

Wilmington Planning Commission

Meeting Minutes

Monday April 26, 2021 at 4 p.m. over Zoom

**Open Meeting**

Meg opened the meeting at 4:04 PM.

In attendance: Meg Staloff, Chair, Brian Holt, John Lebron, Angela Yakovleff

Mike Tuller, Zoning Administrator, Gretchen Havreluk, Economic Development Specialist

Visitors: Jessica Lee Smith (at 4:22)

**Possible Additions to the Agenda**

none

**Public Comment**

none

**Approve Minutes from April 12, 2021**

Brian made a motion to accept the minutes from April 12, 2021. Meg seconded.

In favor: Meg, Brian, Angela

Opposed: none Abstain: John

**Continue Discussion on code changes to address housing needs in Wilmington, reviewing revised draft language for Article 7 (Standards) related to Senior Housing, specifically:**

Discussion included wording of proposed code changes. Meg gave us copies of Federal guidelines and definition for inclusion in Article X for senior housing/ADA compliant housing.

Possible additions to code included:

- Least restrictive would be (c) "housing intended and operated for occupancy by at least one person 55 years of age or older per unit." (from senior housing in the Federal Fair Housing Act of 1988) Developers may choose to be more restrictive.
- In prior discussion we decided that 50% occupancy would be our guideline, however, after more research we must change the occupancy requirement to 80% to meet Federal guidelines.

### **Discuss draft definitions for addition to Article X (Definitions)**

Meg thinks we should look toward the least restrictive definition.

What about income and affordability? Developers would do a market analysis.

Additional density bonus for more affordable housing.

Income driven can address all.

It cannot be more restrictive than Federal Law.

Would 62+ be better? This may restrict spouses or child and caregivers less than 62.

We need to ask a lawyer. There may be allowances. Be careful with discrimination laws.

Concern: development where half the people living there are in the 40-50 age range. Higher income will close out the 62+ occupants.

Are there tax benefits to developers for age differences?

Check section 202 program by HUD.

Put all definitions in and let the market be the determinate.

### **Review proposed changes to Article IV to incorporate new "Senior Housing" use.**

Districts & Uses

Conditional Uses

Add new use to any district that is affected.

In the Village District where do we add language, 5b or 6, Zoning District Limits or Density Limits?

Five zones to add definition referenced under conditional use

At the next meeting look at

retaining use

definitions

review answers from legal

different densities tied to different age groups

restricting alternative use clause

electric vehicle charging station

Next meeting: May 10 at 4:00 PM over zoom.

John made a motion to adjourn at 5:31 PM.

Brian seconded.

In favor: Meg, John, Brian, Angela

Opposed: none Abstain: none

Respectfully submitted,  
Angela Yakovleff, Scribe