

FINAL

**LEBANON PLANNING BOARD**  
**Monday, May 18, 2020 – 6:30pm**  
**REMOTE VIA MICROSOFT TEAMS**  
**LebanonNH.gov/Live**

**ROLL CALL OF**

**MEMBERS PRESENT:** Bruce Garland (Chair), Jim Winny (Council Representative), Tom Martz, Joan Monroe, Kathie Romano, Laurel Stavis, Sarah Welsch, and Gregorio Amaro (Alt.)

**MEMBERS ABSENT:** Matthew Hall (Vice-Chair)

**STAFF PRESENT:** David Brooks (Planning Director), Tim Corwin (Senior Planner), and Brian Vincent (City Engineer)

**OTHERS PRESENT:** Karen Liot Hill (Alt. City Council Representative)

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1. **CALL TO ORDER:** Chair Garland called the meeting to order at 6:32 PM.

Board member Matthew Cole will be moving from the area and has left the Board.

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

Mr. Corwin shared the State directive and participation details for the online meeting in Microsoft Teams. This hearing will be continued until June 8, 2020. Members of the public without online access are encouraged to submit their comments in writing to the Planning Department. All speakers identified themselves.

Chair Garland outlined the agenda for the meeting.

Gregorio Amaro recused himself.

2. **CONTINUED APPLICATION - PUBLIC HEARING CONTINUED FROM APRIL 27, 2020**

**A. TRUSTEES OF DARTMOUTH COLLEGE (PROPERTY OWNER) AND MICHAELS STUDENT LIVING, LLC (APPLICANT); 401 MOUNT SUPPORT ROAD (TAX MAP 24, LOT 2), ZONED R-1, R-3 AND RL-3:** Request to construct a multi-family complex consisting of 309 units in four buildings, with associated access, parking, and other improvements.  
**#PB2020-07-SPR**

Attending in support of the application: Kristina Vagen, Michaels Student Living; Dave Fenstermacher VHB; Jason Plourde VHB; Erik Bednarek, VHB; Mark Moeller, JSA, Inc.; Daniel Justynski, Dartmouth College; Atty. Phil Hastings; and Mark Fougere

Mr. Fenstermacher stated that new plans were submitted to address concerns expressed by the Board regarding parking along the street and landscaping. The 25 spaces along the road were moved to the spine road. No snow storage is planned along the street, and additional landscaping was added.

Ed Bednarek, VHB landscape architect, described additional planting strips along the parking lot while maintaining room for snow. Certain species were selected that resist snow and soften auto lights. More landscaping was added along the frontage as required.

Mr. Fenstermacher commented on the open space plan for 15% dedicated to provide 8 acres of open space, which meets the requirement.

Ms. Vagen clarified a number of items. The open space in the wildlife corridor is intended to restrict development, not to allow public activity. The corridor from the road to the back of the property is for active use, and the wildlife corridor is for passive use. The mountain bike trail just extends the existing woods road. Atty. Hastings added that they are trying to provide a balance of dedicated open space along with reserving other property space for future development. A buffer will be added around the wetland.

Mr. Corwin discussed the revised application for waivers and the details of the Staff Memo. These included:

- Appropriate protection of open space
- Offsite improvements for a crosswalk, a sewer maintenance site, and creation of a bus stop
- Phased occupancy for the clubhouse for rental activities in 2021 and rental units in 2022
- Snow storage plan
- Revision of the lighting plan
- Conditional Use Permit for additional parking

Mr. Corwin noted that five decisions need to be made once the public hearing is closed on June 8:

- Determination on scattered and premature
- Approval of waivers from Subdivision Regulations and specific language
- Approval of waivers from Site Plan Regulations
- Conditional Use Permit for excess parking
- Granting the subdivision and site plan requests

Mr. Vincent commented on the grading around the central interior wetland. Some pavement appears lower than the wetland, which needs to be discussed. The drainage analysis capacity calculations need to be completed, and more detail is needed on the sub-drainage for buildings, parking, and access roads.

Mr. Justynski confirmed that the complex is designed to meet an undersupply of graduate housing. Ms. Vagen described the various types of units and shared facilities adding that graduate students get priority over families. Surface parking is included in the rent on a first come, first serve basis. Student vehicles will be registered in Lebanon, but shuttle service will be provided to encourage the residents to leave their cars at the apartments. Mr. Justynski noted the proposal is that applicants would not be given parking on campus and would have to pay for parking in Hanover. The intent of the development is not to drive to campus. Ms. Vagen stated that fair housing laws prohibit refusing undergraduates from renting, but priority is given to graduate students and employees of the medical center and college. The rates will be the same as North Park and Sachem Village.

Mr. Martz inquired about the potential impact of COVID-19 on having on-campus classes and the difficulty with social distancing with limited building exits and mass transit. Driving their own cars could impact traffic in Hanover. Ms. Vagen confirmed the plan to deliver the apartments in August of 2022. There would be two entrances to each building, and they are constructing as affordably as possible to provide housing for students renting in poor quality spaces at present. Michaels will build, rent, and maintain the buildings and must meet Dartmouth housing regulations. Michaels will have day-to-day management responsibility. Ms. Stavis inquired if the Board could obtain a copy of the agreement between Dartmouth College and Michaels. Mr. Brooks stated that they can ask, but the parties are not required to make it public. He added that the State has its own housing discrimination laws, and age is a protected class.

Ms. Monroe shared concerns about the wetlands, and Mr. Fenstermacher said he would share them with the wetland scientist. Ms. Monroe inquired about the house on the neighboring property to the north, which is very close to the property line for this parcel and is separated by vegetation. Mr. Justynski stated that the house is part of the housing operated by Dartmouth College. Mr. Bednarek confirmed that the vegetation will remain.

Chair Garland explained each of the items in the impact study, noting that it would be helpful to have all of the wetlands information in one place. Mr. Corwin stated that the applicant should submit a document including all of the environmental information.

There was a brief discussion of the impact on schools and the tax revenue. Ms. Vagen stated that the impact was considered about a month into the pandemic.

Mr. Fenstermacher stated that the drainage report was reviewed by a peer reviewer and Mr. Vincent. They will be using curbing along paved areas with catch basins and filter systems, all of which were submitted to the DES. They received only minor comments and will update the plans for mitigating on site with an underground system. There will also be a new sewer extension.

Staff began the traffic discussion regarding the Mt. Support/LaHaye area. Mr. Brooks noted that all four traffic studies of proposed projects are being included. Mr. Plourde noted that none alone add up to a significant impact, but all taken together add a great number to the intersection. Mr. Brooks stated that it is the City's responsibility at present, and a CIP process has begun with a submission for this intersection included. The applicants will contribute to that project. Mr. Vincent stated that Staff will arrive at a percent for each applicant and provide those figures to the Board. Ms. Monroe noted that sidewalks should be considered for the west side of Mt. Support Road given the current usage on the east side.

Mr. Corwin stated the criteria for granting a Conditional Use Permit for parking at 125% instead of the 120% allowed, and the Board will need to decide if the applicant has satisfied the requirement.

Mr. Fenstermacher explained the Subdivision waiver requests. Mr. Corwin stated that the Board should make it clear to applicant tonight if more information is needed. Chair Garland requested a map of trails and a map of water flow into the wetlands. Mr. Fenstermacher noted that the last two waiver requests require cost estimates, and they are still negotiating and don't have the final designs to give cost estimates now. It could be a condition of approval.

Mr. Fenstermacher explained the Site Plan requests. There is a multi-use path sufficient to provide access to the sidewalk system and a single crossing point.

Chair Garland invited public comment.

Ernst Oidtmann, Chair of the Conservation Commission, stated that the Commission had a meeting regarding this project on March 12 and submitted a memo with suggestions. They were concerned about the number of parking spaces and prefer that they be reduced. They also suggested sacrificing a floor of the buildings to parking. Some residents may use electrical cars or bikes creating a need for charging stations. Lighting could be limited with timers. Solar panels could be placed in alternate parking spots. The wildlife corridor considerations are very limited. Speed bumps may be needed along with sidewalks. Conservation of the remaining 35 acres could be made permanent. The minutes of the Conservation Commission meetings are available on the City website.

Ms. Vagen reiterated that the order of priority for rentals would be first to graduate students, then to DHMC employees, and then to Dartmouth College employees. She expects there will not be any left at

the end of the process, because too many need housing in those groups. Michaels has no incentive to cause issues for municipalities. They want to have well managed communities. Ms. Stavis stated that first year students have been required to live on campus. Mr. Brooks suggested Mr. Justynski could confirm that and inquired if college security would be at the site. Mr. Justynski stated that there would not be Dartmouth College security on site. It would be a City of Lebanon property managed by Michaels.

***A MOTION by Laurel Stavis to continue the hearing of TRUSTEES OF DARTMOUTH COLLEGE (PROPERTY OWNER) AND MICHAELS STUDENT LIVING, LLC (APPLICANT); 401 MOUNT SUPPORT ROAD (TAX MAP 24, LOT 2), ZONED R-1, R-3 AND RL-3 to June 8, 2020.***

***Seconded by Tom Martz.***

***Roll Call Vote:***

***Voting in favor included Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Ms. Welsch, and Mr. Martz***

***Mr. Amaro was recused.***

***\*The MOTION passed (7-0).***

### **3. OTHER BUSINESS:**

Mr. Brooks noted the vacancies on the Board and committees, which will be discussed at the next meeting. Mr. Martz volunteered for the Pedestrian and Bicyclist Committee, the CIP Subcommittee, and the Steering Committee for the Implementation of the Master Plan. The Heritage Committee representative remains open.

### **4. ADJOURNMENT:**

***A MOTION by Jim Winny to adjourn the meeting.***

***Seconded by Joan Monroe.***

***Roll Call Vote:***

***Members voting in favor included Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Ms. Welsch, Mr. Martz.***

***\*The vote on the MOTION was (7-0).***

The meeting was adjourned at 9:25 PM.

Respectfully submitted,  
Holly Howes  
Recording Secretary