

**Ashland Zoning Board of Adjustment
Draft Meeting Minutes
Thursday, January 4, 2024**

CALL TO ORDER: Charlie Bozzello, Chair, called the meeting to order at 6:30 PM

MEMBERS PRESENT: Charlie Bozzello
Mardean Badger
Asa Ammarin
Tim Peters
Meghan Semiao
Michael Myshrall (alternate)

OTHERS PRESENT: Sal Steven-Hubbard, representative for Lakes Region Community Developers
Megan Carrier, Attorney from Sheehan Phinney Bass & Green, agent for Lakes Region Community Developers

DISPOSITION OF MINUTES

The Board reviewed the minutes of their Thursday, September 14, 2023 meeting. The Board decided to table the Thursday, September 14, 2023 minutes until later in the meeting.

PUBLIC HEARING

Charlie Bozzello, Chair, opened the Public Hearing at 6:30 PM

CASE 2024-01 LAKES REGION COMMUNITY DEVELOPERS IS REQUESTING A VARIANCE FOR MILL POND ASSOCIATES LOCATED 35 MILL POND LANE (T/M/L 110-73)

Lakes Region Community Developers have come before the Ashland Zoning Board of Adjustment to request a variance from the Zoning Ordinance that requires all residential dwellings to measure 750 square feet. Lakes Region Community Developers is requesting the variance so their 26-unit elderly apartment development can be built with 620 square feet instead of the required 750 square feet. The variance is requested for this elderly complex only.

Mardean Badger made a motion to accept the application for a variance as complete. Asa Ammarin seconded the motion. The motion passed on a 5 yes (Badger, yes, Bozzello, yes, Semiao, yes, Ammarin, yes, Peters, yes) 0 no, 0 abstentions roll call vote.

Mardean Badger made a motion to open the Public Hearing. Tim Peters seconded the motion. The motion passed on a 5 yes (Badger, yes, Bozzello, yes, Ammarin, yes, Semiao, yes, Peters, yes) 0 no, 0 abstentions on a roll call vote. The Public Hearing opened at 6:30 PM.

Sal Steven-Hubbard met with the Board with the following project proposal. She made the following points:

- The variance would apply only to the 26-unit building.
- The units would be located at 35 Mill Pond Lane (T/M/L 110-73)

- The project would be a two-floor building for seniors 62 and over who are low income (60% median income or less) who can live independently with access to appropriate social services.
- The first floor will contain 12 units with storage space, utility space, community space
- The second floor would contain 14 1-bedroom units with storage and utility space
- The second floor would not have any community space and all units in the building will be built to 620 square feet
- Each unit will have designated storage space that would be accessible to the resident

Megan Carrier, also representing Lakes Region Community Developers, spoke to the reasons behind the request for a variance as well as how the variance application addressed the criteria the Zoning Board need to consider in their final decision process. Megan Carrier made the following points:

- The Building Codes (Section 7.2) require all units to measure at least 750 square feet.
- The developer is requesting all units measure 620 square feet which is less than the required 750 square feet which necessitates the seeking of a variance for the project.
- Criteria relative to the project causing manifest injustice: The developers have determined that smaller units are more desirable to the elderly to maintain and to keep clean.
- Stewart Management, another senior housing company, has submitted to Lakes Region Community Developers a letter of support of the Mill Pond project variance. Megan Carrier submitted this letter of support to the Board for their consideration.
- Our proposal is not contrary to the building codes or contrary to the public interest
- The proposed units would be for elderly individuals or couples.
- Megan Carrier explained that the Highland Street senior complex units measure 620 square feet as we are proposing. Common Man Commons senior complex only measure 520 square feet. Both projects were approved and developed.
- The proposal does not in any way alter the character of the surrounding neighborhood and are discreetly located out of sight of Main Street.
- The proposal would not threaten the health and safety of the community but would enhance the community.
- The proposal would consistently preserve the spirit of the Zoning Ordinance
- If the Board were to deny our variance, it would harm the residents and limit the development of housing process.
- The proposal will not diminish the value of any surrounding properties and the development would not be seen by the public.
- Megan Carrier submitted to the Board a second letter of support for the variance signed by a local realtor.
- Lakes Region Community Developers will address and remediate the environmental hazards that remain on the property from previous owners
- The parking issue will be addressed and will remain out of sight.
- The proposed 620 square feet will meet the needs of the senior residents. Other senior housing complexes in town measure less than 750 square feet
- Megan Carrier submitted a letter of support for the proposal from Jessica Bartlett, an abutter to the project.
- In this project there would be no 24/7 staff but would have a resident services coordinator to assist the residents in accessing local and state resources. The residents would be able to live independently.
- The project will hire a third-party maintenance company. Lakes Region Community Developers will be maintaining control of the property.

- The NH Housing Finance Authority will be partnering with Lakes Region Community Developers for all enforcement issues relative to the project. The complex will be inspected annually, oversee the property manager files as well as review all project audits
- The proposed project would be of social benefit to the residents and the Ashland community
- If the variance application is denied, Lakes Region Community Developers will need to review their site plan and the senior housing portion of the project will not be built.
- If the variance application is denied, the developers would build additional 2- or 3-bedroom family housing.
- If the variance application is denied, the project won't be able to serve the senior population.
- The developers will continue with their partnership with Habitat for Humanity for their housing agreement.
- If the variance application is denied, the elimination of the senior housing portion of the plan would be detrimental to the entire development plan.

PUBLIC INPUT ON THE VARIANCE PROPOSAL

The public was able to give their input on the variance application proposal.

Charlie Bozzello inquired if there were any parties speaking in favor of the proposal. There was no response.

RESIDENTS SPEAKING IN OPPOSITION OF THE PROPOSAL

Yvonne Downes had reservations about the project.

Sal Steven-Hubbard (reply) The variance needs to be granted in order to go to the Planning Board to discuss the entire project.

Annamarie Pennucci is not sure if elderly want to live in such small quarters. The proposed space would not accommodate additional services needed as seniors age.

OTHERS COMMENTING ON THE VARIANCE PROPOSAL

Anthony Guyotte The 620 square foot unit would be a perfect size for a senior resident and a housing unit the senior can afford.

Alex Ray This is a good use of the property and is out of the way. However, I support the 750 square foot requirement not the proposed 620 square feet.

Sal Steven-Hubbard (reply) If it is decided that we need to build units of 750 square feet our rents would not be able to support the initial construction. The 750 square feet requirement would mean that the project could lose financing for the senior housing portion of the project. The senior development in Gilford has units that measure the same 620 square feet.

Representative from Meredith Village Savings Bank Ashland branch I am in favor of the variance application requested. Local Ashland seniors are struggling in finding affordable housing for seniors. The local senior population that is suffering from the inability to find affordable housing appears to be increasing. This variance would be of great benefit to the local senior population.

Mike Michaud expressed concern that the size of 620 square feet would be too small to accommodate and give full access to a disabled resident.

Laura Chulack expressed a concern about the over-rated demand for senior housing in Ashland.

Mike Govani pointed out that if the 620 square feet variance is granted that the town needs to review and change the Zoning Ordinance requirement of 750 square feet. If there is need for a caretaker for the resident no bedroom space is available at 620 square feet.

Jeanette Stewart The smaller apartment units are working well. The smaller residential units are indeed in great demand. There is a lengthy waiting list for these smaller units. The smaller units and their buildings are inspected by both the Building Inspector and the Fire Chief according to RSAs and building codes.

Charlie Bozzello closed the public input for the variance application.

Tim Peters made a motion to close the Public Hearing. Meghan Semiao seconded the motion. The motion passed on a 5 yes (Badger, Bozzello, Ammarin, Peters, Semiao) 0 no and 0 abstentions on a roll call vote. The Public Hearing closed at 7:45 PM.

Charlie Bozzello, Chair, advised the Board that the Board would not deliberate on the variance application this evening. The Board will continue tonight's meeting to their next scheduled meeting on Thursday, February 8, 2024 at 6:30 PM at 6 Collins Street.

DISPOSITION OF MINUTES

Mardean Badger made a motion to approve the minutes of the Thursday, September 14, 2023 meeting as submitted.

The minutes of the Thursday, January 4, 2024 will reflect that it is the decision of the Board to move the check box from the bottom of the General Application form to just above the id information section of the form after the information on agent. The General Application near the abutters list section the form reads "surveyor". It needs to be corrected to reflect the term "licensed professional" in all sections of the form where the term is applicable. A motion was made and seconded to make the above corrections to the general application. The motion passed on a 5 yes (Badger, Bozzello, Ammarin, Peters, Semiao) 0 no and 0 abstentions on a roll call vote.

There was a motion made and seconded that the Equitable Waiver form is correct. The motion passed on a 5 yes (Badger, Bozzello, Ammarin, Peters, Semiao) 0 no 0 abstentions on a roll call vote.

Charlie Bozzello made a motion to accept the Equitable Waiver form as presented. Mardean Badger seconded the motion. The motion passed on a 5 yes (Badger, Bozzello, Ammarin, Peters, Semiao) on a roll call vote.

ADJOURNMENT

Charlie Bozzello, Chair, made a motion to adjourn. Tim Peters seconded the motion. The motion passed. The meeting adjourned at 8:15 PM. The next Zoning Board meeting will be Thursday, February 8, 2024 at 6:30 PM at 6 Collins Street. *Minutes submitted by Paula Hancock*