understood where he was coming from. You could put this ordinance and still nothing could happen.

Kim Opperman said developers could look at the ordinance and say they can't do business here.

Matt Taylor said under this ordinance you don't have to have residential. Right now, it's all commercial.

Kim Opperman said limiting the residential to have a commercial component is a deal killer.

Matt Taylor said right now it's only commercial.

Kim Opperman said commercial is not coming back in the near future.

Matt Taylor said this ordinance is intended to bring in some residential but not do away with the commercial uses all together.

Susanne White said we need the extra housing, but if we can attract some commercial development that would be good. She said she is not thinking of retail specifically but there can be some other uses that might be interested in coming.

Kim Opperman said when the population grows, they will come. But he said he thinks it's residential first. All they are looking at is demographics.

Matt Taylor said in his experience in Nashua they want the residential first but it's not necessarily the best thing for the town where the town needs a diverse tax base. He said adding higher end residential units could help diversify the over all tax base.

Dana Clow asked about the procedure moving forward. There was a brief discussion.

Robyn Payson said the ordinance will be finalized and then have a public hearing and finally go on to Town Meeting.

Dana Clow discussed his experiences with mixed use re development projects. He said things will continue to evolve and commercial and even retail in some form may start to come back.

Susanne White said a 20%-30% range might be better instead of a set number.

Dana Clow said you need to set the limits and maybe 20% would be a little more attractive than 30% but you don't know what you are going to have. For smaller projects you might not need to go to the bank. He said he did three projects and two were very small and self-funded and it was gorgeous. He said this is a good starting point if you consider the current economic environment.

Matt Taylor said it is a question of where you want to set the bar. If you set the bar higher then you can waive it down, but it doesn't work the other way. If you set the bar low that is probably what developers are going to aim for.

Dana Clow asked how an ordinance can be waived.

Matt Taylor said it can be because it is an "Innovative Land Use" ordinance. He said his concern was with the vote at Town Meeting that would show less commercial development in the zone. He said under this ordinance if someone comes in with a project with 25% residential and 75% commercial the requirement can be waived.

Dana Clow said the wording is important to make it clear what a developer can do and see that the end result is what you are going for.

Matt Taylor said the residential use will be very attractive. Its not likely that you will start out with a mixed-use building. It will probably be a single-story commercial building with residential behind it.

Mary Morehouse said it was like the “chicken and the egg” and she thought commercial would come in first, but housing is very attractive. She said having places to go will bring people. She said Hillsborough is 25 minutes from Concord. She said her neighbor works in Keene which is also 20 minutes away. She said Hillsborough is 20 minutes away from anything possible.

Susanne White said Hillsborough is the center of south-western New Hampshire. It’s a critical intersection and she thanked Matt Taylor for working with the Board on this ordinance.

Kim Opperman said they are missing one thing about the commercial side. He said he manages a shop in Rhode Island, and they have three or four vacancies. He said they are with their fifth broker, and they don’t have anybody. Nobody’s looking and when they do they call all the shots. If they don’t get everything they want they go on to the next town. It’s unconscionable how difficult its gotten. There are very few retail that are trying to go and very little commercial and its sad.

Robyn Payson said that the beauty of this ordinance is that it gives flexibility. She said you are not sitting here with a commercial zone that only allows commercial.

Kim Opperman said people are doing so much online shopping he doesn’t know what brick and mortar stores are going to do. The world has changed.

Matt Taylor said there is potential for other commercial development like research and development.

Nancy Egner said there could be professional services as well. She said she would love to see an eye doctor.

Mary Rogers said she would like to see an Urgent Care, especially if they want seniors to live here.

Babette Haley asked if hydroponics would be an allowed use.

Matt Taylor said it could be, but he didn’t see it in the table of allowed uses. He said what the Board might want to do is spell out more uses particularly industrial and agricultural uses.

Susanne White asked if anyone or Matt Taylor had any more comments.

Matt Taylor said there is a clock to follow for Town Meeting. He said December and January are the months where you can hold the hearings.

He said that the Board had spoken about developing a TIF district and there is also the “Invest New Hampshire” program. There is a lot of money out there for towns that want to develop

ordinances or in the case of a TIF district a funding mechanism to make infrastructure improvements. He said if they wanted to do that he could assist with an application. He said there is no match required and when the town receives the money. The key is that it has to be used to promote housing.

Robyn Payson said that establishing a TIF district was included in the Master Plan.

Susanne White said it is not a topic that the Board has brought up but it is one that needs to be discussed.

Matt Taylor said if this were something the Board would like to do he would work with Robyn to pull an application together.

Kim Opperman made a motion that Matt work with Robyn to make an application to Invest New Hampshire to explore opportunities for TIF funding. Nancy Egner seconded the motion. The motion carried unanimously.

After Matt Taylor left the meeting, the Board continued their discussion of the Gateway Zone.

There was discussion about the Maximum Floor Area Ratio and density.

Jim Bailey expressed concern about putting the Gateway Zone in this year's ballot. He said there needs to be a public understanding or it will fail. Melinda Gehris said she shared that concern.

Susanne White suggested a meeting with the property owners, Water/Sewer, Conservation, and the North Branch River Association.

Following discussion, the Board decided that they were going to talk about the Gateway Zone after the Site Plan application on November second.

The Board discussed ways to educate the public.

Susanne White said that they should be able to get support from the Economic Development Commission and the Chamber of Commerce.

Zoning Amendments

Robyn passed out the definitions and changes to the zoning ordinance and asked the Board for input.

Note #2 on the Table 4 Chart of used requiring the minimum dwelling size be 600 square feet will be changed to 300 square feet for a one-bedroom dwelling unit. Units two bedrooms or more require an additional 120 sq ft per bedroom.

There was discussion about the definitions of Manufacturing and Light Industry.

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Robyn Payson suggested that the Board look at the other definitions and decide if they wanted to see them allowed in the Gateway district.

The Board will review them and bring their suggestions to the next meeting.

There being no other business Melinda Gehris a motion to adjourn. Jim Bailey seconded the motion.

Meeting Adjourned 8:40 pm

Respectfully Submitted,

Robyn L. Payson, Planning Director