



**LEBANON PLANNING BOARD DEVELOPMENT
REGULATIONS SUB-COMMITTEE
REGULAR MEETING AGENDA
Remote Via Microsoft Teams
LebanonNH.gov/Live
Friday, May 22, 2020 12:30pm**

1. CALL TO ORDER:

A. REVIEW OF MEETING PROCEDURES AND NH RSA 91-A "RIGHT-TO-KNOW" REQUIREMENTS.

2. APPROVAL OF MINUTES:

A. APRIL 24, 2020

Documents:

[2020-05-22_PlnBrd Development Regs Subcommittee_Item 2A.pdf](#)

B. MAY 8, 2020

Documents:

[2020-05-22_PlnBrd Development Regs Subcommittee_Item 2B.pdf](#)

3. STUDY ITEMS:

A. Review potential amendments to Site Plan Review Regulations relative to Pedestrian and Bicyclist improvements

B. Discussion of process for identifying and reviewing other potential amendments to Development Regulations

4. ADJOURNMENT:

PUBLIC PARTICIPATION NOTICE: *Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams. Members of the public are encouraged to attend by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the Microsoft Teams software or by phone. Please visit LebanonNH.gov/Live for full details.*

NOTE: City Hall is temporarily closed to the public in order to help prevent of the spread of Novel Coronavirus COVID-19. City operations will continue during this time, but in-person transactions will be limited to those of a critical nature. If you have any questions or would like to view the files for the application identified above, please contact the Planning & Development Department by sending an e-mail to planning@lebanonnh.gov, or by calling 603-448-1457. The agenda materials will also be posted to the City's website: <https://lebanonnh.gov/agendacenter>.

THE ORDER OF AGENDA ITEMS IS SUBJECT TO CHANGE.

**AGENDA
PLANNING BOARD DEVELOPMENT REGULATIONS SUB-
COMMITTEE
MAY 22, 2020**

**AGENDA ITEM #2A
APPROVAL OF MINUTES**

APRIL 24, 2020

1 **DRAFT**

2
3 **MINUTES**
4 **PLANNING BOARD DEVELOPMENT REGULATIONS SUBCOMMITTEE**
5 **Friday, April 24, 2020 – 12:00pm**
6 **REMOTE VIA MICROSOFT TEAMS**
7 **LebanonNH.gov/Live**

8
9 Members Present: Matthew Hall (Chair), Joan Monroe, Kathie Romano, Tom Martz

10
11 Members Absent: n/a

12
13 Staff present: Rebecca Owens (Associate Planner), David Brooks (Planning Director)

14
15
16 **1. CALL TO ORDER:**

17
18 Chair Hall called the meeting to order at 12:05pm

19
20 **A. Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements.**

21
22 Mr. Brooks reviewed the requirements for remote meetings, including noting that all votes
23 must be roll call votes and asked participants to identify themselves prior to asking
24 questions or making comments.

25
26 **2. STUDY ITEMS:**

27
28 **A. Review potential amendments to Site Plan Review Regulations relative to**
29 **Pedestrian and Bicyclist improvements**

30
31 Mr. Brooks noted that reviewing and updating the Board’s development regulations is a goal
32 of the City’s Master Plan and has been part of the Department’s Work Plan for several years
33 to make sure the procedures are appropriate to the types of development and that
34 submission and design requirements are up to date with community goals and best
35 practices.

36
37 Ms. Owens reviewed an addition to Section 1.3 (Interpretation, Conflict, and Separability) to
38 clarify the interpretation of required versus permissive statements in the regulations.

39
40 Chair Hall expressed support for the spirit of the amendment to Section 6.1.B (General
41 Requirements), but expressed concern that the proposed language is overly broad. Ms.
42 Monroe agreed that the language is not specific enough. The Subcommittee members
43 agreed to table this proposed amendment language for further consideration at a future
44 time.

45
46 Ms. Romano asked for clarification about the amendment to Section 6.1.C and whether the
47 proposed language refers to building or fire code issues or just site plan review issues. The
48 Subcommittee members discussed the thresholds at which the Board might want non-
49 conforming developments to begin to become more compliant with the Site Plan
50 Regulations. Staff suggested language to clarify that the section refers to Site Plan Review
51 regulations.

52
53 Mr. Martz joined the meeting at 12:40

1
2 Ms. Owens reviewed proposed changes to 6.2.D (Landscaping Around Buildings).
3 Subcommittee members discussed the desire to encourage direct and dedicated pedestrian
4 circulation patterns and to appropriately plan landscaping and other improvements around
5 those anticipated patterns. The Subcommittee discussed the importance of enforcement
6 and how and when enforcement can happen. The Subcommittee supported the proposed
7 language in 6.2.D.3.

8
9 The Subcommittee spent time reviewing the language of 6.2.D.4 and discussing whether
10 certain requirements should be mandatory or just encouraged or recommended. There was
11 discussion about the review process for considering standards that are encouraged versus
12 required, including whether waivers are necessary for standards that are simply
13 recommendations. Ms. Romano asked for clarification on whether the proposed language
14 applies only in certain districts or city-wide, because certain requirements may not fit or
15 make sense in every district or for every project. Staff noted that the Board has the ability
16 target certain requirements toward certain districts or to exclude certain districts if it feels
17 appropriate.

18 Ms. Romano suggested that review of how 'must versus should' standards are interpreted
19 and applied be brought to the full Planning Board sooner than later so that all members are
20 in agreement as to what those terms represent, and so that the sub-committee can review
21 proposed amendments with accurate usage of those terms.
22

23
24
25 **B. Discussion of process for identifying and reviewing other potential amendments**
26 **to Development Regulations**

27
28 Mr. Brooks noted that staff will continue to bring forward potential amendments for Article III
29 (Jurisdiction) and other sections of the regulations for the committee's review as they are
30 prepared.

31
32 Chair Hall left the meeting at 1:30 pm

33
34 The committee members discussed a schedule and process for subsequent meetings of the
35 Subcommittee.

36
37 **3. ADJOURNMENT:**

38
39 ***A Motion by Ms. Monroe to adjourn the meeting.***
40 ***Seconded by Ms. Romano.***

41
42 *Roll Call Vote:*
43 *Members voting in favor included: Ms. Monroe, Ms. Romano, and Mr. Martz.*
44 *The vote on the Motion was unanimous (3-0)*

45
46 The meeting was adjourned at 1:35 pm

**AGENDA
PLANNING BOARD DEVELOPMENT REGULATIONS SUB-
COMMITTEE
MAY 22, 2020**

**AGENDA ITEM #2B
APPROVAL OF MINUTES**

MAY 8, 2020

1 **DRAFT**

2
3 **MINUTES**

4 **PLANNING BOARD DEVELOPMENT REGULATIONS SUB-COMMITTEE**

5 **Friday May 8, 2020 – 12:30pm**

6 **REMOTE VIA MICROSOFT TEAMS**

7 **LebanonNH.gov/Live**

8
9 Members Present: Matthew Hall (Chair), Joan Monroe, Tom Martz, Kathie Romano

10
11 Members Absent: n/a

12
13 Staff present: Rebecca Owens (Associate Planner), David Brooks (Planning Director)

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16 **1. CALL TO ORDER:**

17
18 Chair Hall called the meeting to order at 12:39pm

19
20 **A. Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements.**

21
22 Mr. Brooks reviewed the requirements for remote meetings, including noting that all votes
23 must be roll call votes and asked participants to identify themselves prior to asking
24 questions or making comments. Mr. Brooks conducted attendance by roll call vote.

25
26 **2. APPROVAL OF MINUTES:**

27
28 **A. APRIL 24, 2020**

29
30 The Subcommittee agreed to table the consideration of the draft minutes until the next meeting as
31 not everyone had had a chance to review them.

32
33 **3. STUDY ITEMS:**

34
35 **A. Review potential amendments to Site Plan Review Regulations relative to
36 Pedestrian and Bicyclist improvements**

37
38 Ms. Owens reviewed follow-up items from the April 24th meeting, including questions about
39 the interpretation of shall vs. should and what triggers Site Plan Review. She asked the
40 committee members to think about individual requirements and whether they should be
41 required (e.g. “shall” or “must”) or permissive (e.g. “should” or “may”). Ms. Owens also noted
42 that staff was continuing to review the jurisdiction standards for what triggers site plan
43 review and whether there are opportunities to streamline the requirements and procedures
44 for smaller-scale projects, perhaps including a minor site plan review process. Ms. Monroe
45 noted that what may seem like simple applications, like Boundary Line Adjustments, can
46 become complicated.

47
48 Ms. Owens continued review of potential amendments in Section 6.2.E (Landscaping of
49 Parking Areas). The committee discussed the need and importance of landscaping within
50 and around parking lots. Mr. Hall indicated that he liked the concept of paragraphs 1 and 2
51 and noted that developers will still have the ability to request a waiver if warranted. Mr. Martz
52 asked for clarification about the proposed requirement for internal landscape beds between
53 double rows of parking spaces.

1 Ms. Romano joined the meeting at 1:00pm

2
3 Ms. Owens reviewed the proposed language of Section 6.2.E.2.3 relative to dividing larger
4 parking areas into smaller segments. Mr. Hall and Ms. Monroe agreed that the language
5 was good and that waivers could be considered when necessary.
6

7 Mr. Brooks noted that Section 7.2.A provides that waivers of landscaping requirements shall
8 not be considered in cases where adequate parking cannot be provided due to landscaping
9 requirements. He recommended that the Board keep that section in mind as it considers
10 additional landscaping requirements in and around parking areas. Chair Hall recommended
11 that the Subcommittee may want to consider Section 7.2.A for modification when
12 considering other potential amendments. Ms. Romano noted that perhaps the parking lot
13 landscaping requirements for multi-family projects should be different than for commercial
14 projects.
15

16 The Subcommittee spent time reviewing the language of Section 6.2.G (Landscaping of
17 Additional Front Yard and Adjacent Pedestrian Facilities). Ms. Romano noted that utility
18 companies occasionally require utility boxes to be located in front yards and do not allow for
19 alternative locations. She did not want to put an applicant in a position where they could not
20 comply with a requirement because of a utility company's decision. Waivers were discussed
21 as a way to address such scenarios.
22

23 Chair Hall as for clarification about Section 6.2.G.1 and expressed concern about including
24 "planned" public pedestrian facilities, which may be too speculative to justify requiring an
25 applicant to make specific additional improvements.
26

27 Ms. Owens reviewed proposed changes to Section 6.5 (Coordination of Roads, Parking,
28 Loading, Recreation, and Safety). She noted that a significant goal is to reference and
29 incorporate the City's Complete Streets policy into the Board's development regulations. Ms.
30 Owens reviewed the additional standards that should be considered for reference. Ms.
31 Romano asked about the intention of paragraph 1 regarding 10' wide internal roads.
32

33 Chair Hall asked whether it would be possible to streamline the review of proposed
34 amendments by having Subcommittee members submit comments in advance. Mr. Brooks
35 noted that such a process may not allow for adequate discussion among the members as
36 envisioned by the Subcommittee structure. Ms. Romano suggested that the Subcommittee
37 members be advised of which sections will be reviewed at the next meeting in order to have
38 time to review them and be prepared for discussion. Staff agreed to provide the members
39 with an updated copy of the proposed amendments and to alert them of sections to review
40 in advance of upcoming meetings.
41

42 Chair Hall left the meeting at 1:55pm
43

44 **B. Discussion of process for identifying and reviewing other potential amendments**
45 **to Development Regulations**
46

47 There was no discussion.
48

49 **3. ADJOURNMENT:**
50

51 ***A Motion by Ms. Monroe to adjourn the meeting.***
52 ***Seconded by Ms. Romano.***
53

- 1 Roll Call Vote:
- 2 Members voting in favor included: Ms. Monroe, Ms. Romano, and Mr. Martz.
- 3 The vote on the Motion was unanimous (3-0)
- 4
- 5 The meeting was adjourned at 2:00 pm

DRAFT