

FINAL

**LEBANON PLANNING BOARD-SPECIAL MEETING
TUESDAY, JULY 31, 2019
COUNCIL CHAMBERS, CITY HALL
6:30PM**

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Gregory Schwarz, Kathie Romano, Joan Monroe, Laurel Stavis, and Karen Zook (Council Representative),

MEMBERS ABSENT: Sarah Welsch, Matthew Cole, and Jim Winny (Alt. Council Representative)

STAFF PRESENT: Tim Corwin (Senior Planner) and Christina Hall (City Engineer)

1. **CALL TO ORDER:** Chair Garland called the meeting to order at 5:31 PM.

2. **APPROVAL OF MINUTES:** None

3. **PUBLIC HEARINGS** - Continued from July 16, 2019

A. BASIC HOLDINGS LLC, 5 & 11 OAK RIDGE ROAD, (Tax Map 4, Lots 5 & 6), zoned R-3: Request for Preliminary Review of a Major Subdivision for a proposed Planned Unit Residential Development (PURD) pursuant to Section 501.2 of the Zoning Ordinance, containing 21 residential units together with related site improvements and amenities. **#PB2019-03-PM AJ**

Property owner Jeffrey Shapiro of Basic Holdings, Rod Finley of Pathways Consulting, and Attorney Nate Stearns appeared on behalf of the request. Erica Wygonik from Resource Systems Group (RSG), who prepared the traffic report, would be joining them later.

Mr. Corwin stated that this meeting would be the preliminary review for sections 12 and 13 of the subdivision regulations, but an additional meeting would be needed for the balance of the regulations. Section 13.9 regarding drainage was not included in the staff comments for this discussion and would not be discussed. Mr. Corwin recommended leaving it until the next meeting.

Mr. Stearns addressed previous comments about renting to Dartmouth College students, who are not the target market for the proposed rental units. If it were the case, however, there are no criteria or guidance in City ordinances or subdivision requirements that treat rental housing any differently than other residences in town. Mr. Stearns asserted there is no basis for tying those concerns into an objective criteria.

Mr. Finley began a review of the regulations.

Section 12.1 - Character of Land – Mr. Finley stated that this property is very safe and a suitable piece of land for a PURD. He described it as gently sloping with good soil types based on testing. There is no exposed ledge on site, and he noted it is not similar to Pinewood Village. The two decks located close to the steep slope would be evaluated by an engineer. There is no erosive stream action and no perennial streams. Mr. Finley believes they can create a safe and healthful community. There were no comments or questions from the Board members.

Section 12.2 – Open Space and Recreation Area – Mr. Finley stated that under zoning in a PURD cluster development, there needs to be 50% open space, and 2.5 acres are open space of the 5-acre site. He added they are considering the staff suggestions for open space, which include a community garden, a swing set in the green area, a basketball hoop, or a community BBQ with picnic tables. Mr. Finley said they are thinking of adding another 4 parking spaces on the opposite side of the green. Minimum zoning requirements call for 2 parking spaces per unit, and there is no maximum. The 20-foot wide driveway was designed to minimize impervious surface. Residents can have 1 parking space in the garage and 2 in the driveway with possibly an additional 8 spaces on the green, which exceeds the requirements.

Mr. Schwarz questioned the amount of green space if it is turned into additional parking. Mr. Stearns asked the Board's opinion regarding keeping the green open and not adding four more spaces. Mr. Hall stated that they really don't need the additional spaces. Mr. Finley confirmed that the green is roughly 75 feet x 75 feet. Ms. Romano said she lives where there are double wide driveways, but when friends and family come or tradesmen, any extra parking spots would be a plus. Ms. Romano also noted that duplexes have a different character than single family homes and perhaps those could be converted to single family units and extend into some of the open space. There is also no streetlighting, which makes it difficult for those walking or visiting at night. Ms. Romano suggested individual light posts with electric eyes that turn on the light as needed. The Fire Department suggested sidewalk on one side of the street, but it would limit parking on that part of the driveway, but the road could be shifted two feet toward the side without a sidewalk to make it more equitable. In addition, people with dogs walk them on the sidewalk side, which creates a soiling issue. Ms. Romano questioned the number of units if duplexes were not created, but Mr. Finley said they are waiting for a decision from the Zoning Board. He added that there was no room at present for sidewalks. Ms. Romano noted that people would be walking in the street without lighting. Mr. Finley said that lights could be considered.

Mr. Corwin noted that they could not use the garden area for building without affecting the requisite open space. Ms. Hall asked about the setback lines. Mr. Finley confirmed the setbacks, but they have not submitted the new boundary lines.

Ms. Monroe inquired about the household lighting and suggested the need for a lighting plan. If left to the individual residents, the amount of lighting may be not enough or too much, which would result in too much variety. There are also very different size properties and spaces without lighting. Ms. Monroe also noted that there could be problems with people using the side of the house or side of the garage for a garden, and amounts of sun would vary. A community garden would be preferable. Ms. Monroe also asked about driveway spaces, noting that there need to be rules for parking and a way to monitor it. She also inquired about places for canoes, kayaks, motorcycle, bikes, etc. Mr. Shapiro stated that there would need to be rules to maintain a sense of community, which would be dictated by a lease. Ms. Monroe observed that perhaps the properties are too close together and not all the same. She objected to using Burlington, VT as an example, because it's a big city compared to Lebanon.

Ms. Stavis stated that she lives in a community with homes close together and not much parking. The lack of lighting concerns her for dog walking. Small lamp posts that come on at dusk provide enough light and safety and are more conforming. Mr. Shapiro said he likes that idea, and it would also be consistent with lightbulbs provided by maintenance staff.

Ms. Romano inquired about walking trails as active recreation. Mr. Corwin stated that active recreation is not defined, but he said walking trails would be active recreation.

12.3 - Premature and Scattered – Erica Wygonik

Ms. Wygonik referred to a January 15, 2019 memo by RSG outlining the traffic review of the proposed development. The impact guideline is stated as 100 trips during the AM or PM peak hour. If a site doesn't exceed that value, there is no need for a full study. In this case, it is estimated as no more than 25 trips during each peak hour on average, with the peak hour being the busiest hour of the surrounding area.

Considering the project as all single family houses, they used the method to generate the highest number of trips. Based on the findings, the impact of this development should be minor, and the surrounding area does not have a high impact in general. Ms. Wygonik stated that RSG doesn't have any concerns regarding congestion, particularly with the recent study for safety and good improvements in the area on Route 10. The bus stops were improved with adjustments for slower speeds, and it is a good location from a transportation perspective, given the public transit location on Route 10 and the potential for residents to use transit.

Mr. Hall inquired about the Ped/Bike recommendations for a sidewalk to Route 10 and within the development. Ms. Wygonik agreed that a sidewalk from Route 10 would be good, but not within the development, since the narrow streets will slow traffic and are very pedestrian friendly without sidewalks.

Mr. Corwin stated that they contacted Chris Turgeon, a DOT assistant engineer, and shared the RSG report and site plans. The DOT had no concerns.

12.4 – Impact Fees – Mr. Finley confirmed that they have the impact fee schedule and understand it.

12.5 - Off-site Improvements – Mr. Finley stated that the sewer near Pinewood Village is public, so the present design is fine. Mr. Corwin confirmed that the City does own the sewer line. Ms. Romano inquired if a sidewalk along Oak Ridge to Route 10 would be plowed by the City. Ms. Hall said the City should be maintaining it if it is in the City's right-of-way. Ms. Hall said they would need to investigate it.

Sections 12.6, 7, and 8 are not applicable.

13.1 – Minimum Standards – To be discussed later

13.2 – Specifications for Required Improvements – does not need discussion

13.3 – Lot Layout, Drainage and Driveways – not applicable as not creating lots

13.4 – Lots, Lot Area – not applicable

13.5 – Streets – Mr. Corwin stated that formal requests for waivers would come with the final submission, but it would be helpful to get some feedback during the preliminary review. Mr. Finley stated that streets are typically 24 feet wide with curbs, but they are proposing a 20-foot wide street to minimize the impervious footprint with open drainage by eliminating curbs to allow water to get to the lawns. They are asking for waivers from the 24-foot width and curbing. They are also seeking a waiver for the proposed 120 feet from the project entrance to the entrance of Pinewood Village as opposed to the required 150 feet. Mr. Hall stated that he would have no concerns with the waivers. Ms. Romano said they would have to weigh all the factors.

Mr. Corwin stated that the Fire Department asked the Board to require signage that prohibits parking along the access road.

13.6 – Street Lighting – Ms. Stavis stated that there should be some provision for adding lamp posts with sensors to turn them on at dusk and off at dawn in front of each home for safety.

13.7 – Street Signs – Compliance may be a condition of final plan approval.

13.8 - Utilities – Mr. Finley said they resolved the sewer issue. Mr. Corwin added that there was nothing more from Planning Staff. Ms. Hall inquired if they are planning any lighting at the entrance. Mr. Finley said they would consider them and create a lighting plan.

Mr. Corwin noted that there was a lengthy list of comments from the City Engineer, and those would be addressed in the final plan. Ms. Hall encouraged the applicants to meet with Staff to review them to make sure all comments have been addressed by the final plan submission. There are many outstanding items at

present. Mr. Finley noted his memo of April 24, 2019 detailing all of the outstanding items from the engineering review. Ms. Hall noted that at final submission, the clock runs fast.

Mr. Corwin noted the Zoning section with regard to the density bonus of up to 12% additional, which could allow 2 additional units. The applicants would have to make a formal request at the time of final submission. The Planning Office has received many letters and emails from abutters and were asked to forward them to the Board, but they must receive it two Fridays before the meeting to be included in the next meeting packet. They would not be forwarding email messages to Board members.

Chair Garland opened the Public Hearing, reminding the public that it should be based on facts, not opinions and only issues not previously stated at earlier meetings.

Jeanette Hutchins, an Oak Ridge Road resident, described her experience of the Oak Ridge Road/Route 10/Gould Road intersection. The State made a presentation that noted 16 motor vehicle incidents before the recent updates. Ms. Hutchins stated that she was rear-ended when turning into Oak Ridge from the south to avoid children crossing Route 10. Ms. Hutchins also stated that people are using a double-lined area which is not a left turn lane, to turn left into Oak Ridge Road. She added that it is a safety hazard, and it will be more of a problem with more cars from the new housing. There are school bus pickups and drop-offs at the corner of Route 10 and Oak Ridge Road both am and pm in addition to Advance Transit stops. Ms. Hutchins would urge the Board to deny the request for a PURD and rework the intersection and sidewalks to Route 10, stating that the reality is that it is very unsafe and 63 additional cars must be considered.

Gary Bond, 6 Wildwood Drive, stated that on June 27, he had his blinker on to turn left into Oak Ridge Road and was rear-ended. His car was totaled, and the driver who hit him was injured. Mr. Bond said it should be monitored, and it's time for a change. He objects to the PURD, which will add more traffic. The first section of Oak Ridge Road is widely used by kids and pedestrians. With the increased housing, it would be less safe, and more improvements would be needed with adding more traffic.

Jeanette Fu of 10 Oak Ridge Road stated that she objects based on safety. The only access road would be directly toward her driveway, and she has a toddler. The neighborhood is going through transformation with more and more young families. It is a public safety concern with the configuration of the entrance at the top of the hill. Route 10 was not designed to handle that much traffic. There have been a number of accidents. By the time the project is approved, it will be too late. Renters treat property differently, and there is not enough parking. It would not be affordable, and students would have to split it 3 or 4 ways. Ms. Fu also questioned whether rules would be set up.

Jeff Friedman, 9 Wildwood Drive, stated that he walks several hours a day with his dog and drives often. He counts how many cars go too fast through the yellow light at the intersection. Oak Ridge is not a safe road given the speed of cars. If 60 cars are added, there would be many cars going into Oak Ridge Road with no place to walk. Drivers don't pay attention, and the area needs a stop light.

Joe Arcone, 40 Oak Ridge Road, asked to comment on 12.1. Chair Garland responded that it would be discussed at the next meeting. Mr. Arcone inquired about snow removal. Mr. Finley said he would discuss it at the next meeting.

Bob Drake, 1 Wildwood Drive, stated that he has two grandkids who play across the street. When one turns onto Oak Ridge Road at 6:00 pm when kids are playing, the sun is going down. A driver is blinded by the sun, and it's difficult to drive. Mr. Drake said he is concerned about the safety of the children who are playing.

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Rand Swenson, 15 Oak Ridge Road, noted that there was no discussion of occupancy. Mr. Swenson pointed out that who is renting is important, since a family will generally have fewer cars than several people sharing the rent. Traffic will increase. Who is renting the units should be discussed as to who would be renting in this high density development. The outlet from Pinewood Village creates very bad site lines coming out of it. Any additional traffic coming toward the Pinewood Village exit it would make it more dangerous. Mr. Swenson stated that plowing of sidewalks along Route 10 was not done by Lebanon, but he believes is done by Hanover as part of clearing out to Campion.

Mrs. Eleanor Coffey stated that in terms of safety and traffic, the Domino's Pizza delivery people race up to Dartmouth College, and it would be an issue in the access road of the new development.

Lorraine Kelly, 21 Wildwood Drive, inquired if the ordinance regarding unrelated adults in a residence could restrict the number of vehicles allowed. Mr. Corwin responded that they can restrict the number of parking spaces for each site. If there is parking along the access road in violation of the site plan and Fire Department requirements, the City could enforce the parking restrictions. Mrs. Kelly stated that she has had the same problem turning into Oak Ridge Road with someone in no man's land, and another woman did as well. The site lines are not adequate. Trying to turn toward Wheeler, one cannot see people coming down Oak Ridge Road. There are twelve children under 18 in the neighborhood. There is no sidewalk plowing in the winter, and the children are walking in the street to get to the bus. Ms. Kelly also referred to the City's Streetlight Redesign stating that this project needs to be in compliance with streetlight redesign plan.

Mr. Hall inquired if Planning Staff could suggest the correct place to direct concerns about the Route 10 intersection. Ms. Hall said that it is a State route, so the DOT would be appropriate. Ms. Monroe asked if it could go through the City Council and City Manager and then to the DOT with letters from residents.

Kate Mills, Cambridge Place, stated that the project would serve a need in the Upper Valley for young families. She had to rent a condo without proper space for children, and a house would have been more ideal. Older residents who are downsizing would also find it appealing. Ms. Mills added that the lack of single family, rental housing is a problem.

Elizabeth Bengston, 52 Oak Ridge Road, stated that the development is going to double the amount of traffic. There is the current problem, but doubling it is compounding it. Ms. Bengston suggested doing a traffic evaluation when schools are in session for a better average.

Chair Garland closed the public hearing.

Ms. Romano raised the issue of the Route 10 intersection. Ms. Stavis stated that Lebanon has many issues before the DOT, and it would be difficult to get this one on the DOT agenda. Mr. Corwin said he would email the DOT person, Chris Turgeon, regarding the safety concerns and cc the City Manager.

A MOTION by Matthew Hall to continue the hearing of BASIC HOLDINGS LLC, 5 & 11 OAK RIDGE ROAD to Wednesday August 28, 2019, at 5:30 p.m. Seconded by Laurel Stavis.

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

4. ADJOURNMENT:

A MOTION by Matthew Hall to adjourn the meeting. Seconded by Gregory Schwarz.

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

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The meeting was adjourned at 7:33 PM.

Respectfully submitted,
Holly Howes
Recording Secretary