

FINAL

LEBANON PLANNING BOARD
Tuesday, May 26, 2020 – 6:30 pm
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, and Gregorio Amaro (Alt.)

MEMBERS ABSENT: Matthew Hall (Vice-Chair)

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

1. CALL TO ORDER: Chair Garland called the meeting to order at 6:30 PM.

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. All speakers would identify themselves.

Chair Garland shared that Sarah Welsch has decided to resign from the Board.

Chair Garland appointed Gregorio Amaro for Matthew Hall.

2. CONTINUED APPLICATIONS – Public Hearings continued from May 11, 2020:

A. MARY HITCHCOCK MEMORIAL HOSPITAL, 1 MEDICAL CENTER DRIVE (Tax Map 10, Lot 8), zoned MC: Request for amendments to an approved Site Plan for a proposed patient tower within an existing medical center complex (#PB2019-37-SPR) to accommodate additional handicap parking and to modify a condition of approval. **#PB2020-15-SPA**

Mr. Amaro recused himself.

City Manager Mulholland made a statement on the allocation of costs for improvements to the Lahaye Drive and Mt. Support Road intersection. There will be a collective impact on traffic generated by the proposed projects at DHMC and Mt. Support Road. The Planning Department is in the process of creating a plan to allocate the costs. One option is to create a Special Assessment District. There would be an estimated \$2.5 million in intersection improvements. A Special Assessment District would be requested of the City Council for sharing the costs. Mr. Corwin added that Staff has been working with the applicant to craft a condition of approval to take all recent changes into account including an updated traffic mitigation plan.

Chair Garland noted that DHMC wants to move ahead, and this additional paragraph will allow them to do that. Mr. Corwin confirmed that similar conditions will be applied to the other three developers along Mt. Support Road. Mr. Brooks noted that the traffic studies show that the other area intersections are operating at an acceptable level of functioning, so the studies do not indicate a need for changes. State TAP grant funding for the proposed improvements for the Lahaye Drive multi-use

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path is programmed for 2023, but the State assured the City that if the project is designed ahead of that date, it would be allowed to move forward. The City is committed to the project but would wait until the State or other funding is available.

Tom Goins, representing DHMC, stated that he has read the language of the proposed condition, and DHMC is committed to work with the City on the failed intersection. They are committed to increase the pedestrian access from the hospital to the proposed housing developments. They have been working with the Pedestrian and Bicyclist Committee and are in support of the language of the draft condition.

Chair Garland open the hearing to the public. There were no comments. Chair Garland closed the Public Hearing.

Joan Monroe MOVED that the Lebanon Planning Board APPROVE the application of MARY HITCHCOCK MEMORIAL HOSPITAL for an Amendment to an approved Site Plan (#PB2019-37-SPR) for a proposed 5-story, +/-212,528 sq. ft. patient tower expansion at I MEDICAL CENTER DRIVE (Tax Map 10, Lot 8), to accommodate additional handicap parking and to modify a condition of approval, #PB2020-15-SPA, as shown on a plan set titled "Patient Care Tower Expansion Project" prepared by VHB, date issued November 12, 2019, revised April 13, 2020, project #52590.00 (3 sheets), including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

1. The applicant shall comply with all conditions of the Planning Board's Notice of Action dated January 13, 2020 (#PB2019-37-SPR), except condition #5 (traffic mitigation).
2. As demonstrated by the applicant's traffic study, the Lahaye Drive and Mount Support Road intersection is currently underperforming, and its level of service will further erode with the additional traffic that the new tower expansion will generate. Consequently, the applicant shall work with the City of Lebanon to develop a traffic and pedestrian improvement plan for the Lahaye Drive and Mount Support Road intersection and vicinity to help mitigate the anticipated increases in traffic generated by the applicant's use and to accommodate the needs of employees living within walking and/or biking distance of the hospital. The applicant shall be obligated to contribute its fair share to the cost of any proposed traffic and pedestrian improvements in an amount that shall bear a rational nexus to the traffic and pedestrian impacts reasonably calculated to be caused by the applicant's use. Any financial contributions from the applicant required pursuant to the mitigation plan of action shall be paid prior to the issuance of the certificate of occupancy. Any dispute between the applicant and the City regarding the applicant's responsibilities pursuant to this condition may be appealed to the Planning Board.

The motion was seconded by Tom Martz.

Roll Call Vote:

Voting in favor included Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Martz Mr. Amaro was recused.

****The MOTION passed (6-0).***

Mr. Amaro returned to the meeting.

B. JOLIN SALAZAR-KISH, 8-10 & 14 BANK STREET (Tax Map 92, Lots 125 & 124), zoned LD: Request for Site Plan Review of a proposed 47-unit multi-family residential development to consist of one existing building and two new buildings on two lots to be merged, together with associated site improvements. **#PB2019-39-SPR**

Property owner and developer Jolin Salazar-Kish, Dan Nash of Advanced Geomatics and Design, and Architect Frank J. Barrett participated online on behalf of the application.

Mr. Brooks stated that the City Master Plan is not a regulation but a policy guide. The Planning Board must determine if a proposal complies with specific design requirements of the Site Plan Review Regulations and the Zoning Ordinance. The Master Plan, by itself, cannot be the basis for denying a project. Mr. Corwin added that there must be very specific, fact-based evidence that the criteria within the City regulations are not being met. The Site Plan Review process cannot depend on personal opinion.

Jolin Salazar-Kish gave a general presentation regarding the plans for 10, 14, and 8 Bank Street using visual images. The existing building at 10 Bank Street would be remodeled, and 14 Bank Street would be replaced with a new building. Another new building would be added behind 10 and 14 Bank Street as 8 Bank Street. In response to comments by the public and Planning Board, the new building would be split into two buildings connected by a glass passageway. Ms. Kish described the on-site traffic flow and explained the waiver request regarding landscaping. The lighting plan was updated per Ped/Bike Committee suggestions for locating lights to illuminate only the sidewalk and driveway openings. There would be increased planting along the Green Street side and other plantings around the building. The majority of parking would be located under the new building with limited parking behind #14. The building at 14 Bank Street was evaluated, and the plan is to demolish it.

Frank Jay Barrett, Architect, stated that he made an extensive evaluation of the house at 14 Bank Street. He reported that very little of the original architectural detail is left. The porch was removed, windows were changed, and vinyl siding was added. There have been 80 years of alterations, there has been an absentee landlord recently. The Palladian window came from an older house. Mechanically, structurally, and in terms of fire safety, it is one of the least contributing buildings on Bank Street. There are only few pieces left that would warrant preservation, specifically the window and some trim.

Dan Nash explained the various systems and drainage points for the stormwater management system. The new system would not increase the area stormwater. It is an underground system that percolates through the soil with most runoff being slowed. Drainage from the parking garage would be treated using a grit-oil separator and discharged into the City sewer system. There are no rain gardens as usually defined, but there is an added drainage feature to send stormwater to ground water. Ms. Monroe expressed concerns about the number and size of trees, which seem too much for the small area. Mr. Nash stated that pipes have been shortened so as to not interfere with the soil. The drainage is designed to keep rainwater off the neighbor's property.

Mr. Barrett noted that ventilation of the parking garage is a building code question and is based on a percentage of exterior openings. Some will be met with natural ventilation using above ground windows, and the other is mechanical with proper ducting.

The Board members expressed concern over increased traffic. Mr. Nash noted the two exit driveways and the additional width on the left to allow for fire equipment. The impact on area traffic is below the level to call for a full traffic study as vehicles come and go at different times.

The lack of exits at the rear of the building was noted. Mr. Nash stated that there has never been a loss of life in a “properly sprinkled building.” Mr. Barrett added that state building codes determines required access, and the plan would have to be formally submitted for a building permit. There is nothing in the building code that requires fire access to all four sides of an apartment building.

Mr. Corwin reviewed the waiver requests. He noted that this application was submitted prior to the change from the Central Business District (CBD) to the Lebanon Downtown District (LDD), and so it is still subject to the CBD regulations. The density is determined by site-specific factors, and it is within the Planning Board’s jurisdiction to determine if it meets those requirements. By providing 2.1 parking spaces per unit, they are meeting the type of parking specified in the new LDD requirements by locating them in a two-level garage.

Mr. Vincent noted that new materials were received last Friday, and a number of things need to be addressed. The most recent comments will be provided for the next meeting. For information on traffic, a trip generation memo was provided by the applicant, but the Board has the ability to ask for more information.

Chair Garland opened the discussion to Board members.

Ms. Monroe commented that the Board had not been given enough time for questions. The presentation covered information that was already provided for them. There has been a great deal of information from different meetings which is hard to keep current, and there has been no direct comment from the public since 2019.

Ms. Romano inquired about the heating and air conditioning related to noise. Ms. Kish stated that they are looking at a mini split systems for individually controlled heating and cooling to be located on the roof of the building.

Chair Garland asked for public comment.

Carolyn Cole, whose office is at #18 Bank Street, spoke in favor of the project. She believes they have been considerate of her needs as a neighbor. Her office looks toward AVA Gallery, and the proposed structure is not as big. She stated that 14 Bank Street is often visited by police and ambulances and is in rough shape. She is impressed by the proposed building and believes it is in keeping with the neighborhood. In terms of downtown revitalization, it would be good to have residents who can walk to the downtown area. She thinks it will increase property values.

Robert Green of 21 Spencer St. expressed concern over the height of the new building, adding that the photo view was not accurate. He inquired if there would be an affordability commitment.

Doreen Schweizer of 14 Green Street and an abutter stated that she sent a letter regarding the project. She is concerned with drainage and the fact that the new building is so large. She believes it will change Green Street and the character of the neighborhood, suggesting it could be more like the buildings in front. She expressed concern over the timing of the submission before change in the code requirements.

Barry Schuster stated that the burden of proof is on the applicant to prove every element of the application, and the applicant has not satisfied that. He added that he did submit a letter and noted that Emerson does have rear access for fire equipment.

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Laura Hirsch of 23 Green Street stated that she sent an email with concerns about traffic flow. There are no sidewalks planned next to the driveways, and residents would have to walk in the driveways in the winter. There is no fire access to the rear of the building, which is against a wooden fence and wooden buildings on Green Street. She inquired if there was an approved written report from the Fire Department. She also has concerns over the noise from mechanical ventilation of the parking garage.

Jim Filiano of 44 Bank Street noted that the buildings around the green maintain the character of the City. He stated that the new building is not compatible with the City center and would change the character of the City.

George Armstrong of 4 Green Street expressed concern regarding noise from the balconies facing his back yard.

Robin Carpenter of 41 Bank Street stated that the landscaping can't comply due to the size of the building chosen by the applicant. Two park benches are not sufficient for recreation, and the amount of lighting chosen is three times what is required. He said he considers the traffic analysis laughable.

Chair Garland closed the Public comment portion of this meeting.

A MOTION by Tom Martz to continue the hearing of JOLIN SALAZAR-KISH, 8-10 & 14 BANK STREET (Tax Map 92, Lots 125 & 124), zoned LD to June 16, 2020 at 6:30 PM for a special meeting.

Seconded by Joan Monroe.

Roll Call Vote:

Voting in favor included Mr. Garland, Mr. Amaro, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Martz

****The MOTION was approved (7-0).***

3. COMMITTEE REPORTS:

Mr. Brooks noted the current vacancies with two on the CIP Subcommittee, and one each on the Heritage Commission, Pedestrian and Bicyclist Committee, Upper Valley Transportation Management Association, and the Steering Committee for the Master Plan. Mr. Martz volunteered for the CIP Subcommittee, Pedestrian and Bicyclist Committee, and the Steering Committee for the Master Plan.

A MOTION by Joan Monroe to appoint Tom Martz to the CIP Subcommittee, Pedestrian and Bicyclist Committee, and the Steering Committee for the Master Plan.

Seconded by Kathie Romano.

Roll Call Vote:

Voting in favor included Mr. Garland, Mr. Amaro, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Martz

****The MOTION was approved (7-0).***

Ms. Stavis stated that she would volunteer for the CIP Subcommittee.

A MOTION by Kathie Romano appoint Laurel Stavis to the CIP Subcommittee.

Seconded by Joan Monroe.

Roll Call Vote:

Voting in favor included Mr. Garland, Mr. Amaro, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Martz

****The MOTION was approved (7-0).***

A. Planning Board Subcommittees:

- Planning Board Capital Improvement Program (**VACANT**/ B. Garland/ **VACANT**)
- Planning Board Development Regulations Update (M. Hall/K, Romano/T. Martz/ J. Monroe)

B. City Council Subcommittees:

- Class VI Roads Advisory Committee (J. Monroe)
- Lebanon Energy Advisory Committee (J. Monroe)

C. City Council Representative (J. Winny/K. Liot Hill)

D. Heritage Commission (VACANT**)**

E. Pedestrian & Bicyclist Advisory Committee (VACANT**)**

F. Upper Valley Lake Sunapee Regional Planning Commission (B. Garland/L. Stavis)

G. UV Sub-Committee of the Connecticut River Joint Commissions (B. Garland)

Chair Garland reported on a letter received by the Upper Valley Subcommittee of the Connecticut River Joint Commission from the State DOT regarding its plans to demolish the buildings at Westboro Yard. A Site visit on May 22 was attended by two representatives of the DOT and five Sub-Committee members. Bids will be going out by the end of June for the demolition work. There are issues with asbestos, invasive species, and disposal of the brick. Ms. Romano inquired about preserving the footprint of the roundhouse. Chair Garland stated that presently the plan is to create plantings in the area. Mr. Brooks noted that there is approved State funding for the project. The West Lebanon Village charrette revealed an interest in recreating the foundation in some fashion. At present, the Upper Valley Sub-Committee plans indicate the foundation would be graded and seeded for grass to preserve the history of the site.

H. Upper Valley Transportation Management Association (VACANT**)**

I. Mascoma River Local Advisory Committee (K. Romano)

J. Steering Committee for the Implementation of the Master Plan (B. Garland/VACANT**/ J. Monroe)**

K. Planning & Development Department – Task Status (D. Brooks/ M. Goodwin/T. Corwin/R. Owens)

A MOTION by Kathie Romano to extend the meeting to 9:45 PM.

Seconded by Laurel Stavis.

Roll Call Vote:

Voting in favor included Mr. Garland, Mr. Amaro, Mr. Winny, Ms. Stavis, Ms. Romano, Mr. Martz

****The MOTION was approved (6-0).***

(Ms. Monroe was temporarily off of the online meeting at the time of this vote)

4. OTHER BUSINESS:

- A. REVIEW & COMMENT TO CITY COUNCIL:** Proposed disposition of 0 Foch Avenue (Tax Map 78, Lot 52) and adjacent right-of-way.

Mr. Brooks described the property at Foch Ave. and Edwards St., which is east of the Exit 18 interchange. It is less than half an acre, and an abutter wishes to purchase it. It is necessary to solicit input from the City Boards and School District. If the Planning Board is in favor, it can be reflected in a comment to the City Council. The property is not in a flood plain, and the City Manager can decide to allow an abutter to purchase the property rather than put it out to bid.

Chair Garland surveyed the Board members. There was general approval for Mr. Brooks to notify the City Council that there is no objection from the Planning Board.

B. REVIEW & COMMENT TO CITY COUNCIL: Proposed disposition of 0 Riverside Drive (Tax Map 111, Lot 3, Plot 100).

Mr. Brooks described the property between Fellows Hill Road and Riverside Drive, which is under half an acre. It is near Route 4 toward Enfield, and it would be another parcel being sold to and joined with the abutter, Robert Oakes.

Chair Garland surveyed the Board members. There was general approval for Mr. Brooks to notify the City Council that there is no objection from the Planning Board.

5. APPROVAL OF MINUTES:

A. April 27, 2020 Planning Session

The comment on Page 8, line 18 regarding the preservation of stone walls will be addressed at the next meeting.

Page 10, line 1, to read, "...attended the first online meeting..."

***A MOTION by Joan Monroe to approve the April 27, 2020 minutes as amended.
Seconded by Jim Winny.***

Roll Call Vote:

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

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

Mr. Corwin introduced the topic of hearing and deciding Boundary Line Adjustments at the same meeting. Ms. Romano suggested the need to make it clear to the public that there won't be an extra month to comment. Ms. Stavis inquired if there is an RSA regarding this process.

A MOTION by Joan Monroe to extend the meeting to 9:56 PM.

Seconded by Laurel Stavis.

Roll Call Vote:

Voting in favor included Mr. Garland, Mr. Amaro, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Martz

****The MOTION was approved (7-0).***

Mr. Brooks clarified that according to Planning Board Procedures, applications that do not create new buildable lots do not require a public hearing. He added that it is very rare that the public comes to

comment on a Boundary Line Adjustment, and abutters are always notified. There is always the option to continue and decide later.

The Board members expressed their desire to recognize the service of Ms. Welsch and Mr. Cole.

6. ADJOURNMENT:

A MOTION by Jim Winny to adjourn the meeting.

Seconded by Tom Martz.

Roll Call Vote:

Members voting in favor included Mr. Garland, Mr. Amaro, Mr. Winny, Ms. Monroe, Ms. Welsch, Ms. Stavis, and Ms. Romano.

**The MOTION was approved (7-0).*

The meeting was adjourned at 9:48 PM.

Respectfully submitted,

Holly Howes

Recording Secretary