

Webster Planning Board

Minutes - Meeting of August 19, 2010

Present: Selectman member George Hashem; members Jere Buckley (secretary), Richard Doucette, and Tom Mullins; and alternates Susan Roman and Mason Donovan. Also present: Selectman David Klumb, Planning and Zoning Secretary Mary Smith, and several residents.

Mr. Doucette, serving as acting chair in the absence of Chairman Cliff Broker, convened the meeting at 7:00 p.m. He designated alternate member Roman to serve in voting capacity in the absence of Mr. Broker.

Attendance was taken, with the results noted above.

The Board then turned to the issue of meeting minutes.

Mr. Hashem contended at some length that the meeting minutes have sometimes focused on one sentence in a discussion, failed to report related discussions, and thereby presented a distorted overall picture. He asked that future meeting minutes include reports of those related discussions. Mr. Buckley noted the contrast between this request and prior complaints that the minutes have been too detailed and too extensive.

Mr. Hashem made and Mr. Mullins seconded a motion to approve minutes of the April meeting, changed by majority vote in the July meeting to report that Mr. Hashem had suggested a 'fair share' computation in anticipation of, rather than in response to, a legal challenge. The Board approved the motion by a 3-to-1 vote, with Mr. Buckley again in opposition.

Upon motion made by Mr. Mullins and seconded by Mr. Buckley the Board voted unanimously to approve the 20 May minutes as written.

Mr. Buckley noted that the date in the title of the attachment to the 17 June minutes should be corrected from May 20th to June 17th. Upon motion made by Mr. Mullins and seconded by Ms. Roman, the Board voted unanimously to approve the 17 June minutes with the corrected date.

During the Board's review of the 15 July minutes, Mr. Mullins noted that a statement read by Mr. Buckley towards the end of the meeting had not been included in the minutes. Mr. Buckley did not have a copy of that statement at hand. Upon motion made by Mr. Hashem and seconded by Mr. Mullins, the Board voted unanimously to table review of the 15 July minutes to allow the secretary to review his files and/or the recording of the meeting and to rectify any substantive omissions.

As scheduled, consultant Bruce Mayberry telephoned the Board at 7:30 pm for a conference call to discuss how his services might be of use to us in our response to the new workforce housing legislation. Based on the work that Ms. Roman has done on the topic, acting chair Doucette asked her to moderate the discussion. After confirming that Mr. Mayberry would charge for his participation in the conference call at his standard hourly rate, she suggested that the topic of a 'fair share' computation be the initial focus of the discussion.

Mr. Hashem asked how many 'fair share' computations Mr. Mayberry has performed. Mr. Mayberry responded that he has been involved with the topic since its origin in New Jersey in the 1970s and has been involved in the development of relevant models and formulas. He noted that the NH legislation is conspicuously lacking in relevant guidelines.

He noted that mandating low-cost housing in rural areas with little infrastructure, long distances to job markets, and relatively little rental housing, may not even be sensible. He suggested that a detailed 'fair share' analysis may make sense on a regional basis but may not be appropriate for Webster. He suggested that Webster might be better advised to invest in such things as a resource inventory, a study of sales price history, a review of the zoning ordinance, and resolution of the multi-family housing issue.

Both prior to and during the conversation with Mr. Mayberry, it was evident that there are two schools of thought among Board members.

Mr. Mullins suggested that, for a variety of reasons, Webster is far down the list of towns in which a developer is likely to propose a moderate income housing project. He argued that, until such time as the Supreme Court acts to create meaningful guidelines to supplement the workforce housing legislation, any attempt by Webster to tailor its ordinances to the workforce housing legislation could result in our being worse off than if we take no immediate action.

Ms. Roman professed to be less confident than Mr. Mullins that Webster is an unlikely target for a workforce housing developer, in large part because of our proximity to the Concord labor market. She cited the case of Dunbarton, also a relatively rural town, that found itself faced with a workforce housing development proposal and no relevant ordinance to shape that development. She noted that what may happen is that the Court and the developer will decide the characteristics of the workforce housing development with little or no input from the town. She said that she sees no downside to an ordinance with provisions that assure some degree of town control over the nature of a workforce housing development.

Mr. Mayberry responded to Mr. Mullins' comment about waiting for the Court to establish needed guidelines by noting that Court rulings are always very narrow in nature and that expecting broad guidelines to emanate from court decisions in the near term is not realistic.

He also noted that, at the very least, the current Webster prohibition of multi-family housing must be brought into compliance with the workforce housing legislation.

He indicated that lot sizes of 1 to 1.5 acres, dependent on soil types, are often regarded as the smallest that can meet water and sewer requirements. He emphasized that a developer wishing to implement a workforce housing development cannot do so in a manner that adversely affects the environment.

He made several references to the fact that, while lacking in specific guidelines, the intent of the workforce housing legislation is that towns provide "reasonable opportunity" for the provision of workforce housing.

Mr. Mayberry agreed to prepare a proposal, more specific than his earlier proposal, on how his services might best be applied to Webster circumstances. He indicated that his proposal will likely focus on resource/risk analyses, looking at land values, how those values are affected by density, assessed values, sales history, and demographics. He indicated he will approach the fair share issue in only a very general way, perhaps looking at Webster metrics as a proportion of those for the region. He said his proposal will include an overview of relative Webster ordinances to identify exclusionary provisions or other potential 'trip wires' relative to the workforce housing legislation. He said he will not propose actual ordinance writing.

In response to a question, Mr. Mayberry indicated that he can quote his services on either a fixed price or a cost-not-to-exceed basis. The consensus of the Board seemed to favor the latter. Mr. Buckley noted that, given the current economic conditions and stringent budget restrictions, the cost of Mr. Mayberry's proposed services will be a factor in the Board's ability to convince the Town to contract for those services.

The conference call was terminated by acting chairman Doucette at 8:11 pm.

Upon motion made by Mr. Hashem, seconded by Mr. Mullins, and unanimously approved, the meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Jere D. Buckley, Secretary