

**AGENDA
PLANNING BOARD
AUGUST 28, 2019**

**AGENDA ITEM #2
APPROVAL OF MINUTES**

JULY 31, 2019

DRAFT

**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 1. **CALL TO ORDER:** Chair Garland called the meeting to order at 5:31 PM.
2

3
4 2. **APPROVAL OF MINUTES:** None
5

6
7 3. **PUBLIC HEARINGS** - Continued from July 16, 2019
8

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

14
15 Property owner Jeffrey Shapiro of Basic Holdings, Rod Finley of Pathways Consulting, and Attorney
16 Nate Stearns appeared on behalf of the request. Erica Wygonik from Resource Systems Group (RSG),
17 who prepared the traffic report, would be joining them later.
18

19 Mr. Corwin stated that this meeting would be the preliminary review for sections 12 and 13 of the
20 subdivision regulations, but an additional meeting would be needed for the balance of the regulations.
21 Section 13.9 regarding drainage was not included in the staff comments for this discussion and would not
22 be discussed. Mr. Corwin recommended leaving it until the next meeting.
23

24 Mr. Stearns addressed previous comments about renting to Dartmouth College students, who are not the
25 target market for the proposed rental units. If it were the case, however, there are no criteria or guidance
26 in City ordinances or subdivision requirements that treat rental housing any differently than other
27 residences in town. Mr. Stearns asserted there is no basis for tying those concerns into an objective
28 criteria.
29

30 Mr. Finley began a review of the regulations.
31

32 Section 12.1 - Character of Land – Mr. Finley stated that this property is very safe and a suitable piece of
33 land for a PURD. He described it as gently sloping with good soil types based on testing. There is no
34 exposed ledge on site, and he noted it is not similar to Pinewood Village. The two decks located close to
35 the steep slope would be evaluated by an engineer. There is no erosive stream action and no perennial
36 streams. Mr. Finley believes they can create a safe and healthful community. There were no comments or
37 questions from the Board members.
38

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

9
10 Mr. Schwarz questioned the amount of green space if it is turned into additional parking. Mr. Stearns
11 asked the Board's opinion regarding keeping the green open and not adding four more spaces. Mr. Hall
12 stated that they really don't need the additional spaces. Mr. Finley confirmed that the green is roughly 75
13 feet x 75 feet. Ms. Romano said she lives where there are double wide driveways, but when friends and
14 family come or tradesmen, any extra parking spots would be a plus. Ms. Romano also noted that duplexes
15 have a different character than single family homes and perhaps those could be converted to single family
16 units and extend into some of the open space. There is also no streetlighting, which makes it difficult for
17 those walking or visiting at night. Ms. Romano suggested individual light posts with electric eyes that
18 turn on the light as needed. The Fire Department suggested sidewalk on one side of the street, but it
19 would limit parking on that part of the driveway, but the road could be shifted two feet toward the side
20 without a sidewalk to make it more equitable. In addition, people with dogs walk them on the sidewalk
21 side, which creates a soiling issue. Ms. Romano questioned the number of units if duplexes were not
22 created, but Mr. Finley said they are waiting for a decision from the Zoning Board. He added that there
23 was no room at present for sidewalks. Ms. Romano noted that people would be walking in the street
24 without lighting. Mr. Finley said that lights could be considered.

25
26 Mr. Corwin noted that they could not use the garden area for building without affecting the requisite open
27 space. Ms. Hall asked about the setback lines. Mr. Finley confirmed the setbacks, but they have not
28 submitted the new boundary lines.

29
30 Ms. Monroe inquired about the household lighting and suggested the need for a lighting plan. If left to the
31 individual residents, the amount of lighting may be not enough or too much, which would result in too
32 much variety. There are also very different size properties and spaces without lighting. Ms. Monroe also
33 noted that there could be problems with people using the side of the house or side of the garage for a
34 garden, and amounts of sun would vary. A community garden would be preferable. Ms. Monroe also
35 asked about driveway spaces, noting that there need to be rules for parking and a way to monitor it. She
36 also inquired about places for canoes, kayaks, motorcycle, bikes, etc. Mr. Shapiro stated that there would
37 need to be rules to maintain a sense of community, which would be dictated by a lease. Ms. Monroe
38 observed that perhaps the properties are too close together and not all the same. She objected to using
39 Burlington, VT as an example, because it's a big city compared to Lebanon.

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

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

46 47 12.3 - Premature and Scattered – Erica Wygonik

48 Ms. Wygonik referred to a January 15, 2019 memo by RSG outlining the traffic review of the proposed
49 development. The impact guideline is stated as 100 trips during the AM or PM peak hour. If a site doesn't
50 exceed that value, there is no need for a full study. In this case, it is estimated as no more than 25 trips
51 during each peak hour on average, with the peak hour being the busiest hour of the surrounding area.
52 Considering the project as all single family houses, they used the method to generate the highest number

1 of trips. Based on the findings, the impact of this development should be minor, and the surrounding area
2 does not have a high impact in general. Ms. Wygonik stated that RSG doesn't have any concerns
3 regarding congestion, particularly with the recent study for safety and good improvements in the area on
4 Route 10. The bus stops were improved with adjustments for slower speeds, and it is a good location from
5 a transportation perspective, given the public transit location on Route 10 and the potential for residents to
6 use transit.

7
8 Mr. Hall inquired about the Ped/Bike recommendations for a sidewalk to Route 10 and within the
9 development. Ms. Wygonik agreed that a sidewalk from Route 10 would be good, but not within the
10 development, since the narrow streets will slow traffic and are very pedestrian friendly without sidewalks.

11
12 Mr. Corwin stated that they contacted Chris Turgeon, a DOT assistant engineer, and shared the RSG
13 report and site plans. The DOT had no concerns.

14
15 12.4 – Impact Fees – Mr. Finley confirmed that they have the impact fee schedule and understand it.

16
17 12.5 - Off-site Improvements – Mr. Finley stated that the sewer near Pinewood Village is public, so the
18 present design is fine. Mr. Corwin confirmed that the City does own the sewer line. Ms. Romano inquired
19 if a sidewalk along Oak Ridge to Route 10 would be plowed by the City. Ms. Hall said the City should be
20 maintaining it if it is in the City's right-of-way. Ms. Hall said they would need to investigate it.

21
22 Sections 12.6, 7, and 8 are not applicable.

23
24 13.1 – Minimum Standards – To be discussed later

25 13.2 – Specifications for Required Improvements – does not need discussion

26 13.3 – Lot Layout, Drainage and Driveways – not applicable as not creating lots

27 13.4 – Lots, Lot Area – not applicable

28 13.5 – Streets – Mr. Corwin stated that formal requests for waivers would come with the final submission,
29 but it would be helpful to get some feedback during the preliminary review. Mr. Finley stated that streets
30 are typically 24 feet wide with curbs, but they are proposing a 20-foot wide street to minimize the
31 impervious footprint with open drainage by eliminating curbs to allow water to get to the lawns. They are
32 asking for waivers from the 24-foot width and curbing. They are also seeking a waiver for the proposed
33 120 feet from the project entrance to the entrance of Pinewood Village as opposed to the required 150
34 feet. Mr. Hall stated that he would have no concerns with the waivers. Ms. Romano said they would have
35 to weigh all the factors.

36
37 Mr. Corwin stated that the Fire Department asked the Board to require signage that prohibits parking
38 along the access road.

39
40 13.6 – Street Lighting – Ms. Stavis stated that there should be some provision for adding lamp posts with
41 sensors to turn them on at dusk and off at dawn in front of each home for safety.

42 13.7 – Street Signs – Compliance may be a condition of final plan approval.

43 13.8 - Utilities – Mr. Finley said they resolved the sewer issue. Mr. Corwin added that there was nothing
44 more from Planning Staff. Ms. Hall inquired if they are planning any lighting at the entrance. Mr. Finley
45 said they would consider them and create a lighting plan.

46
47 Mr. Corwin noted that there was a lengthy list of comments from the City Engineer, and those would be
48 addressed in the final plan. Ms. Hall encouraged the applicants to meet with Staff to review them to make
49 sure all comments have been addressed by the final plan submission. There are many outstanding items at
50 present. Mr. Finley noted his memo of April 24, 2019 detailing all of the outstanding items from the
51 engineering review. Ms. Hall noted that at final submission, the clock runs fast.

52

1 Mr. Corwin noted the Zoning section with regard to the density bonus of up to 12% additional, which
2 could allow 2 additional units. The applicants would have to make a formal request at the time of final
3 submission. The Planning Office has received many letters and emails from abutters and were asked to
4 forward them to the Board, but they must receive it two Fridays before the meeting to be included in the
5 next meeting packet. They would not be forwarding email messages to Board members.
6

7 Chair Garland opened the Public Hearing, reminding the public that it should be based on facts, not
8 opinions and only issues not previously stated at earlier meetings.
9

10 Jeanette Hutchins, an Oak Ridge Road resident, described her experience of the Oak Ridge Road/Route
11 10/Gould Road intersection. The State made a presentation that noted 16 motor vehicle incidents before
12 the recent updates. Ms. Hutchins stated that she was rear-ended when turning into Oak Ridge from the
13 south to avoid children crossing Route 10. Ms. Hutchins also stated that people are using a double-lined
14 area which is not a left turn lane, to turn left into Oak Ridge Road. She added that it is a safety hazard,
15 and it will be more of a problem with more cars from the new housing. There are school bus pickups and
16 drop-offs at the corner of Route 10 and Oak Ridge Road both am and pm in addition to Advance Transit
17 stops. Ms. Hutchins would urge the Board to deny the request for a PURD and rework the intersection
18 and sidewalks to Route 10, stating that the reality is that it is very unsafe and 63 additional cars must be
19 considered.
20

21 Gary Bond, 6 Wildwood Drive, stated that on June 27, he had his blinker on to turn left into Oak Ridge
22 Road and was rear-ended. His car was totaled, and the driver who hit him was injured. Mr. Bond said it
23 should be monitored, and it's time for a change. He objects to the PURD, which will add more traffic.
24 The first section of Oak Ridge Road is widely used by kids and pedestrians. With the increased housing,
25 it would be less safe, and more improvements would be needed with adding more traffic.
26

27 Jeanette Fu of 10 Oak Ridge Road stated that she objects based on safety. The only access road would be
28 directly toward her driveway, and she has a toddler. The neighborhood is going through transformation
29 with more and more young families. It is a public safety concern with the configuration of the entrance at
30 the top of the hill. Route 10 was not designed to handle that much traffic. There have been a number of
31 accidents. By the time the project is approved, it will be too late. Renters treat property differently, and
32 there is not enough parking. It would not be affordable, and students would have to split it 3 or 4 ways.
33 Ms. Fu also questioned whether rules would be set up.
34

35 Jeff Friedman, 9 Wildwood Drive, stated that he walks several hours a day with his dog and drives often.
36 He counts how many cars go too fast through the yellow light at the intersection. Oak Ridge is not a safe
37 road given the speed of cars. If 60 cars are added, there would be many cars going into Oak Ridge Road
38 with no place to walk. Drivers don't pay attention, and the area needs a stop light.
39

40 Joe Arcone, 40 Oak Ridge Road, asked to comment on 12.1. Chair Garland responded that it would be
41 discussed at the next meeting. Mr. Arcone inquired about snow removal. Mr. Finley said he would
42 discuss it at the next meeting.
43

44 Bob Drake, 1 Wildwood Drive, stated that he has two grandkids who play across the street. When one
45 turns onto Oak Ridge Road at 6:00 pm when kids are playing, the sun is going down. A driver is blinded
46 by the sun, and it's difficult to drive. Mr. Drake said he is concerned about the safety of the children who
47 are playing.
48

49 Grant Swenson, 15 Oak Ridge Road, noted that there was no discussion of occupancy. Mr. Swenson
50 pointed out that who is renting is important, since a family will generally have fewer cars than several
51 people sharing the rent. Traffic will increase. Who is renting the units should be discussed as to who
52 would be renting in this high density development. The outlet from Pinewood Village creates very bad

1 site lines coming out of it. Any additional traffic coming toward the Pinewood Village exit it would make
2 it more dangerous. Mr. Swenson stated that plowing on Oak Ridge Road isn't done by the City.
3

4 Mrs. Eleanor Coffey stated that in terms of safety and traffic, the Domino's Pizza delivery people race up
5 to Dartmouth College, and it would be an issue in the access road of the new development.
6

7 Lorraine Kelly, 21 Wildwood Drive, inquired if the ordinance regarding unrelated adults in a residence
8 could restrict the number of vehicles allowed. Mr. Corwin responded that they can restrict the number of
9 parking spaces for each site. If there is parking along the access road in violation of the site plan and Fire
10 Department requirements, the City could enforce the parking restrictions. Mrs. Kelly stated that she has
11 had the same problem turning into Oak Ridge Road with someone in no man's land, and another woman
12 did as well. The site lines are not adequate. Trying to turn toward Wheeler, one cannot see people coming
13 down Oak Ridge Road. There are twelve children under 18 in the neighborhood. There is no sidewalk
14 plowing in the winter, and the children are walking in the street to get to the bus. Ms. Kelly also referred
15 to the City's Streetlight Redesign stating that this project needs to be in compliance with streetlight
16 redesign plan.
17

18 Mr. Hall inquired if Planning Staff could suggest the correct place to direct concerns about the Route 10
19 intersection. Ms. Hall said that it is a State route, so the DOT would be appropriate. Ms. Monroe asked if
20 it could go through the City Council and City Manager and then to the DOT with letters from residents.
21

22 Kate Mills, Cambridge Place, stated that the project would serve a need in the Upper Valley for young
23 families. She had to rent a condo without proper space for children, and a house would have been more
24 ideal. Older residents who are downsizing would also find it appealing. Ms. Mills added that the lack of
25 single family, rental housing is a problem.
26

27 Elizabeth Bengston, 52 Oak Ridge Road, stated that the development is going to double the amount of
28 traffic. There is the current problem, but doubling it is compounding it. Ms. Bengston suggested doing a
29 traffic evaluation when schools are in session for a better average.
30

31 Chair Garland closed the public hearing.
32

33 Ms. Romano raised the issue of the Route 10 intersection. Ms. Stavis stated that Lebanon has many issues
34 before the DOT, and it would be difficult to get this one on the DOT agenda. Mr. Corwin said he would
35 email the DOT person, Chris Turgeon, regarding the safety concerns and cc the City Manager.
36
37

38 ***A MOTION by Matthew Hall to continue the hearing of BASIC HOLDINGS LLC, 5 & 11 OAK RIDGE***
39 ***ROAD to Wednesday August 28, 2019, at 5:30 p.m. Seconded by Laurel Stavis.***
40 ****The MOTION was approved (7-0).***
41

42 **4. ADJOURNMENT:**
43

44 ***A MOTION by Matthew Hall to adjourn the meeting. Seconded by Gregory Schwarz .***
45 ****The MOTION passed (7-0).***
46

47 The meeting was adjourned at 7:33 PM.
48

49 Respectfully submitted,
50 Holly Howes
51 Recording Secretary