

FINAL

**LEBANON PLANNING BOARD
REGULAR MEETING
Monday, June 8, 2020 – 6:30 pm
REMOTE VIA MICROSOFT TEAMS
LebanonNH.gov/Live**

ROLL CALL OF

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Jim Winny (Council Representative), Tom Martz, Joan Monroe, Kathie Romano, and Laurel Stavis

MEMBERS ABSENT: Gregorio Amaro (Alt.)

STAFF PRESENT: David Brooks (Planning Director), Tim Corwin (Senior Planner), Brian Vincent (City Engineer), and Rick Desharnais (Interim Recreation Director)

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 identified themselves.

Mr. Brooks confirmed that he met with the City Manager and they are looking into a potential in-person public meeting utilizing a larger space. The Board will be updated as plans progress.

2. NOTICE OF REGIONAL IMPACT:

The following application was received by the Planning Department on or before June 8, 2020:

NOVO NORDISK US BIO PRODUCTION, INC., 5 & 9 TECHNOLOGY DRIVE (Tax Map 130, Lot 1 and Tax Map 145, Lot 3), zoned IND-L & IND-H: Request for a Site Plan Amendment to construct a retaining wall, a truck depot station to park tractor trailers, and an accessory compressed natural gas (CNG) facility with associated equipment and piping. **#PB2020-19-SPA**

Planning staff suggested that the submitted application does not have the potential for regional impact.

*A MOTION by Matthew Hall that the application above has no potential for regional impact.
Seconded by Laurel Stavis*

Roll Call Vote:

Voting in favor were Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

NOTE: The remaining agenda items were taken out of order by the Board and were heard in the order reflected by these minutes.

5. NEW APPLICATIONS – Completeness Review and Public Hearings:

- A. DONALD & DEBRA GOODWIN and FLORIAN & HEDWIG SCHROECK, 0 WESTVIEW LANE (Tax Map 54, Lot 32-100) and 28 WESTVIEW LANE (Tax Map 30, Lot 27), zoned RL-2 & RL-3: Request for approval of a Boundary Line Adjustment between lands located at 0 Westview Lane (Tax Map 54, Lot 32-100) and 28 Westview Lane (Tax Map 30, Lot 27). PB#2020-17-BLA**

Mr. Corwin stated that the above application is complete enough for the Planning Board to accept jurisdiction and commence review.

A MOTION by Matthew Hall that the application of DONALD & DEBRA GOODWIN and FLORIAN & HEDWIG SCHROECK, 0 WESTVIEW LANE (Tax Map 54, Lot 32-100) and 28 WESTVIEW LANE (Tax Map 30, Lot 27), zoned RL-2 & RL-3 is deemed complete enough for the Planning Board to accept jurisdiction and commence review. Seconded by Jim Winny.

Roll Call Vote:

Voting in favor – Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

Florian Schroeck, property owner, attended online to represent the application. Mr. Schroeck provided the details of the requested Boundary Line Adjustment.

There were no Staff comments.

Ms. Stavis inquired about the statement regarding the Blueberry Hill Subdivision, which does not apply to this property. Mr. Corwin stated that such a statement is required under the Subdivision Regulations. Ms. Monroe confirmed that the purpose of the request is to give the Schroeck's additional property.

There was no public comment.

A MOTION by Matthew Hall that the Lebanon Planning Board APPROVE the application of DONALD & DEBRA GOODWIN and FLORIAN & HEDWIG SCHROECK for a Boundary Line Adjustment of lands located at 0 WESTVIEW LANE (Tax Map 54, Lot 32-100) and 28 WESTVIEW LANE (Tax Map 30, Lot 27), zoned RL-2 & RL-3, #PB2020-17-BLA, as shown on a plat titled "Proposed Minor Lot Line Adjustment for Florian R. & Hedwig Schroeck and Donald O. & Debra A. Goodwin & Kenyon Rd SPE, LLC" prepared by Cardigan Mountain Land Surveys, LLC, dated May 8, 2020, last revised May 21, 2020, Project #: 20-4239,8442, including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

1. Prior to the signing and recording of the final plat, the applicants shall provide to the City a draft copy of the deed of the land transfer for review to ensure the transfer will be completed properly for Assessing and recording purposes.
2. Prior to the signing and recording of the final plat, the applicants shall provide a digital record drawing (Cad .dwg Format using NH State Plane Coordinate system).

Seconded by Joan Monroe.

Roll Call Vote:

Voting in favor – Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

A MOTION by Matthew Hall that the Lebanon Planning Board authorizes the Chair to sign the plat for DONALD & DEBRA GOODWIN and FLORIAN & HEDWIG SCHROECK, #PB2020-17-BLA, as shown on a plat titled “Proposed Minor Lot Line Adjustment for Florian R. & Hedwig Schroeck and Donald O. & Debra A. Goodwin & Kenyon Rd SPE, LLC” prepared by Cardigan Mountain Land Surveys, LLC, dated May 8, 2020, last revised May 21, 2020, Project #: 20-4239,8442.

Seconded by Laurel Stavis.

Roll Call Vote:

Voting in favor – Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

- B. WALTER J. PATERSON and ALLAN & PAMELA GREEN, 82 PROSPECT STREET (Tax Map 108, Lot 3) and 171 MERIDEN ROAD (Tax Map 121, Lot 10), zoned R-3: Request for approval of a Boundary Line Adjustment between lands located at 82 Prospect Street (Tax Map 108, Lot 3) and 171 Meriden Road (Tax Map 121, Lot 10). #PB2020-18-BLA**

Mr. Corwin stated that the above application is complete enough for the Planning Board to accept jurisdiction and commence review.

A MOTION by Matthew Hall that the application of WALTER J. PATERSON and ALLAN & PAMELA GREEN, 82 PROSPECT STREET (Tax Map 108, Lot 3) and 171 MERIDEN ROAD (Tax Map 121, Lot 10), zoned R-3, is deemed complete enough for the Planning Board to accept jurisdiction and commence review.

Seconded by Laurel Stavis.

Roll Call Vote:

Voting in favor – Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

Chris Rollins, Land Surveyor, participated online to speak in support of the request. The purpose of the request is to straighten the boundary lines of the properties.

There were no Staff comments.

Ms. Monroe inquired about the wetlands, which are not located on the map. Mr. Rollins explained the wetlands are on a larger parcel adjacent to the driveway within 100 feet of Prospect Street. They are not near the line change location.

Chair Garland asked for public comment.

Robert Kerin-Herrick, an abutter to the Green property asked for clarification on the change. Mr. Rollins explained that the addition of land would be to the Green Property.

A **MOTION** by **Matthew Hall** that the Lebanon Planning Board **APPROVE** the application of WALTER J. PATERSON and ALLAN & PAMELA GREEN for a Boundary Line Adjustment of lands located at 82 PROSPECT STREET (Tax Map 108, Lot 3) and 171 MERIDEN ROAD (Tax Map 121, Lot 10), zoned R-3, #PB2020-18-BLA, as shown on a plat titled “Minor Lot Line Adjustment, Paterson & Green Lots,” prepared by Rollins Land Survey, dated May 9, 2020, last revised May 23, 2020, Project 1755-4, including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

1. Prior to the signing and recording of the final plat, the applicants shall provide to the City a draft copy of the deed of the land transfer for review to ensure the transfer will be completed properly for Assessing and recording purposes.
2. Prior to the signing and recording of the final plat, the applicants shall provide a digital record drawing (Cad .dwg Format using NH State Plane Coordinate system).

Seconded by Laurel Stavis

Roll Call Vote:

Voting in favor – Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

A **MOTION** by **Matthew Hall** that the Lebanon Planning Board authorizes the Chair to sign the plat for WALTER J. PATERSON and ALLAN & PAMELA GREEN, #PB2020-18-BLA, as shown on a plat titled “Minor Lot Line Adjustment, Paterson & Green Lots,” prepared by Rollins Land Survey, dated May 9, 2020, last revised May 23, 2020, Project 1755-4.

Seconded by Jim Winny.

Roll Call Vote:

Voting in favor – Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

- C. CITY OF LEBANON, 0 MAPLE STREET (Tax Map 59, Lot 19), zoned R-3:** Request for Site Plan Review to install a playground and to pave an existing gravel parking lot. **#PB2020-16-SPR** (NOTE: This application will be reviewed as a Governmental Land Use pursuant to NH RSA 674:54.)

Rick Desharnais, Interim Recreation Director, gave a presentation describing the project adjacent to Smith Field. The parcel was conveyed to the City in 2011 to be developed as a public park. Plan is to pave the parking lot with fencing to separate it from the play area. The public wants it to be multi-age, with activities for ages 2-5 and 5-12. A rendering of the play area was displayed along with estimated costs.

Mr. Corwin noted the two-way access to the site, which is to remain. There would need to be assurance that stormwater will be managed effectively.

Chair Garland inquired about the potential for pervious materials for paving. Mr. Desharnais stated that he would need to get three quotes.

Ms. Monroe stated that pervious pavement depends on what is underneath. The drainage from the church lot goes toward the property. Mr. Vincent will check on it
Ms. Romano agreed that it is good that it will be a multi-age area with the parking available to the church.

Chair Garland closed the advisory discussion.

6. OTHER BUSINESS: None

7. APPROVAL OF MINUTES:

A. May 11, 2020 Regular Meeting

Page 2, line 14, to read, "...for Site Plan Review of an originally proposed 47-unit..."; line 26 to 27 to read, "The new proposal is for 40 total..."

Page 4, line 35, to read, "...downtown Lebanon area..."

Page 6, line 46, substitute Ms. Stavis for Ms. Romano

Delete the recap of letters and emails received to date regarding the Bank Street project.

Remove Karen Liot-Hill from "Members Present"

A Motion by Matthew Hall to approve the May 11, 2020 Minutes as amended.

Seconded by Joan Monroe.

Roll Call Vote:

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

None voted against.

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

B. May 18, 2020 Special Meeting

Remove Karen Liot-Hill from "Members Present"

A MOTION by Matthew Hall to approve the May 18, 2020 Minutes as amended.

Seconded by Joan Monroe.

Roll Call Vote:

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

None voted against.

***The Motion was approved (7-0)**

Mr. Brooks stated that he would report to the City Manager regarding the Planning Board's interest in having a joint meeting with City Council to review the information regarding the number of projects under consideration or construction. He will keep the Board updated on any progress.

3. CONTINUED APPLICATIONS – Public Hearings:

- A. SAXON PARTNERS (applicant) and ALFRED P. & LORALEE S. WEST (property owners), 343 MOUNT SUPPORT ROAD (Tax Map 24, Lot 1), zoned R-1 & RL-3:** Request for Site Plan Review to construct a proposed multi-family residential development consisting of 250 dwelling units, together with parking, utilities, landscaping, access, and other related site improvements. **#PB2020-11-SPR – continued from May 11, 2020**

Don Smith, Saxon Partners; David Fenstermacher, VHB; and Atty. Phil Hastings participated online in support of the project.

Mr. Fenstermacher gave a presentation to address previous comments by the Board. A pedestrian connection to the north with a crosswalk and a bus stop with shelter and crosswalk were added at the main entrance with rapid flashing beacons at both. Additional area for future parking was added as requested, and lighting pole heights were lowered to 15 feet. Details of the bike amenities for storage, dog park, sidewalk accessibility, and trail system considerations were covered. Fire Department access was widened to improve access in front of the buildings to accommodate an aerial truck and repositioned hydrants. Renderings of the street view with trees was displayed. There would be some blasting for the stormwater mitigation, with subsurface systems and ponds to manage it.

Mr. Corwin noted the parking updates and reduced waiver requests. There would be more Staff Memo updates following a review by the City Engineer, but all the submissions are complete. An easement is recommended over the 300-foot wildlife corridor per Section 6.2.C of Site Plan Requirements. Updated conditions of approval would be in the July 13 meeting packet. There would be a comprehensive plan for shared costs of improvements at Lahaye Drive and Mt. Support Road.

Mr. Smith noted representation by the same counsel as Michaels Student Living, and would use the same wildlife corridor easement plan as that property as a condition of approval.

Ms. Stavis inquired about the process for the Special Assessment District. Mr. Corwin stated that the cost sharing plan would be a condition tied to the Certificate of Occupancy. Mr. Brooks added that the Planning Board process is separate from the City Council budgeting process and how it pays for capital projects. The same conditions are required for sharing the cost whether it is a Special Assessment District or not.

Ms. Romano noted that stormwater coming off site cannot increase following construction. Mr. Vincent confirmed that the plan is in compliance with requirements. Mr. Fenstermacher noted that annual monitoring is done by a drainage engineer and there would be a running log of inspections. Ms. Romano commented that the design looks like a motel. Mr. Smith stated that the elevations aren't final, but it would be designed to have a sleek, modern look.

Mr. Martz inquired about the turning radius for fire equipment and rear access for fire trucks. Mr. Corwin stated that the Fire Department was asked to comment on this requirement, and Staff just received an email related to this project as well as another pending application. There is an automatic sprinkler system and warning system, and the International Fire Code allows for several exceptions, which the Fire Department has used to accept the project as drawn with no fire department vehicle access to the rear of the building. Mr. Martz expressed concern over the lack of rear exits. Mr. Adam Wagner of Market Square Architects pointed out the location of four sets of access stairs providing egress, which have to exit to a paved exit way. All required ratings per code will be incorporated, and everything is designed to Life Safety Code and International Fire Code.

Ms. Stavis also commented on the street appeal and lack of features of the buildings. Mr. Smith reiterated that they are still working on the design, which would be a modern, sleek building similar to their other projects around the country.

Ms. Romano inquired about leases. Mr. Smith stated that they are looking at 12-month leases and perhaps some short-term ones for hospital use.

Ms. Monroe commented on the plan for just one hot tub. Mr. Smith stated that tenants are more interested in fire pits, and there is limited interest in hot tubs but more would be added if they were popular.

Chair Garland asked for public comment.

Joe Martell of Timberwood Commons commented on the aesthetic being like a motel and suggested it would be cutting out western sunlight for Timberwood. Mr. Martell noted that they were already having problems with losing and replacing embankments due to stormwater at Timberwood. Mr. Corwin noted that materials were just submitted on Friday regarding stormwater. Mr. Martell inquired if wastewater plans were submitted. Mr. Corwin noted it was a separate process, but the connections are shown.

Ms. Romano inquired if pricing compared to Timberwood. Mr. Smith confirmed pricing would be similar to market rates. Mr. Martell stated that they would be in competition.

Chair Garland asked for questions on waivers.

Ms. Romano inquired about the waiver for lighting in one area to be taller. Mr. Fenstermacher stated that the height would be a consistent 15 feet throughout.

Ms. Monroe stated a preference for down-facing and angled lighting. Mr. Fenstermacher noted there would be cut off shields with light only shining on the parking area, and there would be special shields along the northern area by the road.

MOTION by Matthew Hall to continue the hearing of SAXON PARTNERS (applicant) and ALFRED P. & LORALEE S. WEST (property owners), 343 MOUNT SUPPORT ROAD (Tax Map 24, Lot 1), zoned R-1 & RL-3 to the July 13, 2020 meeting.

Seconded by Kathie Romano.

Roll Call Vote:

Voting in favor were Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, and Mr. Martz

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

- B. 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 for Site Plan Review to construct a multi-family complex consisting of 309 units in four buildings, with associated access, parking, and other improvements. #PB2020-07-SPR – continued from May 18, 2020**

Matthew Hall recused himself and left the meeting at 8:27 PM.

Kristina Vagen of Michaels Student Living; Landscape Architect Jason Plourde, Dave Fenstermacher, and Erik Bednarek of VHB; Daniel Justynski of Dartmouth College; and Atty Phil Hastings were present online to speak on behalf of the project.

Atty. Hastings noted that it was approaching six months that the application had been before the Planning Board. His clients had been responsive to questions, and timing is critical to the success of the project and meeting the needs of the College. He detailed the remaining decisions on scattered and premature, the shortened list of requested waivers, the Conditional Use Permit to allow a slight increase in parking, Subdivision and Site Plan approval, and the granting of conditional approval as in the Staff Memo.

Mr. Fenstermacher stated that they created a new impact statement regarding open space, removed parking, and added a berm. They detailed the open space and protected areas for wetlands and wildlife, provided drainage system details for building an underground detention pond, and stonewalls would be reused and maintained. The City Engineer's comments were addressed and formal response was filed.

Mr. Corwin confirmed that there are a reduced number of waivers, and the outstanding questions from the City Engineer were addressed. Staff will provide updated conditions of approval for the June 22 meeting.

Chair Garland inquired about item #6 of the impact memo regarding discussions with the Fire Department. Mr. Fenstermacher stated that they received feedback and details have been confirmed for the final plan.

Ms. Romano expressed concern that there were so many units and so much paving on a very spongy ground. Ms. Vagen stated that they looked into putting parking into one of the buildings, but the cost of construction would increase by 30%. The rents would be considerably higher, and these units were meant to be at the same rates currently for graduate housing. It was cost prohibitive.

Ms. Stavis inquired about the date for returning students. Mr. Justynski stated the housing is needed for graduate students who are starting immediately. The professional schools are planning full activity for the fall with 2,000-2,500 graduate students.

Ms. Romano asked if the secondary exit would be locked and who could open it. Mr. Fenstermacher stated that the Fire Department and Michaels staff will have keys.

Ms. Monroe reiterated the need to preserve the wetlands and the amount of water feeding them.

Chair Garland inquired about the 60 feet of active use area in the rear of the clubhouse building. Ms. Vagen stated that it was currently planned for ultimate frisbee or volleyball, but there would be focus groups to determine the outdoor activities.

Chair Garland asked about the status of rip-rap. Mr. Fenstermacher explained that it is being removed between the southern driveway and wildlife corridor as recommended for the animals. Stabilizing and vegetation would replace it. Ms. Monroe noted that moving the sidewalk would create less impact on stonewalls and would be a buffer to benefit animals. She expressed appreciation for similar efforts as being common for Dartmouth College.

There was no public comment.

Mr. Martz reiterated his suggestion for better exits from the buildings. Mark Moeller of JSA, Inc. noted that all four buildings are the same. The fire stairs discharge to the outside.

Chair Garland inquired if Ms. Monroe had comments on the landscaping in the parking area. Ms. Monroe stated that she would review the plans. Mr. Fenstermacher noted that there were constraints for longer islands, so they are proposing horizontal plantings for shade with parking all along the perimeter for visitors. Ms. Monroe commented that not many from outside would be coming into the project.

Chair Garland inquired about the traffic flow. Mr. Fenstermacher stated that traffic flow is designed to accommodate shuttle pickups and they are in discussion with Advance Transit. The expectation is that residents would not use cars during the week.

Ms. Monroe thanked the Planning Office for the Conservation Commission minutes and the recent Planning Board Minutes.

A MOTION by Joan Monroe 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 22, 2020.

Seconded by Tom Martz.

Atty. Hastings inquired if that would be the final meeting on the application. Chair Garland stated that they were making good progress, but it was not possible to know if it would be the last meeting on the application.

Roll Call Vote:

Voting in favor were Mr. Garland, Mr. Winny, Ms. Monroe, Ms. Stavis, Ms. Romano, and Mr. Martz. Mr. Hall was recused.

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

4. NEW APPLICATIONS – Completeness Review Only: None

8. ADJOURNMENT:

A MOTION by Laurel Stavis to adjourn the meeting.

Seconded by Tom Martz.

Roll Call Vote:

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

Mr. Hall was not present.

****The vote on the MOTION was (6-0).***

The meeting was adjourned at 9:28 PM.

Respectfully submitted,
Holly Howes

Recording Secretary