

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC HEARING – ZONING AMENDMENTS)
March 5, 2024 at 6:30 PM**

Mayor Ruais called the meeting to order.

Mayor Ruais called for the Pledge of Allegiance, this function being led by Alderman Kantor.

A moment of silence was observed.

The Clerk called the roll.

Present: Aldermen Morgan, Goonan, Long, Fajardo, T. Sapienza, Kantor, O'Neil, Levasseur, Terrio, E. Sapienza, Burkush, Barry, Vincent, Thomas

The Clerk presented the proposed Zoning Ordinance change:

1. "An Ordinance amending the Zoning Ordinance, Chapter 155 of the Manchester Code of Ordinances, to increase from three (3) to four (4) the number of units permitted per lot without an increase in required lot area in zoning districts that permit multi-family uses; to reduce parking requirements for multifamily uses in the R-3, C-1, and RDV Zoning Districts; and to remove the requirement that accessory dwelling units receive a conditional use permit, among other amendments."

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

Jeff Belanger, Planning & Community Development Director, stated as Matt said, this is a public hearing regarding proposed amendments to Manchester's zoning ordinance. Specifically, these amendments would help to make the construction of a few types of housing easier in the city by reducing regulatory barriers and by speeding up the permitting process. In your packet this evening you should have three documents. One of them is a letter I drafted that summarizes the proposed changes to the ordinance, the second one is the exact language of the ordinance changes themselves and the third has that same ordinance language but it has commentary in the margin which is something new that I was trying out for this meeting. I thought it might be helpful to

show you exactly what the intent of each proposed amendment is. There is a lot of information in those documents and I won't go through all of it now. What I would like to do is read a fairly brief summary of the proposed amendments and then respond to any questions that you have. There are two main categories of housing that would be affected by the amendments and those are accessory dwelling units, or ADU's, and multi-family and townhouse buildings. Regarding ADU's, the proposal is to eliminate the need for review by the Planning Board for the construction of all ADU's. For those of you who were on this Board last year, you may remember that the Planning staff and the Planning Board brought forward a proposal to eliminate Planning Board review for all ADU's that would be constructed within existing structures. Tonight's proposal is just an extension of that prior proposal in that it would apply to all ADU's, including those in new structures. The benefit of exempting ADU's from Planning Board review is that it makes them faster and cheaper to permit. It usually takes about a month for an ADU application and there are fees associated with it. Both the delay and the fees would be eliminated with this proposal. The Planning Board, of course, serves an important role in insuring that ADU's have the right appearance and blend in well with their surroundings. To offset the elimination of Planning Board review, we are proposing to add aesthetic requirements to the Zoning Board. These requirements would codify the types of things that the Planning Board usually requires, such as requiring ADU's to use the same colors and materials as the main house. That is the first category of amendments. The second category relates to multi-family and townhouse buildings. The ordinance today establishes minimum lot sizes for developing multi-family or townhouse buildings with three dwelling units and then requires additional lot area for each additional dwelling unit. The proposed amendments would change the minimum number of units that could be built on a lot from three to four meaning that there could be an additional dwelling unit built on the minimum size lot. The Planning staff arrived at proposing this amendment after analyzing decisions from the Zoning Board of Adjustment. We reviewed the decisions by the ZBA starting in 2019. We found that the ZBA considered 28 different variance requests for relief from the limitation on the number of multi-family units based on lot area. We found that the ZBA granted all 28 requests. We think that is a pretty strong signal that these minimum requirements for number of dwelling units can be safely loosened without detrimental impact to neighborhoods. To be clear, we are proposing just loosening the requirement by one

dwelling unit. That is the least change possible. We are trying to be respectful of existing neighborhoods while providing some amount of relief to the housing shortage in the city. The proposed amendments for housing units would not be, at all, effective really if we didn't also make adjustments to parking requirements. Parking requirements can really limit housing construction because parking takes up land area and adds costs. That is especially true when it comes to three-family and four-family dwelling units because of the current parking requirements in the zoning ordinance. Currently, the zoning ordinance requires either two parking spaces or 1.5 parking spaces per multi-family unit depending on the zoning district and even at 1.5, that results in three-unit buildings needing five parking spaces and four-unit buildings needing six parking spaces. The number five is an important threshold in the ordinance because parking lots with five or more parking spaces require a landscaped buffer around them which takes up a fair amount of land area. To make the construction of four dwelling units feasible on the minimum sized lots, the proposed amendments would drop the parking requirements for multi-family dwellings down to one. This would enable a three unit building to be constructed with three parking spaces and a four unit building to be constructed with four parking spaces thereby staying under that important five space threshold. As with the proposal to allow another unit to minimum sized lots, we did some research to determine how the land use boards are dealing with requests to reduce parking requirements. In this case, it was the Planning Board as they consider requests to reduce parking requirements. We found that since 2019 the Planning Board has ruled on 58 separate requests from property owners to reduce parking requirements and 35 of those requests were in the C-1, RD-V or R-3 zoning districts, which are the three districts in which we are proposing to reduce their requirements. The Planning Board approved all 58 requests for reduce parking across the city, including the 35 from the C-1, RD-V and R-3 districts. As with the additional multi-family unit, we have a clear signal that reductions in required parking are favored by the land use boards and it would be beneficial to codify those requirements. That is probably a good enough summary of the proposed changes but before I take questions, I just want to take a minute to thank Mayor Ruais for his leadership on this issue. These proposed amendments are the result of a productive collaboration between our offices and it was Mayor Ruais who identified the benefits that could come from making some quick discreet zoning changes to now address the housing crisis as Planning staff

works to complete the new zoning ordinance in its entirety. The housing crisis is something that many of your constituents are experiencing every day as they struggle to pay rent or struggle to find a house that they can afford. The proposed zoning amendments are not going to fix every housing problem in the city but they are intended to at least help get at the cause of the housing crisis which is a lack of supply. They are intended to reduce regulatory barriers to housing production while respecting the character of neighborhoods. In addition to being supported by the Planning Department and the Mayor's Office, the proposed amendments are also supported by the Manchester Planning Board, the Manchester Housing Commission, the Greater Manchester Chamber of Commerce and the Manchester Development Corporation. With that, I would be happy to answer any questions.

Alderman Levasseur asked is it possible to change the term housing crisis to housing demand.

Mr. Belanger responded sure.

Alderman Levasseur stated crisis sounds like...we don't have a crisis; we have a demand and a demand sounds like something very positive for the city. A housing crisis sounds like it is some sort of a major problem. We don't have a major problem in the City of Manchester, we have a major demand issue. I think the terminology of housing crisis should be changed to housing demand. People want to move here. There is no law on our books anywhere that says that we must provide a house or a home or an apartment for every single person that wants to move here otherwise there wouldn't be 323 more towns and cities across the state.

Mr. Belanger stated I couldn't agree with you more that high demand is a great thing.

Alderman Levasseur stated right and it would also help our Economic Development Department with a positive for the reputation of the city and people wanting to move here. I can tell you that I know personally landlords that are not renting their apartments within 3, 4, 5 or 6 days. Some of them are sitting for months. I don't believe there is a crisis, I think it is a demand and I think we should just change that language if we can.

Alderman Terrio stated Jeff you had mentioned that part of the problem is when there is more parking you need a buffer zone. Have you looked at either minimizing or eliminating the buffer zone?

Mr. Belanger answered yes, we thought about that. It is certainly legally possible but as any of the members who have sat on the Planning Board can attest, there are a number of issues when you don't have enough buffer area around a lot and one of those is snow storage. We live in New England and people need to put their snow somewhere and if you eliminate a 10' landscape buffer for large parking lots, I think you are going to run into some issues.

Alderman Long stated thank you Jeff. I went through these amendments and there is no gray area for staff, correct? They are not making decisions that are policies that we should be making.

Mr. Belanger replied you are exactly right alderman. That exact question came up in the committee meeting earlier today and it is true. As you know very well from serving on the Planning Board, state law makes a pretty clear delineation between what land use boards can do and the amount of discretion they have and the very minimal discretion that planning staff has. That kind of discretion that we are talking about here as far as how many parking spaces should be allowed on any given lot is squarely within the jurisdiction of the boards and not under the jurisdiction of staff.

Alderman Long asked with respect to the housing demand or housing crisis, I know there are a lot of grants coming out for the housing crisis so we want to make sure...it may not harm those but I don't know.

Alderman E. Sapienza stated thank you Jeff. Can you please just tell us how much of this is internal as opposed to external? That is, when we say make a two-family into a three-family or a three-family into a four-family we are not talking about physically adding another layer on correct? We are talking about internally reducing the square footage within the existing structure?

Mr. Belanger replied it could be either. Under the Planning regulations, if someone goes from a three to a four, we don't differentiate whether that is an addition added on to the back or somehow internally divided. It is the same because you are increasing the potential demand within the building. You are going from three families to four families.

Alderman E. Sapienza asked so it is either way whether they want to reduce the square footage within the existing structure or add another physical unit on top.

Mr. Belanger answered yes and that would not be consequential to these amendments. We do not differentiate.

Alderman Kantor stated my concern is the parking. There are people that are parking on the sidewalks so that is a concern of mine and other people have raised that. I have gotten emails from constituents not in my ward about not finding a parking spot for their apartment building. I have a hard time with that because if you don't have a parking space, where are you supposed to park?

Mr. Belanger responded certainly if there is any illegal parking going on, that shouldn't be happening and that can be addressed. If it is legal parking on private property meaning someone parking on a front lawn or something like that, that is the Planning Department and we would absolutely investigate any complaint that we got about that and we would prosecute them if we found evidence to support that. I spoke with Chief Aldenberg about this issue. I said if you were to get a complaint from a constituent saying hey, I have someone parking on the sidewalk in front of my house would you investigate that and he said absolutely. He said they do it frequently. So, there is an enforcement mechanism should there be illegal parking. High demand for parking and low supply is not illegal. It is a policy question really. As I said in the committee meeting earlier, we have high demand for housing and low supply. Call it what you want but there is a mismatch there obviously so that is one policy direction you can go or you can go in the direction of ensuring that there is adequate parking. It is a question of preference. I have heard and read a lot about the housing crisis or the lack of housing supply. I think it is pretty well documented. The question of whether or not

parking supply is adequate or whether there is also a shortage of parking is something I haven't seen as much evidence of but that doesn't mean it doesn't exist.

Alderman Levasseur asked on the issue of reducing parking for a three-family going to a four-family from six to four spots, what is the process...so if somebody has two parking spaces and they have to have head in parking for six cars or four cars and there is a good piece of land from the paved area over, is there a process to eliminate or expand the parking itself. Do you have to go for a parking variance on that particular issue or is it under your discretion to be able to allow somebody to move their parking area to the right or to the left or a little bit further up toward the end of the property? Is there a process for that?

Mr. Belanger stated you are talking about on their same lot right, not on someone else's lot.

Alderman Levasseur responded yes and I think a possible compromise on that might be hey you have some really nice land here but you are paved for only four cars or six cars but there is obviously...like at my house I could widen my parking spot by say 15' and I could park side-by-side. My kids are getting older and they are obviously going to need cars. What is the process for that and is it congruent with what we are doing here?

Mr. Belanger answered the process for expanding a parking area is just a building permit unless there is a setback issue or some other variance issue. Assuming it is all within the setbacks and it all complies with our regulations, it is simply a building permit. That is for someone who wants to add more parking. We are talking about parking minimums here. If these amendments were to get passed and someone was only required to have four spaces for a four family but they wanted to have six or eight or whatever, they are free to do that. That is property owners knowing their tenants and knowing what their tenants want and we want to let them work that out amongst themselves.

Alderman Levasseur stated I was on the Planning Board for four years and I don't remember too many people coming in saying I need to expand parking. Most people

were in violation of the width of their parking and had to come and get a variance to go an extra foot one way or the other. Is that something that when you are actually rubber stamping this without it having to go to ZBA encourage or add-in or take a closer look at the actual lot with a nice satellite image and look to see if there is any potential for parking?

Mr. Belanger replied it is nothing that we could require. We have to go by the letter of the law. We can't require there to be six if the law says they only need four but certainly as part of the building permit process we require plot plans and we require the applicant to show us exactly what they want to do and if we were to see a four family with four spaces and a whole bunch of land area in the back, certainly staff could talk to them about having more parking. That is not really the issue we are dealing with here.

Alderman Levasseur stated well I do think it is an issue because I know the guidelines are extremely strict with green space on properties and I think there is a lot of potential to get people off the street. I want to see as much off-street parking as possible, especially in the really dense areas on the west side and some of the dense areas in the inner city. I think that is something we should probably take a look at.

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

James Vayo, 427 Holly Avenue, stated:

I am here to speak in favor of the proposed changes to the zoning regulations around accessory dwelling units. The city here proposing to go to a buy right process and to slightly reduce overall off-street parking requirements are all steps in the right direction towards helping promote more production of accessory dwelling units in the city, which is a good thing because we are in a very tight housing market. From what I understand, housing is the most important policy issue in the State of NH right now for voters. The issue of buy right is significant because most homeowners don't have a lot of savings and the process for review and approval by a discretionary board like the Planning Board or Zoning Board for the aesthetics and the lot for an ADU can cost homeowners thousands of dollars. You have to have a survey of the property and you have to hire

engineering professionals to represent you. If you have a particularly tricky case, you may need to hire a lawyer to represent you and all of those stack up to thousands and thousands of dollars and in the end, you may not get to yes. So, in that scenario, a homeowner may spend \$5,000 to \$10,000 and not have the ability to build an ADU at the end. From the research I have done on this, that is just too risky for the typical homeowner. They won't take that risk so what happens is they don't propose to build an ADU so we don't get more housing in our market. It is really important that we have a buy right process and from what I understand I know that a lot of people are nervous about parking and I would say that one parking space is a good compromise and if you could find it in your hearts to go further with this, I would recommend also putting a policy in place that allows homeowners to demonstrate that there is capacity on-street over a seven-day period for parking on-street as a way to waive the need for a parking space as part of an ADU. The reason I bring this up is because the neighborhood where I live, Ross Terrio's neighborhood, is primarily single-family homes. They are older houses and have single lane driveways that are very deep so they park two cars one in front of the other on a single-width driveway and there is no room to put another parking space. You could have it in the last bit and maybe you could get three cars in the length but you can't legally, by zoning regulation, get three cars by length. So, in a snowstorm you can park the car off-street but in terms of zoning you cannot. My one recommendation to you is put a policy in place that allows homeowners to demonstrate on-street parking capacity as a way to waive parking requirements for ADU's. Thank you.

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

Tonight, I am here on behalf of the Manchester Planning Board. On February 15 we sent a letter to the BMA. I am not sure it made it into the packet so I wanted to read it into the record publically tonight. This is regarding the revisions to the Manchester zoning ordinance and it says:

Dear Mayor Ruais and Aldermen:

The Manchester Planning Board would like to voice its unanimous support for the proposed changes to the Manchester zoning ordinance being brought forward by the Planning Department staff. While it is clear that these are small incremental

changes and that more updates will be coming with the new land use code, it is our opinion that the proposed amendments are a step in the right direction and will help facilitate missing middle housing development in accordance with the Master Plan. Increasing the number of multi-family dwelling units allowed on minimum lot sizes from three units to four units would enable the creation of more housing by right. Additionally, changing the requirements for the construction of accessory dwelling units, or ADU's, to allow detached units with single-family homes while also changing the way in which these units are permitted, would make it easier for construction as the Planning Board would no longer be required to review these units. Furthermore, although we continue to contemplate parking requirements as a board, the proposed ordinance does at least reduce the unit of measurement from 1.5 spaces for certain residential units down to one space. With a requirement for less parking on a given lot comes the potential for building more units on that lot, thus contributing towards a comprehensive housing solution. In an effort to improve housing supply and affordability in Manchester, we respectfully encourage the BMA to duly consider and adopt these proposed zoning reforms.

Sincerely,

Manchester Planning Board

Brittany Ping, 199 Putnam Street, stated:

Hello Mayor and Board. I want to thank you and the PCD for working to establish residential property rights. We are talking about residential units. Recently our brokerage moved a veteran into a four-family home. He is owner-occupying and managing the three units. He was able to do so with his VA benefits. He is able to help his community. He is able to get the income that he needs to support his life in that unit for the rest of his life. So, when we are talking about four families, I want you to remember that these are residential units. These are intended for people to live in them, to owner-occupy them or to use them in a residential way. These are not commercial and they do not require commercial loans. We are talking about somebody like you or I who could go to St. Mary's Bank and they would provide us with an FHA loan or we could use a VA loan or something like that and when we are talking about accessibility to home ownership, that kind of owner-occupying a multi-family home and I am always here to stay how wonderful that is, is what we are talking about. We are allowing those people who buy these homes the rights of those homes. We are saying if you have a builder that can look at a 5,000 square foot lot which is four spaces deep and don't ask me to do feet but those are where our triple-deckers sit on the very dense west side. Those are where...I just looked it up and I have a six-unit that I manage that

is on 2,600 square feet. This is already happening in our neighborhoods and we are saying allow us to bring this density to maintain its residential integrity and to allow those property owners the full rights of their residential status. When we are talking about parking, I absolutely agree that if we could talk about letting CMC build themselves a parking garage or something like that, you are talking about around the hospitals and places where industrial are using the residential parking and that is a different conversation than saying a four-family having four cars. What if they are only four one-bedroom units versus four three-bedroom units? That is all going to be determined by the restrictions we have in place regarding setbacks and things like that like the PCD was discussing with you. I want to thank you for this common-sense solution to allow residential property owners the right to use their property in a residential manner and I hope you guys pass this.

Heather McGrail, President & CEO, Chamber of Commerce, stated:

I wanted to stand in strong support of these zoning amendments. As a membership organization serving tens of thousands of employees of many businesses of all different sizes in all different industries, most consistently we hear about housing being a huge hindrance to them being able to hire employees. It isn't that they don't have fantastic opportunities or that people don't want to live in this great city and it isn't the compensation package. It is that they can't find affordable housing so we really feel strongly about these zoning amendments being able to at least incrementally help this issue. A lot of times, the candidates are looking outside of city limits or just simply are lost to the job opportunity because they can't find housing for their family. I also am in touch with many chambers across the nation and I can say in all of those conversations and working with other like-size cities that many are making these types of strategies to be able to tackle the housing shortages or housing demand, whichever term you want to use and I think Manchester should do the same. These are effective strategies that are thoughtful and still preserve the character of our neighborhoods. I thank you for your time and consideration.

*On motion of **Alderman E. Sapienza**, duly seconded by **Alderman Vincent**, it was voted to recess the meeting to allow the Board of Mayor and Aldermen meeting to begin.*

Mayor Ruais called the meeting back to order.

Sebastian Rowan, 142 Falcon Crest Way, stated:

Approving this zoning ordinance is quite literally the least you can do to address Manchester's housing crisis and I hope you will do it. Housing prices in this city are out of control. I went on Zillow this morning to look at homes for sale in the city and there were exactly 25 results under \$1 million. Only 12 if you wanted more than one bedroom and bathroom and all of those were over \$400,000. I support this zoning ordinance because I believe it could help bring prices down or at least help them rise less quickly. I believe the city needs to do much more to tackle the housing crisis. We should institute rent control and invest in more public housing. We should place strong restrictions on listing apartments and homes as vacation rentals on sites like Air B&B. We should build more pedestrian-friendly infrastructure and invest in public transit. Housing is a human right and we have to stop treating it like a commodity to be bought and sold for profit. Thank you.

Kevin Criscione, 386 Rimmon Street, stated:

I work at a non-profit with my girlfriend. Long-term we are looking to settle down somewhere and get a dog. She works at SNHU. I would like to think we are the types of people that any city is looking to attract. We are not necessarily generating hundreds of jobs with our own businesses but we care about our community. We have jobs adjacent to education and part of the obstacle to moving to Manchester and settling down has been affordability. This isn't news to you but this is the reality that many young people live with and something very concerning to me as we look to settle down and lay down roots here. This proposed ordinance update is a great way to increase affordable housing. After all, even condos, houses with small yards, and micro apartments are all very, very expensive and often times are comparatively middle-class reach. Data shows that restrictive zoning laws have snarled community growth and prosperity across the U.S. I am not going to go through all of this data right now but there is a wealth of information agreed upon in a bi-partisan way about how the zoning laws have been to some extent abused over the past several decades to restrict the ability of cities and towns to expand and to keep up with the modern economy and

modern demand. Manchester can create a better future by expanding supply of affordable housing in any way possible, this being one of them. A weaker housing supply means fewer jobs filled, fewer families moving to Manchester, and fewer individuals making it out of homelessness. I also did just want to briefly note that I think we should be realistic about the parking situation. In most places in the City of Manchester, I think we have a surplus of parking available. I have never had a problem finding parking on my street or Rimmon Street or on the west side. You are not always going to be able to find a convenient spot in the downtown area but I don't think it is the city's role to guarantee convenience for everybody. We do have handicap spaces available for that reason; for those that really need that parking. We also have parking garages, something we could use a few more of placed in tactical areas. I do think direct investment in public housing is needed as well, particularly for individuals transitioning out of homelessness but this is an important step in the right direction. Thank you.

Gavin Ayling, 133 Electric Street, stated:

The number of houses in Manchester is insufficient for the number of people who want to live here and I think as Alderman Levasseur said, that is good news that we have a demand for housing. The trouble with that demand is that there are a large number of people in rented accommodations who are having their rent increased more than they can afford, which means that they either move out of the city or they become homeless. The homeless situation in Manchester is not a secret. It is very bad and the least we can do is these very small steps to increase the amount of housing available. What we really should be doing is getting rid of a lot of the other zoning requirements so that we can have houses above shops like Elm Street. Elm Street is a beautiful street and South Willow is not in my view. If we had South Willow with housing above every store, that would be a lot of housing, a lot of new customers and a lot of taxpayers which would be good for the city as well. The walkability that was previously mentioned is also something that we should increase. If we have fewer cars in the city, we can increase the ability for people to get around and increase demand for public transport. I think we should agree that we vote for this ordinance change.

Brandon Lemay, 36 Lynx Way, stated:

I am here on behalf of the Manchester Housing Alliance. We are a group of Manchester residents who want to make sure that Manchester is affordable for anybody who wants to live here. We are here to speak in favor of the proposed ordinance change. I want to skip over a lot of points that were talked about to save your time here. We talked about ADU's but one thing I really want to emphasize here is on the parking. I just want all of you to ask yourself who do you trust more to provide the parking that the people of Manchester need? The government or property owners? Seriously. I want you to think about that for a little bit. I think this ordinance shifts that decision from the government to those property owners. I will be very brief. I just want you to consider that. Please vote in favor of this ordinance. It does great things. Thank you.

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

Richard Girard, 283 Orange Street, stated:

As you consider these ordinance changes, it seems fitting that the Manchester Police Department has published an interactive crime dashboard which shows where crime occurs in this city. Having spent some time reviewing the data, it is clear that our city's most crime-troubled areas are those with the highest density, which coincidentally happen to be those with the least parking and the lowest incomes. This is not a unique Manchester phenomenon. In 2017, Professors Joshua Battin and Justin Crawl of the Mansfield University in Pennsylvania published a study on the relationship between urban crime and housing density. They used data from the 2000 and 2010 U.S. Census and Uniform Crime Reports in 142 municipalities across the country. Their conclusion was "population density was found to have a significant negative relationship with property crime." In 2018, Professor Elizabeth Griffiths from the School of Criminal Justice at Rutgers University published a study about public housing and crime patterns. Her research showed "a moderately strong positive relationship between the location of public housing projects and crime hotspots in urban centers." She went on to say that the farther away from these developments, the lower the crime rate. The MPD crime map bears out this conclusion. In 2009, Professors Thomas Stucky and

John Ottensmann of the Indiana University School of Public and Environmental Affairs published a study in which they concluded that rates of murder, rape, robbery and aggravated assault are generally higher in areas with high density residential developments and commercial property. Quoting from an article on Indiana University's website, the study found "higher rates of all types of violent crime in areas of high-density residential land use, even after controlling for overall population. The correlation was more pronounced in disadvantaged areas but held true in other areas as well. There seems to be something about high density residential units that is associated with all types of serious violent crime. Apparently high-density housing units promote more serious violent crime." Crime aside, there are other concerns with these proposals. Increasing density while reducing off-street parking requirements is a double disaster for neighborhoods already incapable of handling their current vehicle load, especially given all of the garages that will no doubt prove to be tempting targets for absentee property owners and their managers looking to maximize revenue from their properties no matter the impact on neighborhoods thanks to the removal of just about any oversight on accessory dwelling units as proposed. This will make low-income neighborhoods less desirable and, therefore, lower income with worsened conditions for crime. The likely impact of these changes are consequential in very negative ways. Instead of fast-tracking these changes, why not refer them to the zoning rewrite that will undergo a full public presentation and vetting once it is finally brought forward? If nothing else, they should be considered as part of the whole and not singled out for special treatment. These are big changes and due care and consideration in full context to the overall zoning rewrite should be given. Your Honor, unfortunately I don't have copies for everybody but I have some pictures here that I would appreciate being given to the Board. They are labeled and that is just a block and a half of Russell Street around the corner from my house which shows cars parked on sidewalks, in side yards, and in front yards all because there is insufficient parking. If you want more of that across the city...not for nothing but I am amazed to hear the Planning Director say that he is unaware of illegal parking in Manchester neighborhoods. I would be glad to take you for a tour of not just my neighborhood but many of the neighborhoods I have lived in over the last 30 years because these are the neighborhoods I have lived in over that time. Thank you.

Joe Wichert, 803 Amherst Street, stated:

I am a self-employed land surveyor who has done land use permitting in this city and surrounding areas for about 35 years. I appreciate the opportunity to speak with the Board tonight. For clarification, I am not necessarily opposed to the proposed changes but I do have some concerns. Increasing the base density in the multi-family districts from three to four could be a good thing but I am not a fan of the proposed reduction in parking from 1.5 spaces to 1. I believe that this will increase the existing problems in the denser neighborhoods and I think what you should keep in mind is that where this is proposed is already the R-3 and the denser areas in the city. It is not the single-family areas. I have submitted numerous applications to reduce the number of parking spaces needed for a project and agree that we need to revise the parking schedule. A better indicator of number of parking spaces needed is number of bedrooms. A one-bedroom apartment should only need one parking spot. Two to four bedroom apartments often have roommates that have multiple vehicles so, therefore, they need more parking. A family with only one car might only need one space. You kind of average those together and 1.5 is a somewhat reasonable number. If there were parking lots and garages around in the areas where this is proposed it is less of a concern but most of the area where it is being proposed, that is not the case. Should the changes be approved, an existing three-unit building which now requires five spaces could be increased to a four-unit building that would only need four. It just doesn't make sense and seems problematic. If someone wants to convert an existing three-unit building into four units by breaking up one of the larger apartments into two one-bedroom units, I think five spaces is still reasonable. Two larger apartments could need 1.5 but one-bedroom units could need one each. If you add them up it is five. So, you have the increase in density with no increase for the on-street parking. To me, the number of required spaces isn't the biggest obstacle for in-fill development. Rather, it is things like parking setbacks, front yard parking requirements, the configuration, the landscape buffers that Mr. Belanger mentioned, and there are some others that are even more limiting. If we change those things, we can get more off-street parking in the same approximate area which allows for more units without adding to the on-street parking issues. I can't remember the last time I worked on a project in the city where the owner told me we are adding something to it because the parking was vacant and wasn't used. More often than not, we go to the Zoning Board to get non-compliance parking spaces

approved because they need the parking. I believe the intent of the zoning changes allow for a modest increase in density, which is a good thing as long as we don't further burden the dense neighborhoods. My other concern with this change is more procedural. The zoning would allow us to go to four units but the Planning Board regulations are going to require us to go to the Planning Board for a site plan for that. If there is a change or an increase in an impervious area, that is going to require engineering and drainage, which is a significant cost and that is going to be an obstacle to it. I think we are close and the intent is good but I think you ought to reconsider the parking schedule. I appreciate your time.

Alderman Levasseur stated when I was reading your 22-page summary that went with the ordinance amendments, which I always appreciate because you really do a good job of giving us a lot of back-up information, I was surprised about the ADU requiring to be on-site parking and not off-site parking because in my mind if anything is going to be easier to get off-site parking it would be an ADU because in general...in my neighborhood there are say 30 hours. There are no ADU's but there is plenty of off-street parking but also a lot of parking on the street. What is the thought process behind forcing or still requiring an ADU to have to have parking on the premises itself and not allowing the parking on the street whereas in the densest areas with the highest number of multi-families you are allowing them to park off-street? What was the thought process behind that?

Mr. Belanger responded the main things is we want to have at least one reserved parking space for every dwelling unit in the city and an ADU is a separate dwelling unit and it should have its own parking space because somebody is going to be living there and it is NH and they are going to need a car. We want to have at least one parking space for every dwelling unit. That is the main thing. The other thing is these are single-family neighborhoods for the most part where ADU's are going. It can only be on a lot with a single-family house so again we are trying to respect the character of existing neighborhoods and not cause too much disruption. In a single-family neighborhood, people have certain expectations for parking that are likely different from the expectations that exist in an R-2 or R-3.

Alderman Levasseur stated it seems to me that the most permits you are going to get would be for ADU's because the demand for ADU's with the aging population and the fact that you want to have the family on the property with you that you would get more of those. I don't know how many times it has come to the Planning Board and there has been a burden on somebody who says I want to do an ADU but I don't have the parking and I really would like it if it was an off-street. Is that not an issue?

Mr. Belanger answered it was an issue...as you may recall alderman last year we brought an ADU amendment forward and part of that was to reduce the requirements for parking from two down to one. We saw problems with four parking spaces being required on a single-family lot; two for the main house and two for the ADU. That created a problem. After reducing it down to three, we are not seeing that problem. Three is fine. To answer your question, since the start of 2019 there have been a total of 28 applications to the Planning Board for conditional use permits to allow accessory dwelling units. That is not really a huge number over the course of five years.

Alderman Levasseur asked and all of those were approved.

Mr. Belanger replied correct.

Alderman Levasseur asked and there was no special request to not add that extra parking space. If they didn't want to add the parking space for whatever reason like they were on a really small postage stamp lot they could request it but again they would have to go for a variance. Could we amend our ordinance to allow them not to have that additional space requirement?

Mr. Belanger replied yes. Just a small procedural point. It would be a conditional use permit, not a variance. It would be Planning Board not ZBA which is a good thing because ADU's need to go to the Planning Board currently.

Alderman Levasseur asked but this ordinance change says they don't have to go to the Planning Board anymore correct.

Mr. Belanger responded yes if these were to be adopted there would be no Planning Board at all other than if somebody wanted to go from one parking space per ADU down to zero. They would need to go to the Planning Board for a conditional use permit at that point for a reduction of parking.

Alderman Levasseur stated I don't mean to beat this and I know we are in a time crunch but when somebody does create an ADU, they do need to create a parking space and that means they have to widen their driveway but they don't have to get a variance to do the widening of the driveway if it is a requirement correct.

Mr. Belanger replied well they don't necessarily need to widen their driveway. There are a number of different configurations that can allow for there to be that parking space on a lot without widening the driveway but it wouldn't need a variance to widen the driveway unless that parking space was brought within 4' of a property line or structure.

Alderman Levasseur asked would it also be right to say that somebody who is required to have the extra parking space for the ADU but parks on the street is not going to be in violation of any sort. It is just a requirement that the space be available?

Mr. Belanger answered the space has to be available but they can park where they want.

*This being a special meeting of the Board, no further business can be presented and on motion of **Alderman Levasseur**, duly seconded by **Alderman Terrio**, 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