

**Ashland Zoning Board of Adjustment
Amended & Approved 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, representative 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 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 needs 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 are less than 750 square feet and 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 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 would 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 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 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.

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

RESIDENTS IN FAVOR OF 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

Sal Steven-Hubbard 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 proposed senior development in Gilford the units measure the same 620 square feet

Marcus Weeks, President of the 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.

Marcus Weeks, President of the Meredith Village Savings Bank Ashland branch: Seniors are struggling to stay in affordable housing. We hear a lot about affordable housing for the workforce but the trickle down effect to the seniors is heartbreaking. That we hear people struggling to keep a roof over their heads at 75 or 80 years of age. To not have a variance that would turn affordable senior housing to not affordable senior housing to a senior on a low income. I think it would be a great disservice to the senior population that desperately needs the help.

Anthony Dion, 62 Sanborn Road: I hear it all the time. I can't afford a two bedroom too much money. We are forgetting the financial factor of the people that have to have a place to live. It is not about square footage it is what they are going to have to spend. 650 square feet in NY you would be ecstatic.

RESIDENTS SPEAKING IN OPPOSITION OF THE PROPOSAL

Annamarie Pennucci 22 Winter Street: is not sure if elderly want to live in such small quarters. The proposed space would not accommodate additional services needed as seniors age

Yvonne Downs: had reservations about the project

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.

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 249 River Street: expressed a concern about the demand for senior housing in Ashland. There are two other senior housing developments in town. My parents are residents of Stewart Partners local senior housing. In the past 2 years Stewart Partners have gotten no less than five calls for availability in Ashland and Plymouth. The demand appears to be a bit elusive. My father who uses a walker would have a very hard time getting around that kind of space. A resident using a wheelchair would also have a very hard time getting around that kind of space. There would also be an issue of disabled residents being able to access a shower.

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.

Annamarie Pennucci, 22 Winter Street: My husband and I lived in a trailer which measured 16' x 70' which gives us 1,120 square feet. For two people this space there is not enough room. It is very, very tight. I challenge the statement that elderly are happy in a tiny little house. Everyone is getting older, and we need a facility that provides us enough room that a visiting nurse could come in with a bed and do some therapy. At 620 square feet it isn't going to happen. I would say the town of Ashland is very wise in saying 750 square feet. Let's try it. That way you have enough room.

Mike Suriani, 246 River Street: If the town changes to 620 square feet Article 7.2 and Section 4.3 of the Zoning Ordinance would need to be changed. Section 4.3 you are going to have to reduce down to 620 square feet as a Zoning Board. I would like to see the actual floor plan layout and make sure you can take a wheelchair everywhere and access to everything. For assisted living we will need a second bedroom for a caretaker to come in two or three days a week. That would be the model I would shoot for.

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, yes, Bozzello, yes, Ammarin, yes, Peters, yes, Semiao yes.) 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, yes, Bozzello, yes, Ammarin, yes, Peters, yes, Semiao yes.) 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, yes, Bozzello, yes, Ammarin, yes, Peters, yes, Semiao, yes) 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, yes, Bozzello, yes, Ammarin, yes, Peters, yes, Semiao yes.) 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