

CITY COUNCIL WORK SESSION

Planning Board Land Use Issues

Monday, October 23, 2006 - 6:30 p.m.

Council Chambers

City Council Present: Mayor Marchand, Assistant Mayor Ferrini, Councilors Grasso, Raynolds, Pantelakos, Whitehouse, Smith and Hynes

City Council Absent: Councilor Dwyer

Planning Board Members: John Ricci, Chair; Jerry Hejtmanek, Vice Chair; George Savramis and Raymond Will

Officials Present: John P. Bohenko, City Manager; Robert Sullivan, City Attorney; Cindy Hayden, Deputy City Manager; David Holden, Planning Director; Richard Hopley, Building Inspector; David Moore, Community Development Program Manager; Rick Taintor, Planning Consultant; and Kelli L. Barnaby, City Clerk

I. Call to Order

Mayor Marchand called the meeting to order at 6:35 p.m.

II. Introduction – John Ricci, Chairman of Planning Board

Mr. Ricci thanked the City Council for inviting the Planning Board to attend this work session and introduced those members from the Planning Board that were in attendance. He said that they are here to discuss the rewrite of the zoning ordinance based on the master plan. He spoke to the new residential density ordinance adopted by the Planning Board which will be brought to the City Council for consideration.

III. Update on Zoning Provisions – Rick Taintor, Planning Consultant

IV. Affordable Housing – Cindy Hayden, Deputy City Manager

V. Miscellaneous Land Use Issues

Deputy City Manager Hayden advised the City Council that Mr. Taintor would provide more discussion on the master plan and rewrite of the zoning ordinance. She reviewed the areas of interest for action from the master plan as follows:

- Insure Downtown Vitality
- Improve Quality of Major Corridors
- Preserve Diversity of People & Economy
- Protect Natural Environment

She reported that the master plan implementation promotes:

- Pedestrian oriented uses at street level in the Central Business District
- Revise/update City's wetlands regulations
- Share information on sustainability policies & projects

Deputy City Manager Hayden addressed the importance of retaining affordable housing in the City. She spoke to CDBG funding that also assists the first time home buyers program. She discussed participation in regional partnerships and innovative zoning techniques.

Mr. Taintor advised the City Council of the project components which are revisions to the zoning ordinance, review of Site Review regulations, subdivision rules, regulations and design standards. He said that design is very important and a major concern. Mr. Taintor reviewed the time line for the completion of the project. He spoke to the zoning ordinance audit which was the starting point for Planning Board discussion. He said that we are addressing master plan goals as well as technical problems. Mr. Taintor discussed the Residential Density Incentive PUD which provides critical protections such as:

- Avoid environmentally sensitive areas
- Density ceilings (units/lot and units/building)
- Design review input

Mr. Taintor also advised the City Council that the Residential Density Incentive PUD balances the affordable housing goal and neighborhood protection. He spoke to what "affordable housing" is to families earning 120% of area median family income or less which currently equals \$86,280.00 for a family of four. By use of a map Mr. Taintor reviewed the PUD eligible sites which are zoning districts: GRA/GRB with minimum lot area of 1 acre. He reported on the density bonus which is as follows:

- Incentive to achieve public benefit of new affordable housing units
- 1.5 additional dwelling unit for every affordable unit provided
- Maximum density increase of 50%
- Increased side yards to protect neighbors

Mayor Marchand announced that he would like to start with comments on the zoning issues.

Assistant Mayor Ferrini thanked Mr. Taintor and Deputy City Manager Hayden for their presentations and said that the zoning ordinance audit report is outstanding in terms of design standards and where we are trying to go to meet the criteria of the master plan. He spoke concern regarding growth in the City and not to make it an unlivable City. He said the major concern with the corridors in the City are there development to closely, in many cases impacts or seeks incursions into neighborhoods. He said we would want to see in a rewrite perhaps things that keep those incursions from being as difficult as in deed they are now. Assistant Mayor Ferrini said he is interested in less lot coverage to make sure that we do not have those kinds of incursions we have creeping out of corridors such as Woodbury Avenue and Route 1. He advised the City Council that he would like to consider looking. He also spoke to heights in the Northern Tier and as we approach the water.

Councilor Smith said he is concern with height, impacts on neighborhoods, commercial zones and buffer zones coming up against neighborhoods. Councilor Smith advised the City Council that height issues and concerns have been of great discussion and would like heights looked at or possibly reduced. He spoke to setbacks from the roadway and open space. He advised the City Council that he would also like to look into business locations in the downtown and not being multiple franchises. In terms of sustainability he requested that dark sky friendly be a mandate rather than a suggestion. He also spoke in favor of having the downtown and most of the City walk able and bicycle friendly. He said that the issue of heights of buildings should not be limited to the Northern Tier.

Councilor Whitehouse requested that the time line for completion of rewrites to be moved up to address the development of the Northern Tier. He spoke concern with losing the historic nature of the downtown. Councilor Whitehouse expressed his opposition in a change of the district for the Northern Tier.

City Manager Bohenko said it is important to address the concerns of the City Council. He said that some issues have been put in front of others and the City Council has the option to bring forward an ordinance when ever they want to make some of these changes. The City continues to be a viable entity and we may need to parallel track. He advised the City Council that he would discuss some of the issues of concerns expressed with Mr. Taintor and Deputy City Manager Hayden and bring some of the issues sooner to the City Council. He advised the City Council that we need to take the major issues and extract them from the overall ordinance.

Planning Board member Ray Will spoke to the Planning Board's review of the PUD and that it is an overall general concept. He urged the City Council to review the audit appendix to address some of the concerns expressed.

Councilor Raynolds said that there is a tension developing with this community creating more affordable housing and the desire to increase set backs and height restrictions. He spoke to enhancing the corridors of the City. He said he would like to see the corridors addressed to improve the quality, accessible and use of all transportation.

Mr. Taintor spoke to form based zoning where you look at the form of the structure and how it fits the street. He advised the City Council that it ties the dimensions to the actual use and said that they are trying to limit the layers of regulations.

Mayor Marchand spoke to the median household income and the amount considered affordable. He said the rental side did not look scary, the home ownership side numbers were more daunting. He said that people are concerned with the middle income levels. Deputy City Manager Hayden responded that the rental side is the toughest for families and it is hard to compare rentals and home owners.

Councilor Pantelakos said that we need to address the situation of work force housing. She said that the City should be looking at low and middle class income levels.

Councilor Smith inquired as to how many units we could create out of this. He asked if there is a targeted number. Mr. Taintor advised Councilor Smith that it has a limited potential of maybe thirty to forty units.

Councilor Grasso questioned how we could keep work force housing once it is created. Mr. Taintor said it does not have subsidies attached. He said there is a covenant put on the land with the longest feasible time restrictions.

Assistant Mayor Ferrini said that we need to make sure that we have more than thirty to forty units. He said the amount of parcels should be identified in transportation areas. He said a concern is the out sale price.

City Manager Bohenko said the Planning Board has spent countless hours on lease use and they are ready to move it to the next stage. He advised the City Council that we are working on the Islington Street corridor with the Economic Development Commission.

City Attorney Sullivan advised the City Council that leaving the ordinance loosely would allow developers to use their creativity.

Councilor Pantelakos spoke opposed to creating a lot of restrictions with the work force housing regulations. She said that we should not have developers or bankers at the table; and that everyone should have the same opportunity.

Mayor Marchand suggested bringing the ordinance forward in the first meeting of December to start the discussions.

John Ricci, Chair of Planning Board said the City Council needs to be flexible. He said it is important that we all do what is in the best interest of the City. He said that we need to offer some incentives.

Councilor Whitehouse asked if demolition or rebuilding comes under the zoning ordinance. He said that he feels that demolition and rebuilding is changing the character of the City. Mr. Taintor advised Councilor Whitehouse it would come under zoning. He said a balance needs to be addressed for the character of a neighborhood and they will be looking at that.

VI. Adjournment

At 8:20 p.m., Mayor Marchand closed the meeting.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk