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WORKFORCE HOUSING IN 2010

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MASON, NEW HAMPSHIRE

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*Submitted By*

*THE MASON WORKFORCE HOUSING COMMITTEE*

*to*

*THE MASON PLANNING BOARD*

*September 30, 2009*

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## INTRODUCTION

### MASON MASTER PLAN 2007 VISION [EXCERPTS]

Dirt roads, vast forested areas, scenic views, historic landmarks, stone walls, pristine streams, and small town character are highly valued by the citizens of Mason. Our vision is one where all of these valuable assets are protected; for once they are lost, they cannot be replaced. We realize as a community that change will come. Therefore, our vision must guide us towards planned and thoughtful growth that will maintain the rural atmosphere so cherished by our community.

development of workforce housing, including rental and multi-family housing. To determine if such opportunities exist, the collective impact of all local land use regulations must be considered (including growth management and impact fee ordinances). Workforce housing of some type must be allowed in a majority of land area where residential uses are permitted, but multi-family housing is not necessarily required to be permitted in a majority of such areas.”

The ramifications of the Workforce Housing law suggest a very different vision of Mason than the gentle vision described in the Master Plan. The Workforce Housing Committee asks these questions:

**Can Mason find ways to comply with the workforce housing law while still**

“Mason is a community built upon hundreds of years of history that has remained generally intact as a pristine rural community. The Town’s past shaped not only the land, but the character of those who reside in Mason. Mason now lies on the edge of sprawling development from both the south and the east. Maintaining the rural character that attracted so many unique individuals over its many years is more of a challenge than ever before. “

So begins the Vision section of the Mason Master Plan of 2007. Today, only two years later, that challenge of maintaining our unique rural town character has become much greater. The passage of the New Hampshire Workforce Housing Statute (enacted as Chapter 299, Laws of 2008 and codified as RSA 674:58-61) has significant implications for small rural communities, including Mason.

The Workforce Housing Law amends the planning and zoning statutes of the state to reflect the decision of the New Hampshire Supreme Court in the case *Britton v. Town of Chester*, 134 N.H. 434 (1991). The law says, in essence: “All municipalities must provide reasonable and realistic opportunities for the

### NH WORKFORCE HOUSING LAW [EXCERPTS]

- All municipalities must provide reasonable and realistic opportunities for the development of workforce housing, including rental and multi-family housing.
- The collective impact of all local land use regulations adopted by a town under RSA 674 shall be considered to determine if such opportunities exist.
- Workforce housing of some type must be allowed in a majority of land areas where residential uses are permitted.
- Multi-family housing must be allowed in some, but not necessarily a majority, of land areas where residential uses are permitted.

## *retaining its unique character? Are there ways to comply that will actually benefit the people of Mason?*

### THE WORKFORCE HOUSING STATUTES

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In 2008, the New Hampshire legislature added new sections to RSA 674, Local Land Use Planning and Regulatory Powers:

- 674:58 Workforce Housing Definitions
- 674:59 Workforce Housing Opportunities
- 674:60 Procedures
- 674:61 Appeals

Appendix B contains a summary of the Workforce Housing laws, and Appendix C contains the full text of these RSAs.

### KEY PROVISIONS: EXCERPTS FROM THE STATUTES

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- \* All communities must provide reasonable and realistic opportunities for the development of workforce housing to be located in a majority of, but not necessarily all, land areas in districts zoned to permit residential uses.
- \* All communities must provide reasonable and realistic opportunities for the development of workforce housing, including multi-family workforce housing, in at least some locations. For the purposes of this statute, multi-family housing is defined as a minimum of 5 individual dwelling units per structure.
- \* “Workforce housing” means housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development.
- \* “Workforce housing” also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household.
- \* However, these requirements "shall not be construed to require municipalities to allow workforce housing that does not meet reasonable standards or conditions of approval related to environmental

#### WORKFORCE HOUSING— HOUSING THAT'S AFFORDABLE FOR

- \* Home owner family of 4 making 100% of Area Median Income (\$87,400 in 2008).
- \* For Mason, this means housing valued at \$262,000 or less.
- \* Home renter family of 3 making 60% of Area Median Income (\$54,000).
- \* For Mason, this means rental housing at \$1180 per month or less.
- \* Age-restricted housing is not considered workforce housing.

protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection."

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### LAND USE BOARD PROCESS

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When a developer applies to the planning board and wishes to utilize the provisions of RSA 674, the developer must notify the board that a workforce housing development is being proposed. The planning board will review the plat according to normal procedures (per RSA 676:4 and the board's own regulations and bylaws) and render a decision on the application.

If the board's decision includes conditions that make the workforce housing component of the plan unfeasible, the developer may submit additional information concerning costs to the board. The board may modify its conditions if it is feasible to do so.

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### APPEALS

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If the application is denied or the developer does not accept the conditions, the developer may appeal the decision to Superior Court within 30 days. The burden is on developer to show how the municipality's actions violated the Workforce Housing statute. The Court will hold a hearing on the merits of the appeal within 6 months.

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### PENALTY

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If the court finds the municipality has not provided reasonable and realistic opportunities for workforce housing, the "Builder's Remedy" allows the developer to proceed with the project with no restrictions from local land use regulations.

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## MASON'S WORKFORCE HOUSING COMMITTEE

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### OUR MISSION

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The Workforce Housing committee set out to accomplish five tasks:

- \* Evaluate the current status of housing diversity and workforce housing in Mason.
- \* Study ways to expand opportunities for home ownership.
- \* Study ways to expand opportunities for rental housing.
- \* Study ways to meet the requirement to provide 5-unit multifamily housing opportunity.

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### TO MAINTAIN AND NURTURE OUR COMMUNITY CHARACTER, MASON

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- \* Will foster a sense of community and maintain the social fabric that makes Mason a great place to live.
- \* Will preserve the historic integrity of the Town Center and maintain it as the civic heart of the community.
- \* Recognizes that the visual character of the community comes from the many scenic views along its country roads.
- \* Will preserve and enhance the rural character of the Town as seen from its roads through the creation of clear and consistent policies on town roads, and avoid scattered and premature development.

- \* Provide a written report of the committee’s findings to the Planning Board.

## WHAT IS WORKFORCE HOUSING?

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The name “workforce housing” is something of a misnomer. This is not housing for people living below the poverty line. It is for people at the median income levels, such as a family of 4 earning 100% of Area Median Income. That number was \$87,400 in 2008 and is \$90,000 in 2009. The “workforce” this housing is for is all the people that provide our community services: teachers, fire fighters, police, EMTs, health care workers, town workers, small business owners and their employees, and young professionals in the early years of their careers. These people are finding it difficult to find housing in the towns they serve. The very people that a community needs in order to be healthy are being priced out of the housing market.

## MASON’S CURRENT STATUS

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Mason is a town of single family residences. Most are owner occupied, some are offered for rental. Most homes are situated on lots between 2 and 4 acres in size. In addition to a house and outbuildings, each lot has a well with drinking quality water and a septic system. Mason’s granite base, sloping hills and shallow to bedrock soils necessitate a substantial amount of space between well areas and septic areas.

## EXISTING WORKFORCE HOUSING

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How much workforce housing does Mason currently have?

Examining the 2009 assessment data for Mason shows that xx% of homes in Mason have a total valuation in the workforce housing range. However, the trend in recent years shows this percentage to be declining, as shown in Table 1. 19% of the new homes built between 1999 and 2003 fall within the workforce housing range. Between 2004 and 2009, that percentage drops to 11%.

	<b>Total Number of Homes</b>	<b>Number of Homes Qualifying as Workforce Housing</b>	<b>Percentage of Homes Qualifying as Workforce Housing (2009 valuation)</b>
Total Homes	*		
Homes Built Before 1999	*		
Homes Built from 1999 through 2003	73	14	19%

Homes Built from 2004 through 2009	70	8	11%
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TABLE 1: WORKFORCE HOUSING AS A PERCENTAGE OF TOTAL HOUSING IN MASON

\* Assessment data distinguishing taxable parcels with homes from all taxable parcels was not available for this report.

## BUILDING A NEW HOME TODAY

The Workforce Housing law seems geared toward facilitating construction projects for developers. Yet only a small percentage of Mason’s homes have been built by developers. More often than not, in Mason a developer subdivides a parcel of land and sells it to individual owners. The owners may choose their own contractor or may leave the land undeveloped for some period of time. Construction of “spec houses”, or houses built on speculation by a developer, is rare in this town.

If a young couple were to come to Mason to build a house in the workforce housing cost range, what could they build? First, they need land. Contrary to common expectation, the price of a lot in Mason is not directly related to size. The law of supply and demand is a better indicator of what a buildable lot can be sold for, and a lot larger than the minimum size does not necessarily command a higher price. What does directly affect price is the price of buildable lots in nearby towns, particularly towns closer to Nashua.

For the lots sold in early 2009 in Mason, here are the prices paid:

3 acre lot, GRAF zone: \$95,000

4 acre lot, GRAF zone: \$97,000

2 acre lot, VR zone: \$105,000

Our hypothetical buyers also need a well. Estimates of the cost to dig a well are between \$3000 and \$7000. A septic system is also necessary, and its cost can run from \$8000 to \$15,000. Adding these costs shows expenditures so far between \$139,000 and \$156,000. Now, what kind of house can be built or placed on this lot?

Manufactured housing (mobile homes) and modular homes are allowed in the GRAF zone, which encompasses about 85% of Mason's land area. A full frost free foundation is required. Below are some cost figures obtained for manufactured housing and modular housing.

	Land	Well	Septic	Foundation Site Work	Delivery Hookup Stairs	Structure	Total Cost (in thousands )
<b>Manufactured 14x76'</b>	95 – 105	3 - 7	8 - 15	45	-	52	203 - 224
<b>Manufactured 24 x 40'</b>	95 – 105	3 - 7	8 - 15	50	-	57	213 - 234

<b>Manufactured 28 x 76'</b>	95 – 105	3 - 7	8 - 15	52	-	89	<b>247 - 268</b>
<b>Modular 28 x 52'</b>	95 – 105	3 - 7	8 - 15	20	30	57	<b>213 - 234</b>
<b>Modular 28 x 60'</b>	95 – 105	3 - 7	8 - 15	20	36	63	<b>225 - 246</b>
<b>Modular 28 x 72'</b>	95 – 105	3 - 7	8 - 15	20	39	71	<b>236 - 257</b>
<b>Modular 24 x 56'</b>	95 – 105	3 - 7	8 - 15	20	30	57	<b>213 - 234</b>

FIGURE 2: TOTAL COSTS OF SEVERAL TYPES OF HOUSING

This chart indicates that several configurations of manufactured and modular housing can be built within the workforce housing cost limits. But is this only type of less expensive housing that we want to encourage? There are other options that provide a better set of choices for workforce home ownership.

## PROVIDING HOME OWNERSHIP OPPORTUNITY

If Mason must provide expanded home ownership opportunities, this is a good time to review what Mason residents are interested in and concerned about, as expressed in the Master Plan vision. One set of goals includes: “Protect natural resources”, “protect large tracts of undeveloped land”, “create an open space plan”, “encourage conservation easements”. Another goal states: “Foster a sense of community and maintain the social fabric that makes Mason a great place to live.”

While Mason has extensive tracts of undeveloped land, these are by no means protected. They are undeveloped because it is not yet cost effective to develop them. Over time the pressures of development from adjoining towns will make their development more cost effective and we will lose them to development, one by one. In recent years, a substantial amount of undeveloped land has been preserved through conservation easements and through gifting to the town. It would be wonderful to preserve all the undeveloped land. However, land that is preserved by town ownership is no longer generating tax revenue. What would be ideal is a way to preserve land while still generating some amount of tax revenue.

## OPEN SPACE NEIGHBORHOOD DESIGN



Open Space Neighborhood Design is a way to preserve undeveloped land, protect natural and manmade features, create a sense of community among neighborhood residents, provide diversity in housing including workforce housing, and yet still keep the land on the taxrolls.

### TO PROTECT AND CONSERVE OUR NATURAL RESOURCES, MASON...

- \* Recognizes the value of natural resources in protecting our health, both physically and mentally, and the health of the environment as a whole.
- \* To protect those natural resources, will invest in protecting large tracts of land for wildlife habitat and water quality.
- \* Will create an Open Space Plan to determine sensitive environmental areas and help guide public policy regarding development and conservation.
- \* Will undertake a comprehensive initiative designed to protect water resources and water supplies.
- \* Will encourage the use of conservation easements with willing landowners to protect high priority lands.
- \* Work as a community to educate each other about land and limitations inherent in the land, such as soil types and depth to bedrock, and the impact that development has on land and water quality.

In an Open Space Neighborhood Design (OSND), more than half of the acreage remains undeveloped, and at least 30% of the undeveloped land must be non-wetland areas. The layout of roads, houses and lots is done by first delineating the areas to be preserved as undeveloped land, and then identifying specific natural or manmade features of the land that can be preserved. Only after these preserved areas have been delineated is the process of identifying locations for roads, houses, wells and septic facilities performed.

### BENEFITS OF OPEN SPACE NEIGHBORHOOD DESIGN

Open Space Neighborhood Designs can provide these benefits:

- \* The cost of developing the lots can be reduced, which can support the inclusion of some affordable housing units as part of the development project.
  - \* Property values within open space subdivisions can appreciate faster than properties in conventional subdivisions due to the added amenities provided by the adjacent open space.
  - \* Residents enjoy the recreational opportunities and views provided by the preserved open space.
  - \* Important and unique natural and cultural features, such as archeological or historical sites, can be protected.
  - \* Can reduce the amount of impervious surface created, thus reducing runoff to local water bodies, such as rivers and streams.
  - \* The open space can provide a buffer to protect water bodies and other natural areas, lowering the impact that development has on fragile natural features.
  - \* A larger network of protected areas and open space can be created if open space is connected across several developments and potentially support trail networks for walking, biking, and hiking.
- \* The clustering of houses can encourage more walking and more frequent interaction with ones' neighbors, fostering a stronger sense of community.



## WORKFORCE HOUSING IN AN OPEN SPACE NEIGHBORHOOD

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The base density of houses in the OSN is the same as the underlying zone. An OSN designed for a 40 acre lot can contain 10 houses, 4 per acre. However, in an OSN the houses can be placed closer together than standard zoning allows. More closely spaced houses can cost less to develop than standard housing, particularly if a road is being built. This makes an Open Space Neighborhood a good place to incorporate some workforce housing units, preferably intermingled with standard housing.

If workforce housing units are included in an OSN, the developer can earn “density bonus credits”. A density bonus credit allows a developer to include an extra house in the project above the base density calculated by the number of acres. Density bonuses are calculated according to a schedule that lists desirable criteria and provides a bonus of an extra house when criteria are met. These density bonus credits can be used to allow more houses in the lot, if the characteristics of the lot permit it.

## OPEN SPACE DESIGN: TWO CASE STUDIES

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Below are two case studies showing how Open Space design techniques were applied to rural areas along the north shore of Massachusetts. Each case study emphasizes different aspects of the Open Space Design concept.

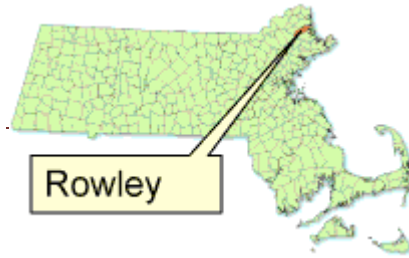


**Smart Growth / Smart Energy**  
**Toolkit**

**HOW TO USE THIS TOOLKIT**   **INTRODUCTION**   **STATE POLICIES AND INITIATIVES**

**OPEN SPACE RESIDENTIAL DESIGN (OSRD)  
RURAL CASE STUDY**

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## RESIDENTIAL DESIGN (OSRD) LOCAL CASE STUDY

Modules

Case Studies

Slideshows

Model Bylaws

$$\text{Total Number of Units} = \frac{\text{TA} - (0.5 \times \text{PCS}) - (0.1 \times \text{TA})}{\text{District Minimum Lot Area}}$$

TA = Total Area of Parcel  
PCA = Primary Conservation Area

Links

Glossary



### The Bylaw

The Town of Rowley has been addressing the issue of [open space](#) development in their Zoning Bylaw for over a decade. These efforts began with a standard [cluster zoning](#) bylaw that provided guidelines and incentives for concentrating residential development through the [subdivision](#) process. Over the years, the Planning Board and other local agencies identified the need for a more flexible resource-oriented approach through continued inter-agency discussions and the development of their [Master Plan](#). As a result, the cluster bylaw has gradually evolved into the existing OSRD bylaw after several revisions adopted through Town Meeting. The Planning Board played the lead role in facilitating a dialogue at Town Meeting and was able to successfully

address any concerns regarding six separate sets of Bylaw revisions.

In its current form, the Rowley OSRD Bylaw uses the fundamental tenets of OSRD with the four step [site planning](#) process.

Glossary

1. Identify all [conservation areas](#) to determine the potentially developable area.
2. Locate housing sites.
3. Align streets and trails.
4. Draw in the lot lines, if the OSRD is not a condominium development.

Discussions with Rowley's citizenry revealed that many people were concerned that a more flexible approach to development would allow for a higher volume of residential units than what is allowed through conventional zoning bylaw provisions. To help address these concerns, the individuals who drafted the bylaw added another level of analysis to the Yield Plan. As with most OSRD Bylaws, the Rowley Bylaw requires a Yield Plan to determine how many units of housing could be developed under conventional [zoning](#) provisions. This [plan](#) is similar in form and content to a preliminary subdivision plan and shows the basic lotting that could occur with a conventional approach. However, in addition to a physical [site plan](#), the yield analysis in the Rowley OSRD Bylaw requires a basic mathematical calculation to substantiate the number of units illustrated in the conventional lotting layout. The formula for potential site yield is as follows:

An applicant is required to both develop a Yield Plan and perform the computations above as part of the site yield analysis. The method that produces the lower number is the one chosen for the final yield.

As an incentive to developers, the bylaw provides for [density bonuses](#) for [historic](#) preservation, creation of affordable housing, or protection of additional [open space](#). The density bonus for the OSRD development cannot exceed 50% of the basic maximum number, which is determined by the basic "by right" [zoning](#) regulations of the underlying district. Density bonuses can be awarded in the following circumstances:

1. For each 10% of the site (over and above the required 50%) set aside as [open space](#), a bonus of 5% of the Basic Maximum Number may be awarded.
2. For every dwelling unit set aside as affordable in perpetuity, one dwelling unit may be added as a [density bonus](#).
3. For every [historic](#) structure preserved and subject to a historic preservation restriction, one dwelling unit may be added as a [density bonus](#).

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*\* Primary Conservation Area is defined as "Areas consisting of wetlands, riverfront areas, or floodplains protected by the Wetlands Protection Act, M.G.L. Ch. 131, § 40, land included within the Floodplain and Watershed Protection District, or land protected by restrictive order under M.G.L., Ch130, § 105."*

[Case Studies](#)

[Bylaw](#)

[Slideshow](#)

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# Smart Growth / Smart Energy



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## OPEN SPACE RESIDENTIAL DESIGN (OSRD) RURAL CASE STUDY

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Modules

Case Studies

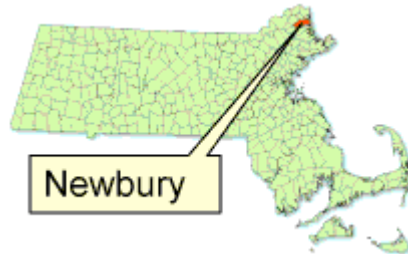
Slideshows

Model Bylaws

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Glossary



### **Caldwell Farm, Newbury, MA**

Caldwell Farm is a 66-unit housing project built on an 125-acre site. The project developers, C.P. Berry Construction Company, chose to develop the property under Newbury's OSRD bylaw, resulting in 100 of the 125 acres being maintained as open space including fields, forest, freshwater, and saltwater wetlands adjacent to the Parker River National Wildlife Refuge and an Area of Critical Environmental Concern (ACEC). The Caldwell Farm development is an excellent example of how the often competing interests of developers, realtors, and local officials can be brought together to create a development that satisfies everyone's interests. The OSRD development has been recognized by several national awards, including "the Best Overall Community" by the National Association of Home Builders in May 2007.



## The Bylaw

Like many Massachusetts communities, Newbury was struggling with the dilemma of accommodating new residential development while preserving the Town's natural and historic character. To help cope with this problem, the Town worked with the Green Neighborhoods Alliance to adopt an OSRD bylaw (the first in the Commonwealth) that clusters development on a parcel in a way that conserves 50% or more of the land as open space. Under the Newbury bylaw, OSRD can be approved through a [Special Permit](#) process that is complementary to the standard requirements of the local Subdivision Rules and Regulations.

As an incentive to developers, the bylaw provides for [density bonuses](#) for historic preservation, creation of affordable housing, or protection of additional open space. The density bonus for the OSRD development cannot exceed 50% of the basic maximum number, which is determined by the basic 'by right' zoning regulations of the underlying district. Density bonuses can be awarded in the following circumstances:

1. For each 10% of the site (over and above the required 50%) set aside as open space, a bonus of 5% of the basic maximum number may be awarded.
2. For every dwelling unit set aside as affordable in perpetuity, one dwelling unit may be added as a density bonus.
3. For every historic structure preserved and subject to a historic preservation restriction, one dwelling unit may be added as a density bonus.

## Site Design Process:

Newbury strongly encourages those applicants proposing to develop under the OSRD bylaw to schedule a pre-application review with the Planning Department. The Planning Department invites the Conservation Commission, the Board of Health and the Historical Commission to attend this review. The purpose of the review is to minimize the applicant's cost of engineering and other technical experts and to commence negotiations with the Planning Board at the earliest possible stage in the development process. Applicants are encouraged to submit both a site context map and an existing conditions/site analysis map prior to the review, and to schedule a site visit.

Newbury's OSRD bylaw clearly outlines the design process in four steps:

1. Identify all conservation areas to determine the potentially developable area.
2. Locate housing sites.
3. Align streets and trails.



*Photo provided by C.P. Berry Construction*

Caldwell Farm, sited on beautiful rolling land bordering the Parker River and the Great Salt Marsh, received a "Best Overall Community" award from the National Association of Home Builders in 2007.



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## OPEN SPACE DESIGN RESOURCES

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The definitive reference for learning about Open Space design concepts, including advice for implementation and a detailed sample ordinance is the [Innovative Land Use Planning Techniques Handbook: A Handbook for Sustainable Development](#), Chapter 1.4. This book is published by the N.H. Department of Environmental Services, and can be ordered in hardcopy or downloaded from the web. This is an amazing book with a variety of intriguing ways of expanding housing diversity.

[http://des.nh.gov/organization/divisions/water/wmb/repp/innovative\\_land\\_use.htm](http://des.nh.gov/organization/divisions/water/wmb/repp/innovative_land_use.htm)

Here's an awesome slide show from the town of Salisbury, N.H., showing how the process works:

[www.salisburynh.org/pages/.../OSD%20Slide%20Show.pdf](http://www.salisburynh.org/pages/.../OSD%20Slide%20Show.pdf)

Appendix I in the Workforce Housing Committee report contains the Open Space Preservation Design ordinance from Milford, N.H. Milford requires all new developments over 5 houses to conform to the OSPD ordinance by default, also the developer can apply to be considered under the standard zoning rules. It's also available online.

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## OPEN SPACE NEIGHBORHOOD DESIGN FOR MASON

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For Mason, here are some ideas about adapting Open Space concepts to our unique town:

- \* OSNs can be implemented by applying an overlay district to the in GRAF district. OSNs can only be located in the GRAF district.
- \* For an OSN subdivision, the parcel being subdivided must have a minimum of 12 acres.
- \* At least 50% of the lot must be put into conservation or other protective easement. At least 30% of the land should be non-wetland soils.
- \* A neighborhood association should be established to own/maintain common areas, which includes the conservation area.
- \* Open space neighborhoods could have themes, such as horseback riding, recreation fields, hiking or tree farms, with land policies for the open space designed according to the interests of the residents.
- \* The common areas will be taxable to the neighborhood association.
- \* The GRAF minimum lot size of 4 acres is the base density allowed. (Total acreage divided by 4 equals the number of house lots that can be subdivided.)
  - Allow a density bonus of one house for each workforce-qualified house.

- Allow an additional density bonus if conservation lands are open to the public.
- Allow additional density bonuses for other desirable characteristics.
- \* Allow workforce housing, including duplex units.
- \* Minimum lot sizes? (1 acre for single home, 1.5 acres for duplex)
- \* Allow a communal well or wells, depending on layout. Allow wells to be placed in the common areas.
- \* Each house will have an individual septic system. Duplex houses can share a septic system or have two separate systems.
- \* Workforce housing in a development must conform to the RSA requirement that at least half of the workforce housing units have at least 2 bedrooms.
- \* Where the OSN has frontage on existing town roads (roads built before this ordinance takes effect) shall have a minimum of 250' of frontage per unit on existing town road. This preserves the character of existing roads.
- \* Along new roads within the OSN, there is no specific frontage requirement other than to provide adequate access to the house.
- \* OSNs are exempt from the requirement that no-outlet roads have a maximum length of 1000'. The planning board and the developer work together to design the best layout for the parcel.

In July, members of the Workforce Housing committee made a presentation to the Planning Board that described the Open Space Neighborhoods Design process. As an example, a recent subdivision of 9 lots was theoretically resubdivided using the OSND methodology. The difference in the resulting layouts is very striking. See the before and after designs in Appendices J and K.

## PROVIDING RENTAL OPPORTUNITY

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The Workforce Housing Committee looked at two ways of expanding rental opportunities in Mason:

- \* Accessory Dwelling Units
- \* Duplex Housing Units

Multi-family units are another type of rental opportunity. Because they are required by the Workforce Housing RSAs, they are discussed in their own section.



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## ACCESSORY DWELLING UNITS

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In the town's Zoning Ordinance, what defines a dwelling unit is the presence of cooking facilities.

Mason currently permits an owner of a single-family residence to rent the entire residence to another party. However, no residence can be occupied as two separate dwelling units, each with its own kitchen area. (There are several grandfathered apartments in town. These were established before the 1967 zoning ordinance took effect.)

### TO PRESERVE OUR HISTORY AND CULTURE, MASON ...

- \* Will maintain access to all public historic sites and structures.
- \* Will protect and preserve historic features both in and out of the designated historic district.
- \* Will improve communications with outside agencies engaged in historic preservation work such as the NH Department of Historic Resources in order to keep up to date on historic preservation techniques.
- \* Will promote the resources of the Mason Historical Society within the Town and surrounding communities.
- \* Will be proactive in identifying historic sites and consider places which may be viewed as historic in the future.

An Accessory Dwelling Unit (ADU) is defined in state statutes as a second dwelling unit which is permitted by a land use regulation to be located on the same lot as the principal dwelling unit. An ADU is a complete housekeeping unit with independent cooking, living, sanitary and sleeping facilities. Typically, towns require an ADU to be similar in appearance to the main dwelling unit and not change the character of the main unit as a single family residence. Only one ADU is allowed per main dwelling and lot, and the ADU must be smaller than the main dwelling.

Allowing ADUs can provide several benefits for a community:

- \* An ADU can provide a safe place for an elderly or disabled relative to live independently but close by.
- \* An ADU can provide a starter apartment for a young person.
- \* ADUs can provide extra income to a property owner who has retired and is living on a fixed income. The income provided can help property owners to continue living in their home.
- \* When a property owner has lost a job, an ADU can

provide the income that makes it possible for the owner to avoid foreclosure. Instead, the owner can concentrate on finding a new job.

A number of New Hampshire towns allow ADUs. By providing more types of housing options, ADUs will improve Mason's compliance with the state Workforce Housing law. Appendix F provides details about what an ADU is and what characteristics it can have, and provides a town-by-town comparison of allowed ADU characteristics for several small towns that permit them. Appendix G provides a sample ADU ordinance for Mason.

The Workforce Housing Committee recommends amending the Town of Mason Planning Ordinance to allow accessory dwelling units.

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## DUPLEX HOUSING UNITS

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Duplex housing is typically one structure containing two similar dwelling units. Duplex housing can be:

- \* Owner/renter, where the owner of the property resides in one unit and rents out the other.
- \* Renter/renter, where the structure is owned by a landlord who does not reside on the premises, and rents out both units.
- \* Owner/owner, where each dwelling unit is owned separately with a condominium type of ownership.

Allowing duplex housing will provide more types of housing options for Mason. However, keeping in mind the Master Plan Vision statements about preserving rural character and scenic roadside views, the Workforce Housing Committee recommends duplex housing units only as part of an Open Space Neighborhood development plan.

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## PROVIDING MULTI-FAMILY HOUSING OPPORTUNITY

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Multi-family housing is defined in the Workforce Housing RSAs as five (5) dwelling units within a single structure, and the statutes specifically say towns must provide opportunities for this type of housing to be built. A town needs to provide zoning that allows development of multi-family housing in some part of town (not in a majority of land areas, as for single family workforce housing), and not impose prohibitive costs. There is no requirement for this type of housing to actually be built. High density residential areas seem out of place in an area where there are few employment opportunities and the nearest supermarkets are ten miles away.

The NH Department of Transportation lists the average family as making 8 to 10 (one way) car trips per day. Multi-family housing can thus generate 40 to 50 trips per day, per structure. For this reason, the committee recommends establishing an overlay zone in the GRAF district along state highways 31 or 24. Properties fronting on either highway within this overlay zone can be developed for multi-family housing use.

The Workforce Housing committee would be interested in learning about mixed business/residential/commercial zoning, and about the Alternative Village Plan. Developments mixing store fronts, apartments above stores and townhouse type residential units would add vitality to the area, and the presence of stores could reduce the need for transportation. However, the committee has not had time to investigate this type of development. Consequently, the committee suggests a two-stage approach for the Planning Board:

- \* For the March 2010 warrant, offer a zoning amendment to create an overlay zone that will allow 5-unit multi-family buildings on parcels with access on Highway 31 or 124.
- \* For March 2011, investigate a comprehensive zoning plan for a mixed business/residential/commercial zone that includes multi-family dwellings.

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## IN CONCLUSION

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The introductory section posed two questions:

***Can Mason find ways to comply with the workforce housing law while still retaining its unique character? Are there ways to comply that will actually benefit the people of Mason?***

The Workforce Housing committee says yes, there are ways for Mason to increase its diversity of housing opportunities and still remain a town of field and forest and community. By utilizing Open Space Neighborhood design concepts, we the people of Mason can better utilize our natural resources, create welcoming neighborhoods, preserve open space and provide a variety of housing opportunities. By allowing Accessory Dwelling Units, we can provide rental housing and help enable people to continue living in their homes even as circumstances change. By allowing multi-family units, we can comply with the law, and can study a mixed use ordinance for the future.

All through Mason's history, it has adapted to the times: the pasturing of domestic animals in the 1700s, extensive sheep raising in the early 1800s, railroad construction in the mid 1800s, granite quarrying, logging, and small businesses from the 1800s onward, and adaptation to the commuter culture in the second half of the 1900s. Along the way we have remained true to our roots: to provide a good place to live for anyone willing to work for it. Now in this time when costs are escalating out of reach, it's time to make sure Mason can still be a place where all are welcome.

*Submitted by the Workforce Housing Committee:*

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