

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC HEARING – ZONING AMENDMENT)**

April 18, 2023 at 6:30 PM

Mayor Craig called the meeting to order.

The Clerk called the roll.

Present: Aldermen Cavanaugh, Stewart, Long, Fajardo, T. Sapienza, Trisciani, Levasseur, Heath, E. Sapienza, Burkush, Barry, Gamache

Absent: Alderman George-Kelly

Mayor Craig called for the Pledge of Allegiance, this function being led by Alderman Barry.

The Clerk presents the proposed Zoning Ordinance change:

1. “An Ordinance amending the Zoning Ordinance, Chapter 155 of the Manchester Code of Ordinances, to increase the allowed size of Accessory Dwelling Units (ADUs), expand their permitted locations within lots of record, and reduce which ADUs require a Conditional Use Permit, among other amendments.”

Mayor Craig requested that the Director of Planning and Community Development make a presentation.

Jeff Belanger, Planning & Community Development Director, stated I will keep this really brief and give you a quick synopsis of the purpose of these amendments and answer any questions you may have. The purpose of these amendments first and foremost is to make it easier to construct accessory dwelling units in the city. As you probably know, accessory dwelling units are relatively small secondary dwelling units that can be built on the same piece of property as a single-family home. They are often referred to as granny flats or as in-law suites but really they can be rented to anyone. There doesn't need to be a family relationship between the people in the single-family home and the accessory dwelling unit. They can be rented like any other apartment and they are a great way to fairly inexpensively add housing stock to the city primarily because there is no need to purchase additional land to construct the additional

dwelling. It is with that in mind and the need to add supply to the city in mind and combat the housing crisis that the Planning Department and the Planning Board worked together to bring these amendments to you. What I would like to do is touch on a few items in the ordinance so you can get a sense of what the intent is. One of those items is that we are allowing ADU's to be constructed as stand-alone structures. Right now, as the ordinance is written today, they either need to be constructed within an existing single-family dwelling or constructed within an existing garage. This would allow them to be free-standing built for the purpose of an ADU. Another change that we would make would be to increase the required square footage of ADU's from 750 square feet to 900 square feet. It is helpful to point out here that since 2018, we have had a total of 25 ADU applications and of those 25, 5 exceeded that 750 square foot limit and they got variances for that. Another three bumped right up to 750 so it is quite possible that having the limit higher those would have been bigger as well. We think there is a demand for a slightly larger ADU. Additionally, I want to point out there is a reduction now in the need to go and get a conditional use permit from the Planning Board for the property owner under certain conditions. As it is right now, all ADU's have to go to the Planning Board to receive a permit to construct an ADU or to retrofit an existing building for an ADU. The way this new permitting would work is that any existing structure that is converted to an ADU where there is no exterior change to the structure would not require a conditional use permit from the Planning Board. It would just require a building permit. There would be conditional use permits required for any new construction. So any addition to a house or a brand-new structure would require a conditional use permit from the Planning Board. The last thing I will point out here is that there is now a reduction in the parking required. Currently there is a new off-street parking spaces required for every bedroom in the ADU. That could be up to two parking spaces required. With this new ordinance, it would be only one parking space regardless of the number of bedrooms. That is everything I wanted to get across to you and I would be happy to answer any questions.

Mayor Craig called for those wishing to speak in favor of the proposed Zoning Ordinance change.

James Vayo, 427 Holly Avenue, stated:

I am here to lend my support to this amendment to the zoning regulations for accessory dwelling units. I just recently wrapped up a research paper on ADU policies from across the United States on behalf of the NH Housing Authority. That will be coming out at the beginning of May. Many of the changes that are in this amendment are a step in the right direction towards easing regulations to allow more of these types of units to be built. Manchester has a significant capacity to support ADU's within the city. It may be a surprise to you to hear that 78% of all the land area in the City of Manchester is exclusively zoned for single-family housing. That is a lot of backyards. In fact, there are 30,000 single-family homes in the City of Manchester. If even 10% of those or 3,000 built an ADU over the next 5-10 years, it would be a substantial step in the right direction towards solving our housing crisis in a way that is as unimpactful and invisible as any housing option could be for the City of Manchester. Essentially, these things are invisible. One of the things I would like to note about the proposed amendment is that the buy right process is one of the core elements to speeding up the process of increasing the number of ADU's that are built in the city. Big kudos to the city for taking this brave step of moving towards not needing a conditional use permit for building an ADU in an existing structure. I would advocate for, in future amendments, even relaxing the parking requirement further especially as you get closer to the city center and closer to transit options. This is especially important in some of the older single-family neighborhoods in our city where there traditionally would have been a carriage house in the back of the lot and a single lane, long skinny driveway to get to that carriage house. In those conditions on those lots, it is nearly impossible to build another off-street parking space. It really kind of takes a whole chunk of housing out of the gambit for just getting through the process without requiring waivers or a prolonged hearing process. I would just say that as you go through this and approve this today, hopefully this will not be the last you hear of this and you will be back and I will continue to advocate for changes that will increase the amount of ADU's that can be built in the city. Thank you for your vote on this.

Sean Sargent, 50 Bryant Road, stated:

I am a member of the Planning Board and today, my birthday, I am here and happy to speak in favor of this proposed zoning amendment despite Director Belanger poking fun at me for having nothing better to do. This is a small but important step towards addressing the desperate need for more housing units in our city. Our board has witnessed a seemingly steady increase in new applications over the last few years as regulations pertaining to the use have relaxed. This amendment further lifts restrictions by allowing greater sizes as well as detached, stand-alone units which in my opinion is the most important part of the amendment. NH is joining a nationwide trend in which MLS has recorded the sale of properties with ADU's increasing from 8,000 units in 2000 to a total of 70,000 in 2019. This demonstrates a growing demand for ADU's as a viable housing option. There are several compelling reasons to support this zoning amendment and some have been mentioned by Director Belanger and others. However, there are two reasons that I would like to highlight that are particularly important to me. The first is it creates an opportunity for generational living and financial stability to the residents of the 30,000+ single-family homes in this city. Most of the applications we see on the board seem to either be residents moving their parents in to take care of them in old age or vice versa, older folks moving their kids into their main home while they downsize into an ADU. It is a great way to foster familiar bonds and maintain independence into old age either way. If it is not a family member moving in, it is a great way to generate additional income in retirement while staying in your neighborhood. The second reason is one that is seemingly rare when the city is looking to solve a problem; it doesn't cost any money. In fact, it is very likely to generate additional revenues for city coffers as in most cases ADU's will increase the overall value of the property. While this zoning amendment is a positive step, there is still more work to be done in updating our land use code to further spur the creation of housing. Chairman Kaw-uh and I communicate often balancing ideas off of each other and sharing information we think can create a positive outcome for the city. I expect that at some point during the adoption of the new land use code, we will be back up here again testifying on behalf of making homes in Manchester easier to build. I urge this Board to carefully consider and approve this proposed zoning amendment recognizing the many benefits it can bring to our community and to also think about other ways in which we

can create housing and more affordable housing for our residents. Thank you for the opportunity to comment. I appreciate you taking this amendment.

Bryce Kaw-uh, 639 N. Bay Street, stated:

I come before you this evening in strong support of the ADU zoning amendment introduced by Director Belanger. I believe it is worth emphasizing again that these updates received unanimous support from both the Planning Board and the Housing Commission. For the past few years, I have had the honor of serving on the Manchester Planning Board along with a variety of great people and Vice-Chair Sean Sargent is one of those folks. I would like to thank Sean in particular for really getting the ball rolling on this particular ADU zoning amendment. He chose to be proactive and brought a draft forward for us to consider so the board was able to take that and run with it of course with the invaluable technical assistance and support from our city's great Planning Staff. We need more forward thinking folks like Sean on our boards and commissions so if you know anybody, please feel free to bring their name forward to the mayor. I would also like to thank community members James Vayo, Vanessa Blais and Jane Haigh for providing public comment to the Planning Board and sharing their own important insights. By approving this amendment, we will be taking a small yet meaningful step towards eliminating the unnecessary municipal red tape that often stands in the way of housing production here in Manchester. To be frank, I actually believe that these changes don't go far enough. In my time on the Planning Board, we have rarely required significant changes to an ADU application. Some of the changes that we have required are, in fact, covered by this amendment. As a result, I believe the broader community would be better served by a more streamlined process. The Zoning Board allows all ADU varieties by right with the appropriate dimensional guardrails in place for administrative approval. That being said, that is not what is before this Board tonight. Instead, the amendment you are considering is a very simple targeted modification of the existing rules that we have that will help give some individual families and homeowners an easier time. We have all heard the phrase gentle density as part of the solution to the housing crisis. It doesn't get much more gentle than ADU's. With all of this in mind, I ask that you vote in favor of adopting this amendment and that you also think about other ways in which we can take older and more transformative action

during our land use code rewrite process. That process will be a generational opportunity for us to unlock more of Manchester's potential and to tackle our housing crisis as well so let's not miss our chance. Thank you for your time.

Brandon Lemay, Ward 8, stated:

I am hear speaking in favor of these zoning updates. I think it is a step in the right direction. Those that know me know that I am kind of lukewarm when it comes to accessory dwelling units. I don't think they are the silver bullet that some people think they are, but it is definitely a step in the right direction. I am not entirely sure how effective it could be towards the affordable housing crisis but I do think it is a solution to other problems. For instance, lack of intergenerational living. They are really great to bring an aging relative in or even to take care of a disabled family member. There is a lot of potential for these and I kind of want to reiterate a point that the previous speaker brought up. This probably doesn't go far enough but it is a step in the right direction. I believe that over the past 50-75 years in this country we have taken a lot of steps to restrict what property owners can actually build on their properties and to me this feels like we are rolling back that misstep. I definitely would like to see more zoning updates in the future and I want to see a lot more like this. I urge you all to please support this. Thank you.

Mayor Craig called for those wishing to speak in opposition to the proposed Zoning Ordinance change.

There were none.

Mayor Craig stated that all wishing to speak having been heard, the testimony presented will be taken under advisement with reports to be made to the Board of Mayor and Aldermen at a later date.

*This being a special meeting of the Board, no further business can be presented and on motion of **Alderman Cavanaugh**, duly seconded by **Alderman Long**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is fluid and cursive, with a long horizontal stroke at the end.

City Clerk