



MEMORANDUM

To: Planning Board
From: Alexander Mello, Director
Re: HB 1661, Housing for Older Persons and Workforce Housing
Date: November 7, 2022

Dear Members of the Planning Board,

Community Development Staff have compiled text from the recently adopted HB 1661 and sections from the Windham Zoning Ordinance (WZO) relating to development standards for the Housing for Older Persons and Workforce Housing overlay zoning districts. The table below provides a very brief comparative summary of the two districts. The excerpt from HB 1661 is verbatim while some excerpts from the WZO are abbreviated and paraphrased.

	Housing for Older Persons	Workforce Housing
Density	Up to 30% under certain circumstances	None
Minimum lot size	4 acres	5 acres
Frontage	50 feet	Underlying district: 175 feet or 50 feet (VCD)
Minimum bldg. separation	30 feet	20 feet or 35 feet
Setback from property line	50 feet (w/ 25 feet vegetative buffer)	Underlying district. Front: 50 feet or 30 feet (VCD). Side: 30 feet or 20 feet (VCD). Rear: 30 feet or 0 feet (VCD).
Minimum Open Space	65%	n/a

Text from HB 1661

Section 83 New Paragraph; Local Land Use Planning and Regulatory Powers; Zoning. Amend [RSA 674:17](#) by inserting after paragraph III the following new paragraph:

*IV. If a municipality allows an **increased density, reduced lot size, expedited approval, or other dimensional or procedural incentive** under this section for the **development of housing for older persons**, as defined and regulated pursuant to [RSA 354-A:15, VIII](#), **it shall allow the same incentive for the development of workforce housing** as defined in [RSA 674:58, IV](#). Beginning July 1, 2023, incentives established for housing for older persons shall be deemed applicable to workforce housing development, regardless of whether a local land use ordinance or regulation specifically provides for their application to workforce housing development.*



WZO 610 Housing for Older Persons

610.5 Minimum Lot Requirements: Parcel(s) for which Housing for Older Persons is proposed shall conform to the following minimum requirements, in addition to the other provisions of the Section.

610.5.1 Parcel(s) shall have a contiguous **Net Tract Area of no less than four (4) acres**;

610.5.2 There shall be **fifty (50) feet of frontage** on an existing or proposed Class V, or better, road

610.6 Density: The total number of bedrooms that may be permitted on the subject site is intended to be equal to the equivalent Base Density achieved by applying soil type lot size requirements for the Town of Windham standard 4-bedroom subdivisions, plus additional density considerations if certain performance features and components are included in the design. The Base Density shall be calculated in accordance with the procedure outlined below:

610.6.1 Determine the number of standard equivalent 4-bedroom lots allowed by soil type using the minimum lot area requirements per Appendix A-1 of the Town of Windham Zoning Ordinance. Multiply this number by four (4) to establish the equivalent Base Density of bedrooms possible on the subject parcel.

610.7.1 Development Standards: Notwithstanding the other provisions of this Section, proposals **meeting the following minimum development standards** shall qualify for an additional density consideration of up to **30% total of the base density** in accordance with Section 610.7.2.

610.7.1.2: Building types (single detached, duplex, townhouse, or 2-story garden style).

Minimum: 400 s.f of living space. Two-bedroom units need a minimum of 600 square feet.

610.7.1.3: no building shall contain more than 6. PB may permit more than ten (10) units per building when the PB believes the increase provides specific, substantial benefits consistent with the purpose and intent of this Ordinance;

610.7.1.4: when there is more than 1 building, **horizontal separation of 30 feet**.

610.7.1.5: Building and pavement (except driveway) setback **50 feet from property line**.

610.7.1.5.1: 25-foot vegetative buffer. Bldgs. with 4 or more units require 100-foot setback and vegetative buffer of 50-feet.

610.7.1.5.2: PB may require an increase in the buffer width when considering existing residential neighborhoods.

610.7.1.5.3: Buffering should provide a year-round dense screen

610.7.1.6: 65% permanent open space

610.7.1.7: at-grade or elevator access

610.7.1.8: project shall average no more than 2 bedrooms per unit

610.7.1.9: may occupy 2 floors, but at least one bed and one full bath on the floor containing principal access.

610.7.1.10: units need to be adaptable

610.7.1.11: minimum of 1 parking space per bedroom

610.7.1.12: visitor parking at 1 space per 2 units



610.7.1.13: meet all other regs for parking and loading

610.7.2 Development Incentives for additional density considerations: In addition to meeting the minimum Development Standards delineated above, an Applicant may propose and the Planning Board in its sole discretion may approve additional density awards (expressed as bedrooms) to the equivalent Base Density in accordance with the following Development Incentives:

610.7.2.4 Provision of Salvage of Historic Resource: The Planning Board may award a **density bonus not to exceed ten percent (10%)** of the equivalent Base Density to an Applicant proposing to **incorporate a structure from the Historic Resource List or cultural Resource List into the plan.**

610.7.2.5 Applicant shall include a minimum of a community gathering space or similar common recreation facility for all residents to all developments containing 20 units or grater.

610.7.2.6 The Planning Board may award a **density bonus not to exceed twenty percent (20%)** of the equivalent Base Density to an applicant proposing to construct units with an **average square footage of seven hundred fifty (750) sq. ft. per bedroom.**

610.7.4 **In no event shall the total of all density awards approved for a given site or project exceed 30%** of the equivalent Base Density as calculated under Section 610.6.1, above.

WZO 619 Workforce Housing

619.7.1.1 Density shall be determined in accordance with the requirements of Appendix A-1 of the Windham Zoning Ordinance using only the **Net Tract Area** of the property.

619.7.2.1 A minimum of **5 acres** is required for a Workforce Housing project.

619.7.4 Frontage, Setbacks and Yard Regulations: **as per underlying zoning district**

619.7.4.2 There shall be a **minimal horizontal separation** between all structures: single family (detached) 20 feet, single family (attached) 35 feet, duplex 20 feet, and multi-family 35 feet.