

# D-R-A-F-T

## HOUSING WORK SESSION

DURHAM TOWN COUNCIL

MONDAY, MAY 22, 2006

DURHAM TOWN HALL – COUNCIL CHAMBERS

**MEMBERS PRESENT:** Chair Neil Chair Niman; Councilor Carroll; Councilor Peter Smith; Councilor Morong; Councilor Needell; Councilor Van Asselt; Councilor Julian Smith; Councilor Catherine Leach

**MEMBERS ABSENT:** Councilor Henry Smith

**OTHERS PRESENT:** Town Administrator Todd Selig; Jim Campbell, Planner; Robb Dix, Assessor; Peter O’Leary, Fire Chief; Jerry Loughman, Perry Bryant, Mike Davis, and Paul Berton, members of the Durham Landlords Association; Mark Henderson, Chair, Rental Housing Commission; Douglas Bencks, UNH Planner

Chair Niman began the meeting at 7:02 PM by explaining that this was the first in a series of work sessions the Council would be holding over the next few months, and said the goal of the work session was to hear what staff and members of the community had to say on Housing issues. He noted that Councilors had submitted their questions in advance of the meeting.

Administrator Selig said that before starting the work session, he would like to update everyone on road conditions in Town after the recent flood. He provided details on roads in Town that were in need of repair, - Dame Road, Long Marsh Road, and the roadway in the area of the Wiswall Bridge. He said the goal was to get things fixed as soon as possible, and said it was believed that \$70,000 in contingency funds should be sufficient to cover the repairs.

He said the Town was required to submit the total inventory of repairs to the State Emergency Management Agency, and noted that as part of this, the Town had submitted a request for the total repaving of Durham Point Road. He explained that this road had slowly been worsening over time, and was in the CIP several years out. He said that because of the rains, as well as recent increased traffic on the road to about 5000 cars a day because of the closure of portions of Route 108, there had been additional damage to the roadway.

Administrator Selig thanked the Public Works Department and the Fire Department for their great work in recent days, and also thanked residents of Durham for their patience during this difficult time.

### **Section I. Review and Presentation (1 hour)**

1. *A General Overview of Housing in Durham.* Presentation and review of where different types housing can be built in Durham under the zoning ordinance (single-family, duplex, multi-unit, over 55,

and other) taking into consideration the various overlay maps, acreage requirements, and existing water and sewer services. Discussion on where developments are currently proposed.

Mr. Campbell provided a presentation on what kinds of housing could currently be built in the various districts in Durham. He also reviewed the dimensional requirements for each of the various districts, and then discussed the availability of water and sewer for the various districts, and possible plans to expand this infrastructure.

Mr. Campbell next described some possible developments in the pipeline: a 22 unit elderly housing development at the corner of Bagdad and Canney Road; another elderly housing development off Madbury Road on the old Craig property; a multi-unit building for 78 units in the RA zone; and a possible development off Mill Road, as part of Spruce Wood (92 units of single-family units and duplexes).

He also said the Planning Board would be doing a design review of a property off of Strafford Ave., right before the parking area for the NE Center. He said a mixed use office/retail development with apartments was proposed, and provided details on this. He also noted that Jess Gangwer was looking at developing a property off of Route 4 and Pendexter, either as estate lots or as a conservation subdivision. He said extension of water and sewer would be desired as part of this.

There was discussion on areas of land in Town that were still available for development. Mr. Campbell used the buildout analysis to demonstrate this.

Councilor Van Asselt summarized that 91% of proposed development was for elderly housing, 6% was for student housing, and 3% was possibly single-family housing.

There was also discussion regarding at what point, when one looked at the cost of providing various services related to housing, a property became cash-positive for Durham.

Councilor Peter Smith asked if the Town had looked at what the cost of services was for each type of housing in order to determine whether they were tax-positive or tax-negative, and what the break-even points were.

Mr. Dix said a study like this hadn't been done and there was only a town-wide figure. But he noted that 55 and over housing was almost always tax-positive, as was student housing. He also said that the average sale price for housing in Durham was \$407,000, and said that translated to a bit more than \$10,000 in taxes. There was discussion as to whether \$407,000 was a mean or a median figure. Mr. Dix noted that the housing cost figures for 2006 were somewhat below \$407,000.

Chair Niman noted a table Mr. Dix had put together on the various types of property in Durham, and said if one added commercial and industrial property together, they were not as valuable as "exempt" property in Town, excluding University property. He said this really said something.

Mr. Dix provided details on the fact that the exempt number was actually more like \$54 million.

**2. *Elderly Housing.* What is the potential long-term fiscal and social impact of the continued growth of elderly housing development in Durham? (Planning Board representative) At what point does Durham reach saturation with the construction of new elderly housing developments?**

Chair Niman noted a letter from Jack Farrell included in the Council packet. He said Mr. Farrell couldn't be present that evening, and said the letter would be incorporated with other comments.

**3. *Student Housing.* Status of the Rental Housing Commission's efforts over the last few years in terms of monitoring and addressing the impact of student housing within Durham neighborhoods (i.e., 3 unrelated rule, rental registry, etc.). (Mark Henderson) How has the Durham Landlord Association worked to address issues surrounding student housing in Durham? How/where would landlords like to see student housing develop in Durham? (Jerry Loughman, DLA)**

Jerry Loughman of the Durham Landlords Association said there were a number of issues the Association would like to address concerning rental properties in Town. He provided a handout to members of the Council that listed these issues, and said the Association would like to request that a subcommittee be formed, consisting of Code Enforcement Officer Tom Johnson, Mr. Campbell, a member of the Town Council, a member of the Planning Board and a member of the Durham Landlords Association, in order to address these issues in the near future.

Councilor Needell noted that one of the issues listed was Zoning, and asked what types of things the Association was interested in discussing regarding this issue.

Mr. Loughman said he realized the Zoning rewrite had already taken place. He said the Association would like to discuss the "no more than three unrelated" provision, as well as the Zoning Ordinance in general. He also said some members of the Association wanted to make sure that paperwork concerning grandfathering was deemed to be legal.

Councilor Peter Smith said the Zoning rewrite process had gone on for over 3 years, and was now fully enacted, noting there were still a few aspects of the Ordinance currently under discussion. He said it would be helpful if there could be more specificity regarding Zoning issues that the Association would like to discuss.

Councilor Morong said he believed the Association was interested in discussing some other Town regulations in addition to the Zoning Ordinance. He asked for clarification from Mr. Loughman on this, and Mr. Loughman agreed there were other regulations the Association would like to discuss. Councilor Morong suggested that the Association might want to add them to its list.

Administrator Selig said he was aware that a number of landlords in the Association had expressed concern about the way the Town envisioned the growth of student housing, and about the fact that the new Zoning Ordinance focused on expansion of student housing out at the west end of Town, rather than in the Central Business District. He asked if the Association would like to comment on this, noting that this was not really a perspective the Council had heard in recent months.

Mark Henderson, Chair of the Rental Housing Commission, said his organization was concerned about the new Zoning Districts that now allowed new rental housing only was in the MUDOR District, and there were few lots out there that could actually be developed.

He also noted that student housing was now considered to be a non-conforming use in the area of Town from Route 4 down through the Central Business District and even up Madbury Road. He said it was felt by the landlord association that these zones were where student housing was most feasible, noting that a lot of the properties in this area were and probably would continue to be student housing in the future.

He said the MUDOR District was probably not the most feasible area to put student housing development, and took away from these other districts.

Chair Niman said the vision in the Master Plan and the Zoning Ordinance was to transform the area of Madbury Road from student housing to professional office uses. He asked if the Commission felt this was an unrealistic idea, and if any of its members were actually interested in redeveloping some of those properties to make them more office-oriented.

Mr. Henderson said many of the property owners on the Commission had professional office space they were trying to occupy, but he said that because of parking restraints, and because business in Town was largely retail uses that were geared to students, it was hard to achieve professional office development. He also noted the reputation Durham had as a Town where it was difficult to bring business in. He said the feeling of the Commission was that trying to convert buildings, including fraternities, to professional office use in this area would be difficult.

Councilor Peter Smith asked Mr. Henderson why he had referred to the idea of developing student housing in the MUDOR District as less desirable.

Mr. Henderson said student housing had certain service needs, and said a lot of these were downtown. He said it was realized that the University had plans to expand some student housing out further. But he noted that some students felt that the Gables was not the most desirable place for student housing.

Councilor Peter Smith asked what “desirable housing” meant to the various entities, especially given the reality that a large number of students lived in Durham relative to other towns.

Mr. Henderson said he was speaking not in terms of what the University wanted, but what the Town had done with its Zoning districts. He noted that the Courthouse District now allowed a very limited number of uses.

Councilor Needell pointed out that the Zoning Ordinance also allowed student housing in the ORLI district.

Mr. Henderson acknowledged that the University had a good transit system, but said students couldn’t walk from the MUDOR or ORLI Districts. He said the Rental Housing Commission felt this was a University town, and that living off-campus was part of the growing up process. He said it was felt that there were areas in Town where student housing should be enhanced through a variety of means.

Councilor Van Asselt said the concern of those who lived in Durham was that off campus student housing had expanded over time, noting that at one time it was short of Bagdad, then had expanded to Edgewood, and now was moving further out, impacting Durham’s neighborhoods.

Mr. Henderson said single-family housing that became multi-unit student housing was a thorn in the Commission's side as well, and said they all needed to work on regulations to tighten this up.

Chair Niman said that of approximately 13,000 UNH students, about 6000 lived on campus. He asked whether, if Durham's housing stock were large enough to house the additional 7,000 students, these students would all want to move to Durham, or if other communities in the area had things to offer them.

Mr. Henderson said that even with larger concentrations of housing available, he thought some students would still want to live elsewhere. He noted that there recently had been greater off-campus student housing vacancy rates, which emphasized to rental housing owners the importance of providing quality housing.

***University Housing. What are the University's present and future plans for constructing new undergraduate, graduate, and faculty housing, where will this be located, and is there an interest on the part of UNH in public/private partnerships to construct privately-owned, taxable student housing on UNH property?*** (Douglas Bencks)

Mr. Bencks explained that the University was constructing 400 beds at the Gables, and would be constructing an additional 400 beds at Forest Park. He said there would be a net increase of 620 new beds when construction was completed, and provided details on this.

He said a goal of the Campus Master plan was to house 60% of students on campus, providing details on this, and noted that just like the landlords off campus; the University was doing this in terms of the market and what the demand was for students who wanted to stay on a campus environment.

Mr. Bencks also said that when thinking of locations for this housing, a key criterion was that the housing be within a 10- minute walk of the core campus. He provided details on this, and noted that the Gables apartments met this criterion.

Mr. Bencks also explained that the University wanted to grow its graduate program, and also realized there were challenges concerning providing junior faculty housing. He said some locations had been identified for this, and said the University was comfortable moving this type of housing further away from the core campus. He noted some possible areas for this: near the old reservoir, and Mast Road in the area of the Lee orchards.

He said in terms of the question of privately-owned housing on University land, there hadn't been a lot of discussion on this until recently. But he said the initial reaction was that when the University built housing on its campus, it built at a high level of quality. He said when talking about privately owned housing, it became a question of whether the same quality could be achieved as what the University itself achieved, and said it was known that this couldn't happen. He provided details on how for new undergraduate housing, the University could provide this kind of quality because it spread the costs over all 6,000 undergraduate beds.

Mr. Bencks also explained that the University felt it had a good handle on property management, and therefore didn't have the desire to have someone from the outside manage University property. He noted that some other universities brought in private management to do this.

Councilor Needell noted that because of larger enrollment expected at the University in the fall, there had been recent consideration of converting the New England Center to student housing as well as having an incentive program to get students off campus. He asked how Mr. Bencks saw this playing out, now and in the future.

Mr. Bencks provided details on this situation.

In answer to a question from Councilor Needell, Mr. Bencks acknowledged there was risk in developing more student housing. He said the low vacancy rate was a testament to the fact that there was good management of University properties, so that students wanted to live on campus. He also said the idea was to build incrementally, so the University wouldn't overshoot.

Councilor Van Asselt asked if the plans for the Forest Park and Gables developments were finalized, and Mr. Bencks said there was still space for additional units at each of these developments, based on what the Campus Master Plan had anticipated.

Councilor Van Asselt noted the need for junior faculty and graduate housing, and asked if the University's position was that mixing student housing with University staff housing was something it would not pursue.

Mr. Bencks said although there had been discussion about this, the idea was not reflected in the Master Plan.

Councilor Van Asselt asked if as a matter of policy, the University was concerned about the fact that about 90% of people working in Durham worked at the University, yet there was a relatively small percentage of these people who could afford to live in Durham. He also asked if the University saw providing housing for this category of people as part of its mission and responsibility.

Mr. Bencks said the University saw this as part of its concern, and said that during the Master Plan process, this was identified as a significant need by many different constituencies. He said that in terms of the level of commitment, it came down to money, and said the University hadn't come up with a way to finance/subsidize this kind of housing. He noted again that for new undergraduate housing, the University did this by spreading costs over all of the undergraduate housing.

Chair Niman suggested that perhaps with creative private sector financing, the University could create staff and family housing in areas like the Lee orchards, which although not of the same quality as the construction for the core campus, was still quality housing.

Mr. Bencks said that was what the University had been looking at. He provided details on this, and said they were very open to this.

Councilor Peter Smith questioned the concept of a "10 minute walk", and there was discussion about this.

Councilor Smith noted that Mr. Henderson had said that some students felt it was more attractive to live near downtown than on campus, and asked if Mr. Bencks agreed.

Mr. Bencks agreed that some students desired to get off-campus, and said having a village next door that they could walk to was part of the Master Plan vision.

Councilor Smith asked if the University felt it was more desirable to have these students on campus.

Mr. Bencks said the University wanted to encourage more of this, and said the more it could do this, the more it felt it would be better for the students' overall experience.

Councilor Smith asked if the University could mandate that students had to live on campus, and there was discussion about this.

**5. *Workforce Housing.* Is there a demand for workforce housing in Durham? (Mr. Campbell)**

Mr. Campbell provided a brief presentation on the issue of Workforce housing, noting that it included single-family, duplex, townhouses, condominiums, starter homes and apartments that were affordable to area workers. He said workforce housing meant affordable housing, but was not low-income or subsidized housing.

He described in detail the various people working in Durham who needed workforce housing, people who provided essential services in the Town. He noted that no uniform guidelines had been set to characterize workforce housing.

Mr. Campbell said there was definitely a demand for workforce housing in Durham, and said it was a tough situation because when housing was created in Durham, there was a high probability that it would be sold or rented to students, because the Town couldn't discriminate concerning this unless it was specifically age restricted housing.

He noted that some communities, such as Exeter, used incentives to get developers to provide a certain amount of affordable housing as part of their developments.

There was discussion about the difficulties Durham faced. It was noted that the University was the biggest employer in Durham, and there was discussion as to whether there was much demand for non-University people working in Durham to be able to live in affordable housing in Durham.

Mr. Campbell said he definitely thought there would be a desire by these people to live in Durham, and provided details on this.

Councilor Needell noted that the larger issues concerning this could only be solved by the Town.

Councilor Carroll said this was an important topic. She stated that the affordability of elderly housing was one possible area to look at, noting that there were several such developments being considered at the moment.

Mr. Campbell noted that the trend was that this kind of housing was not "affordable, and Councilor Carroll agreed.

Councilor Peter Smith asked Mr. Campbell if he agreed that in determining whether Durham had met the State standard concerning affordable housing, this could fully be met by the fact that there were several thousand students with little income presently living in Durham.

Mr. Campbell said yes, and Councilor Smith said the question then became not whether the Town was meeting its legal obligations concerning affordable housing, but whether or not the Town of Durham as a social society was meeting its obligations if the only people in Durham with affordable housing were UNH students.

Administrator Selig said because of the demand for student housing, if affordable housing was built in Durham, what was the likelihood that it would remain affordable for anyone other than students.

Councilor Van Asselt said the only way to keep it affordable for elderly housing would be to use a subsidized tax credit program. He said the only way to get single-family housing for median income families was to change the Zoning Ordinance.

Chair Niman said that alternatively, this issue could be addressed thorough supply and demand. He said they would discuss this later.

Paul Berton asked if single people were addressed in workforce housing analyses, and Mr. Campbell said yes.

Councilor Morong noted that Chinburg Builders had built workforce housing in Exeter, and had been permitted extra density as part of this. He suggested that something similar could be done in Durham.

Councilor Van Asselt agreed that this was possible, but noted that land prices were higher in Durham than in Exeter. There was discussion about this.

Break from 8:35-8:42

## **Section II. Core Questions Posed and Round-table Discussion (1 hour)**

### **Discussion on Rental Housing**

Chair Niman said he appreciated that so many members of the Durham Landlords Association had come to the work session. He said one of the problems they had with the Zoning Ordinance was that it was very restrictive regarding the downtown core area. He said a reason why this had happened was that because the area was viewed as creating many problems in the Town, as a result of student behavior, or as something that had led to the encroachment into the neighborhoods.

He said he would like the Council to talk about density issues as they related to rental housing problems. He asked Police Chief Kurz if density was a contributing factor to problems with students.

Chief Kurz said he didn't think these problems really had anything to do with density. He did say that he thought how the Town zoned had a distinct impact on the demand for police services, stating that if student housing were built in an area that was zoned for it, the only people around would be students. He said the Police Department responded to parties in areas where there were families, who were on



different schedules than students were on. He provided examples of some of the problems the proximity of these different groups of people caused.

Chair Niman said if the number of students living in a specific area doubled, it therefore wouldn't double the number of problems in that specific area.

Chief Kurz agreed, but said it was also important to consider how student housing properties were managed, and he provided examples of this. He said it was clear that density, if managed properly, was not a problem.

There was discussion about the University's policies concerning unruly student behavior. Chief Kurz noted that the police did not enforce lease requirements, and said the landlords filled the void by hiring their own security. He said both the police and the landlords were getting better at what they were doing, and he provided details on this.

Councilor Needell noted a comment made by Mr. Henderson that the current Zoning Ordinance had shut out the idea of allowing greater density. He said the reason for this change in the Ordinance was the increasing number of calls regarding impacts to the neighborhoods. He asked whether, if the Zoning Ordinance were changed to allow greater density, more policing would be required in these areas.

Chief Kurz said he thought there was some merit in at least looking at the idea of allowing greater density, from a tax base perspective, as well as from the perspective of the police having a more limited area to have to focus their efforts on.

In answer to a question from Councilor Van Asselt, Chief Kurz said that peer pressure exerted by other landlords was a strong influence in getting better management of rental units. He noted that better management on Young Drive was turning that area around. There was discussion on how this was coming about.

Chair Niman suggested that another way of potentially solving the problems relating to student housing was to provide economic incentives for non-managed rental properties to become professionally managed. He provided some possibilities for doing this, and asked if the Association would be interested in something along these lines. He said this might be a way of loosening the Zoning restrictions that currently existed in the downtown core.

Mr. Berton suggested that instead of these approaches, it would be easier to charge a fee to landlords if the police received nuisance calls (but not life safety calls). He said it would be important as part of this approach to be able to identify the specific rental unit where the problems were coming from. He said that administratively, the cost for this could be passed on to the tenant.

Mr. Henderson said he felt that the goal was to address non-owner occupied single-family residences in the neighborhoods, and he suggested that there should be a roundtable to throw out ideas on this. He said Chair Niman's suggestion would be worth considering, and also said the permit idea would get the attention of non-local landlords.

Perry Bryant said Chair Niman's idea was a great opportunity for property management businesses, but said he thought a lot of the landlords in the Durham Landlords Association would be concerned with

how permits would be assigned. He noted that a lot of student rental units were in nonconforming buildings, and said inspections of properties might get into other issues besides professional property management. He also said there might be some issues with discrimination, and provided details on this.

Chair Niman said each unit would need a permit, regardless of who was living there, and said the fee could be refunded if the landlord signed up to provide professional management.

Mr. Bryant suggested that if people buying property in Durham knew they had to conform to this kind of regulation, this would help a lot. He provided details on this.

Councilor Morong said he preferred Mr. Berton's idea, because it directed the penalty specifically to where the problem was. He noted that the approach could be applied to single-family residences too, which the Town might not even have on its radar screen.

Mike Davis of Sumner Properties said he also liked Mr. Berton's idea. He noted that his security personnel even called the police in order to avoid problems at his rental properties.

Chief Kurz discussed the fact that identifying the exact location of a disturbance was sometimes difficult.

Councilor Van Asselt said it was clear that a subcommittee was needed for this, and the Council as a whole agreed this was a good idea.

#### Discussion on University Housing

Councilor Van Asselt said an important question was whether UNH was serious about working with the Town, in terms of developing some affordable housing for people who worked in Durham. He said that assuming there was interest in this issue by the University and the Town, it was clearly something that should be worked on.

Councilor Needell said it didn't seem that the Town had to do something, since they were talking about University property. He also said that if the University entertained the idea of having a public/private partnership to provide this housing, there should be some tax incentives.

Councilor Van Asselt provided details on ways the various entities could benefit economically.

Councilor Peter Smith said that unless the University wanted to go down this road, the idea was not worth discussing. He said the University as an institution hadn't thought about doing this since the early 1970s.

Councilor Van Asselt said he would like to think that this idea could be put back on the table, and said he would like it if Mr. Bencks could go back to the University with the idea.

Mr. Bencks said he was absolutely willing to bring this idea back to the University, but said he would like to know what level of affordability was being considered. He said that with the University owning the land, that cost went away, but he said there was still the cost of the building. He said the University was struggling to get the cost of this kind of housing down.

Chair Niman said in response to Councilor Peter Smith that he didn't think there was a choice concerning this issue. He said the University would be forced to do something in the way of providing more affordable housing, because it would otherwise be unable to attract professors and other working people. He also said that as housing in other towns in the region became more expensive, there would be a limit as to how far away employees would be willing to travel. He said something would have to be done, and said he would like that something to be taxable, so the Town could get something out of it.

He said some specificity on this issue was needed, and suggested that the Economic Development Committee could put some parameters around it, which could then be discussed with Mr. Bencks and other University staff. He said some of the numbers needed in order to consider pursuing this idea were how unaffordable things were actually getting in Durham.

Councilor Needell suggested that a goal was that new hires at UNH should be able to afford to live in the kind of housing they were discussing.

Chair Niman agreed, noting that he couldn't afford to live in Durham when he first came to work at UNH.

Mr. Bencks said the University would like to add into the equation how to find ways to offer graduate housing. He said this was a real challenge.

Councilor Needell noted that some graduate students' housing costs were offset by research grants, and said perhaps this could be factored in.

Chair Niman asked if there was in interest by Councilors in having the Economic Development Committee pursue this issue.

Councilor Peter Smith said he was very interested, but said the first thing was to see if the University was interested in doing this. He said it was understood that data was needed as part of looking at the issue. He also said he didn't want to drive out the issue of graduate housing, but said he felt that for incredibly important social reasons, the centerpiece of this should be faculty and staff. He said the question was whether the University was interested in getting back to this.

Councilor Morong said perhaps if the 1970s model were updated, the University would be willing to discuss the issue. He said it was worth the effort.

There was additional discussion on the University's perspective concerning this issue.

Mr. Dix noted that there were two housing developments currently selling for about \$160,000. Coe Drive, and the condos on Mill Road (which were age restricted). He said that was affordable housing by anybody's definition. He suggested that what the University could do, which would also benefit the Town, would be to lease land to private developers who built that kind of denser housing. He provided details on the fact that everybody would win in this situation, noting among other things that taxes would be paid to the Town on the building.

Chair Niman said he would be in touch with Mr. Bencks concerning this issue.

Administrator Selig asked how the student population of Durham could be made more of an asset to the Town, in terms of increasing the taxable value of properties where they lived. He asked if the rental housing property owners pictured downtown structures being torn down and replaced with something more like 3-4 story structures, or saw properties on Madbury Road being torn down and replaced with larger buildings with more rooms, better accommodations that would result in greater taxes for the Town.

He said it seemed that there was a failure to acknowledge that this was Durham's main industry, and that something was lost in not making downtown housing stock more interesting. He asked if there was a way to mitigate the impacts on neighborhoods while still capitalizing on this reality.

Mr. Berton said it was important to acknowledge the progress that had been made on this issue, stating that he didn't think he would have heard Administrator Selig's question a few years ago. He said it was a great question, and noted that a model community he reflected on was Northampton, MA, which was a vibrant community.

Administrator Selig asked if the rental housing property owners had a vision of how Durham might capitalize on the opportunity to house additional students in Durham without affecting the neighborhoods.

Mr. Henderson said broadening opportunities downtown was important, noting Exeter as a good example of this, and said there were currently not enough services available to students. He also said that he personally was apprehensive about bringing mixed-use development there because of the negativity involved with some previous projects. He said he had some properties he would like to develop, but was reluctant to bring forward because of this. He said if the Town became more pro-business, and looked favorably on the opportunities to enhance the downtown, including developing student housing, this would help a lot.

Councilor Peter Smith said the limited nature of businesses in Town resulted from the fact that the market was students. He asked if the best way to turn this around would be if people who worked in Durham also lived in Town.

Mr. Henderson said there were plenty of people living in Durham who didn't shop there because there wasn't a variety of services available in Town.

Councilor Morong noted it also took business people like Chuck Cressy who thought outside the box, beyond pizza and beer, and made his business very attractive to townspeople. He said other people that thought this way could come to Durham and make this happen.

Mr. Henderson said he would like the Town to offer incentives to business people to improve their buildings, allowed increased density, limit parking requirements, etc.

Councilor Needell said with the Zoning rewrite, there had been a real push that elderly housing was the answer to all of the Town's problems, and said they were all now seeing the results of this. He said there was more room downtown for students, but he asked if the Town was ready to increase the population of Durham by a potentially significant amount, by providing more student housing there.

Councilor Morong said increasing density downtown might draw students out of the residential neighborhoods, stating that he thought students would rather be closer to the downtown.

Councilor Van Asselt noted that the shops in Northhampton, MA appealed to students as well as to other people who lived in the area. He said he was not too worried about overpopulating the downtown, noting that Northhampton made its downtown work by having 2-3 story apartments above the stores. He asked how much work the Town had done in terms of a downtown plan that took into consideration these kinds of things.

Administrator Selig said what plans that existed were in the Master Plan and the Zoning Ordinance, and said there was nothing more specific than this.

Chair Niman said it was an intriguing notion, that if well-managed properties reduced social problems, and if more well-managed properties could be created, the hope there would be fewer student housing properties in family neighborhoods which would solve some of the neighborhood problems, and could therefore save the Town money. He said the question was what could be done to make this happen.

Administrator Selig said there were other benefits of this approach, noting that better student behavior would result in fewer complaints, which would help to stabilize and even reduce the level of police staffing needed, which would lower taxes.

Councilor Needell noted for the committee that would be looking at rental housing issues that it was not clear that the new Zoning Ordinance didn't provide for quite a bit of increase in density, and student housing. He said he would like to see if the Ordinance provided enough flexibility, and enough alternate places for growth so it would be possible to work with it.

Chair Niman noted the idea expressed that if there was more flexibility, and there were more incentives, landlords would be more willing to develop their properties, and said perhaps at their next meeting, the landlords could discuss what was preventing them from redeveloping their properties, and what they would like to see from the Town that was different. He said the Town could then respond to that.

Mr. Davis said he felt the biggest hurdle was the Historic District Committee, and provided details on this.

Councilor Peter Smith said it was important to get some specificity concerning this issue because this might reveal some fairly different outlooks on what should happen to the downtown area. He provided details on some of the values involved in this issue.

Councilor Leach said it was often said that Durham was in a unique situation as a college town, but she said there were other college towns. She suggested that someone should talk to some of these towns, such as Hanover.

Administrator Selig said another value issue was open space, noting that the Town had placed a premium on this. He said putting affordable housing in some of the outer areas of Town needed to be looked at in regard to this.

Chair Niman said if the Town encouraged more development downtown, it might have more money to preserve open space. He agreed there needed to be more specificity on this issue.

Councilor Carroll said this was a good idea, and said it was important to discuss the details, some of which might be open for discussion. She noted concerning the issue of parking, that precious land downtown didn't need to be used for parking lots, when mass transit could be used instead. She said she would love to see a detailed list of issues, and to see which items could be looked at more creatively.

Councilor Van Asselt said if they were serious about making some changes to the downtown area, they also had to be willing to rethink the values of some things. He provided some detail on this.

### Elderly Housing

Chair Niman noted that the elderly housing issue was one of the key motivations for the workshop. He said the Town currently had about 211 units in the pipeline, which was about 10% of housing stock. He asked if there was a point at which the Town didn't want to encourage this kind of housing further, or if the door should be kept wide open.

Councilor Peter Smith said Jack Farrell's memo was quite good, and noted that it pointed out some general trends. He said he thought the Council needed to come to grips with what the projections looked like over the next 25-50 years, in terms of life expectancy, how health care was handled, etc. He said some research was needed in order to provide the Council with some guidance. But he said he took Mr. Farrell's document to mean that the Town hadn't been off base in doing what it had been doing concerning elderly housing up to this point.

Councilor Needell said it appeared there would be sufficient demand to support elderly housing. But he said what he had focused on, looking at Mr. Dix's property list, was the conversion of existing single-family homes to elderly developments. He said he wondered if the balance had been tipped to make this so enticing that the Town would see nothing but elderly developments.

Councilor Morong said he sensed the residential market was softening, and said he did think they might see more pressure toward elderly housing. But he said it was important to keep a diversity of housing in Town.

Councilor Van Asselt agreed, and said a challenge was that the marketplace would dictate a lot of this. But he said the bigger challenge was the affordability of elderly housing, if this kind of housing was a trend for Durham. He noted that Fitts Farm and Spruce Woods were not affordable for most elderly Durham residents who wanted to stay in Durham. He said he wasn't sure what the Town could do concerning this, but said the issue needed to be looked at.

Chair Niman said although there might be a demand for this, it didn't mean the Town had to supply it. He said his interest in this was more from a cultural perspective, and said he was concerned about the idea of having elderly and student housing in Durham, and very little else in between. He said the Zoning Ordinance was hastening this along. He noted that the landlords wanted the same kind of encouragement to build student housing.

Councilor Van Asselt said to encourage single-family affordable housing, they needed to change the lot area requirements for the Rural and RC districts. He said no developer would buy land in those areas and build affordable housing, with the land costs and the amount of buildable area required. He said that was the reality of Durham.

Chair Niman said alternatively, he was saying they should discourage elderly housing just like they were discouraging single-family housing, to keep the proportions the same, and instead focus on student housing. He said he was tossing out this idea.

Councilor Julian Smith said he agreed with what Councilor Van Asselt. He noted he “grew into” his own elderly housing, and also had many neighbors living in Durham who were elderly.

Administrator Selig noted that if they encouraged workforce housing, this also would drive up taxes because there would be more kids in the school system. He suggested that it would be good to hear from the Fire Department on this issue, noting that elderly housing had more of an impact on Town services.

Chief O’Leary said the Department had seen an increase, but not a significant increase in the emergency services call volume from elderly residences, with more elderly units in Town. He said it was expected that this demand would increase as the population aged, and provided details on this.

Chief O’Leary said that in the community he had previously worked in, they had struggled with this issue. He said there were two assisted living communities, one of which was located close to the Fire Station. He provided details on this, and said there were days when there was a great demand for emergency services, noting the city had not been prepared for those numbers.

He said the geographical placement of elderly housing was a key issue, in part because of medical emergencies. He noted that he was concerned about the response time in regard to Spruce Woods.

Councilor Carroll said elderly housing was currently zoned for all of Durham, but said this didn’t mean that couldn’t be changed. She also said although density in elderly developments was a good idea, there could be possible impacts from these developments, if they were established in single-family neighborhoods. She also asked why there couldn’t be private/public partnerships concerning affordable elderly housing.

Councilor Morong said he thought developers should be approached about this, and said there should be incentives offered, in order to encourage them to at least think about providing affordable elderly housing.

There was discussion about how the Council could move forward concerning this issue. Chair Niman said he, Councilor Carroll and Administrator Selig would give some thought to this.

***Councilor Van Asselt MOVED to adjourn the meeting. The motion was SECONDED by Councilor Julian Smith, and PASSED unanimously 8-0.***

Meeting adjourned at 10:09 pm.

Victoria Parmele, Minutes taker