I. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Davio.

II. APPROVAL OF MINUTES: April 9, 2018

The minutes of the Lebanon Planning Board meeting of April 9, 2018 were approved as written.

III. NOTICE OF REGIONAL IMPACT

Mr. Brooks stated that the following new applications were received on or before May 14, 2018:

**DARTMOUTH TRANSPORTATION COMPANY, INC.—**Request for Site Plan Review to demolish an existing 840-square-foot out-building and construct an 11,270-square-foot bus storage and maintenance building, with associated site improvements, at the former Dartmouth Coach bus terminal site, located at 90 Etna Road, Tax Map 26, Lot 22, Plot 200, Lebanon, NH, in the IND-L zone. #PB2018-09-SPR

**MARY HITCHCOCK MEMORIAL HOSPITAL/DARTMOUTH-HITCHCOCK MEDICAL CENTER—**Request for Site Plan Review to reconstruct and widen portions of the Hitchcock Loop Road on the DHMC campus to add bike lanes, located at One Medical Center Drive, Tax Map 10, Lot 8, Lebanon, NH, in the MC zone. #PB2018-10-SPA

**MASCOTA MEADOWS COOPERATIVE, INC., c/o ELIJAH EMERSON, ESQ./ABUNDANT LIFE CHURCH OF GOD—**Request for Boundary Line Adjustment of lands located at 22 and 10 Rudsboro Road, Tax Map 56, Lot 15 and Tax Map 84, Lot 10, Lebanon, NH, in the RL-1 zone. #PB2018-11-BLA
MASCOMA MEADOWS COOPERATIVE, INC., c/o ELIJAH EMERSON, ESQ./ABUNDANT LIFE CHURCH OF GOD—Request for Site Plan Review to install a 100kWAC solar array, an accessory renewable energy system, with associated site improvements, located at 22 and 10 Rudsboro Road, Tax Map 56, Lot 15 and Tax Map 84, Lot 10, Lebanon, NH, in the RL-1 zone. #PB2018-12-SPR

Mr. Brooks stated that staff recommends that the Board find that none of these applications have the potential for regional impact.

Bruce Garland moved that the Lebanon Planning Board find that the following applications do not have the potential for regional impact: Dartmouth Transportation Company, Inc., #PB2018-09-SPR; Mary Hitchcock Memorial Hospital/Dartmouth-Hitchcock Medical Center, #PB2018-10-SPA; Mascoma Meadows Cooperative, Inc., c/o Elijah Emerson, Esq./Abundant Life Church of God, #PB2018-11-BLA; and Mascoma Meadows Cooperative, Inc., c/o Elijah Emerson, Esq./Abundant Life Church of God, #PB2018-12-SPR, all as described above. Seconded by Joan Monroe.

*The motion passed 7-0.

IV. COMPLETENESS REVIEW OF NEW APPLICATIONS

Joan Monroe moved that the Lebanon Planning Board find that the application of Justin Carver & Victoria Carver/Justin Carver, as described below, is complete enough to accept jurisdiction and commence review. Seconded by Karen Zook.

*The motion passed 7-0.

V. PUBLIC HEARINGS

A. EXECUSUITE, LLC—Request for Site Plan Amendment for the conversion of the former School Street Elementary School building to accommodate seven (7) additional dwelling units, for a total of nine (9) dwelling units, located at 22 School Street, Tax Map 92, Lot 2, Lebanon, NH, in the R-2 zone. #PB2018-05-SPA

Tim Sidore of Execusuite, representing the applicant, said he has revised the site plan and the waiver request. Mr. Corwin said the changes include identifying the existing and proposed impervious surfaces, locating the utilities, and rerouting access to the school playground. He said the access was moved to the south side of the building for safer passage. The applicant eliminated parking spaces 1, 8, and 9. The handicapped aisle was rerouted, and that satisfies the building inspector, as long as there is a sign on the south side of the building that says “Authorized Vehicles Only.” The new parking spaces will be asphalt, not gravel. He said the plan substantially meets staff concerns. The number of waiver requests has been reduced. One concern is that snow storage might interfere with Fire Department access.

Mr. Corwin said there was confusion regarding the parking that is available during the day; there are no restrictions on how the on-site spaces are used Monday through Friday. He said the applicant has requested waivers from the requirements of Sections 5.1.E.7, 5.1.E.8, 5.1.E.9,
5.1.E.12, 5.1.E.13, 5.1.E.15, 5.1.E.16, 5.1.E.17, and 5.1.E.19. He said this is acceptable to staff. The applicant has asked to reduce the number of parking spaces from 21 to 20. If the Board approves the application, they will be approving that request.

Mr. Schwarz asked what “Authorized Vehicles Only” means. Mr. Sidore said it is for emergency vehicles, the owner and staff, and access to propane and oil tanks. Mr. Schwarz asked if the spaces adjacent to the handicapped space are for residents. Mr. Sidore said they are. Mr. Schwarz asked if traffic is two-way on the west side of the building. Mr. Sidore said it is. Mr. Schwarz asked if they will be assigning specific spaces to residents. Mr. Sidore said they could do that as part of the lease. Mr. Schwarz said three spaces per classroom are required for the school. He asked if the school will not use any. Mr. Sidore said they will use some, but they will not use 12. Mr. Schwarz asked how many parking spaces are required per apartment. Mr. Corwin said studio apartments require one space per unit. Mr. Brooks said the requirement is 1.5 per unit for one-bedrooms and up. Mr. Schwarz asked when handicapped spaces are required. Mr. Brooks said it is one per 25 spaces up to 100 spaces, then one per 50.

Mr. Schwarz asked how much control the Board has over the layout of parking spaces. Mr. Corwin said the Board has leeway to influence the design of the site and to have a discussion. Any requirements must be tied to a purpose in the Site Plan Regulations. Parking is very site- and project-specific; this property has a large area of pavement, and there have not been a lot of design changes. The Board cannot make a condition of approval regarding parking unless an expert says there is a problem, and the condition has to be reasonable and defensible. Ms. Monroe asked if there will be a painted crosswalk between parking spaces 1 and 2. Mr. Sidore said it is striped for the handicapped space and goes back to the wheelchair ramp and the lift.

**Bruce Garland moved** that the Planning Board approve the waivers as requested by the applicant (Sections 5.1.E.7, 5.1.E.8, 5.1.E.9, 5.1.E.12, 5.1.E.13, 5.1.E.15, 5.1.E.16, 5.1.E.17, and 5.1.E.19 of the Site Plan Review Regulations). **Seconded by Laurel Stavis.**

*The motion passed 7-0.*

Chair Davio opened the public hearing. Hearing no public comment, he closed the public hearing.

Ms. Monroe asked why ADA access to the second floor is not required. Mr. Brooks said the applicant is providing access to some units. For an office, especially a medical office, handicapped access would be required.

**Sarah Welsch moved** that the Lebanon Planning Board approve the application of Execusuite, LLC, for an amendment to a previously approved Site Plan to accommodate seven (7) additional dwelling units, for a total of nine (9) dwelling units, located at 22 School Street, Tax Map 92 Lot 2, Lebanon, NH, in the R-O zone, #PB2018-05-SPA, as shown on a Site Plan titled “Site Plan Showing Property of Execusuite, LLC,” prepared by DiBernardo Associates, LLC, dated March 23, 2018, modified by Studio Nexus Architects, LLC, dated April 30, 2018, and including any and all supplemental submissions, and testimony provided during the public hearing, with the following conditions:
Conditions to be Satisfied Prior to the Issuance of a Building Permit

1. The applicant shall provide two complete sets of revised plans to the Planning Department depicting the following changes, to the satisfaction of the Planning Department, the Department of Public Works, and the Fire Department:
   
a) Remove the parking spaces depicted next to the garage along the southern boundary of the property and remove the note indicating: “existing parking spaces to be re-striped (shown hatched)”
   
b) Adjust the striping for parking space #6 or indicate portion of space to be paved.
   
c) Relocate the snow storage to avoid an impact on the fire lane.
   
d) Provide full pavement section showing compliance with the requirements of Section 6.5.C.2 of the Site Plan Review Regulations.

2. The applicant shall provide additional information as required by the Department of Public Works for the purpose of calculating water and sewer flows, the amount of any required utility connection fees, and to verify whether the application is subject to Chapter 181 of the City Code (Water and Sewer Main Extensions). The applicant shall obtain approval for any additional water and/or sewer flows pursuant to the provisions of Chapter 181, if applicable.

Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy:

3. A screen shall be provided around the dumpster, in accordance with Section 6.2.B.8 of the Site Review Regulations.

4. All improvements depicted on the plan shall be completed and shall be constructed as depicted on the plan.

General Conditions

5. If a gate is installed on the property in accordance with the Zoning Board Notice of Decision dated December 17, 2017 (#ZB2017-27-VAR), then:
   
a) The gate shall utilize an automatic opener or otherwise be installed to the satisfaction of the Lebanon Fire Department; and
   
b) The location of the gate shall be included on an as-built plan, to the satisfaction of the Department of Public Works and the Planning Department.

6. This application shall be subject to City of Lebanon Impact Fees, pursuant to Section 213 of the Zoning Ordinance. The Impact Fee shall be calculated at the time of Building Permit issuance based on the Impact Fee Schedule.
adopted on May 23, 2016, and such fees shall be due and payable at the time of issuance of a Certificate of Occupancy. In accordance with RSA 674:39, the approved site plan shall be exempt from any future changes in impact fees and methodology for five years from the date of approval; however, any building permits that are issued after the end of that five-year period shall be fully subject to whatever impact fees and methodology are in effect at the time of building permit issuance.

7. The applicant shall maintain year-round access completely around the building, to the satisfaction of the Fire Department.

Seconded by Joan Monroe.

Ms. Monroe said she is sorry that this process was long and exasperating, but the Board can make a project safe and appropriate. She said she is glad the applicant is providing housing in a building that is no longer suitable for use as a school.

Chair Davio asked why the condition is worded “if” there is a gate, since the Zoning Board required a gate. Mr. Brooks said this could go back to the Zoning Board with a change that would satisfy that board without a gate.

*The motion passed 7-0.

B. JUSTIN CARVER & VICTORIA CRAWFORD/JUSTIN CARVER—Request for a Boundary Line Adjustment of lands located at 0 Slayton Hill Road and 77 Slayton Hill Road, Tax Map 119, Lot 46 and Tax Map 120, Lot 4, Lebanon, NH, in the RL-2 and RL-3 zones. #PB2018-07-BLA

Mr. Carver appeared with Scott Sanborn of Cardigan Mountain Land Surveys. Mr. Sanborn said Map/Lot 120/4 is a vacant lot of 22+ acres, and the proposal is to annex 2.72 acres from the vacant lot onto the house lot. He said the frontage of Map/Lot 120/4 is within the wetland buffer, so they reserved a right-of-way from the house lot to access the other lot. Mr. Corwin said staff had no concerns. Mr. Schwarz asked why they do not access the vacant lot from the “Old Road” shown on the diagram. Mr. Sanborn said that is not a good route; the road is old and channeled-out, and it would be very expensive to upgrade it. Mr. Brooks said that is a Class VI road, Ticknor Road Ms. Monroe suggested that the applicant update Note 3 to reflect the Class VI status. Mr. Sanborn said that does not affect the boundary line adjustment, so he saw no need to investigate it. He said nothing they are doing would inhibit any rights to that road.

Chair Davio opened the public hearing. Hearing no public comment, he closed the public hearing.

Sarah Welsch moved that the Lebanon Planning Board approve the application of Justin Carver & Victoria Crawford/Justin Carver for a Boundary Line Adjustment of lands located at 0 Slayton Hill Road and 77 Slayton Hill Road, Tax Map 119, Lot 46 and Tax Map 120, Lot 4, Lebanon, NH, in the RL-2 and RL-3 zones, #PB2018-07-BLA, as shown on
a plan titled, “Proposed Minor Lot Line Adjustment for Justin Carver and Justin and Victoria Carver,” prepared by Cardigan Mountain Land Surveys, LLC, dated April 9, 2018, last revised April 23, 2018, Project # 18-4123,8246, including any and all supplemental submissions, and testimony provided during the public hearing, with the following conditions:

1. Prior to the signing and recording of the final plat, the applicant shall provide to the City a draft copy of the deeds 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 applicant shall provide a digital record drawing (Cad .dwg Format using NH State Plane Coordinate system).

Seconded by Laurel Stavis.
*The motion passed 7-0.

Sarah Welsch moved that the Lebanon Planning Board authorizes the Chair to sign the plat for Justin Carver & Victoria Crawford/Justin Carver, #PB2018-07-BLA, as described above. Seconded by Bruce Garland.
*The motion passed 7-0.

VI. OTHER BUSINESS

A. Review And Comment to the City Council on Old Pine Tree Cemetery Road Zoning Map Correction

Mr. Brooks said this is needed to clean up the result of a typographical error during the previous public hearing process. The written description left out the RL-2 portion of the change in zoning.

Sarah Welsch moved that the Lebanon Planning Board supports the proposed Old Pine Tree Cemetery Road zoning map change, as described in the May 14, 2018 agenda packet. Seconded by Gregory Schwarz.
*The motion passed 6-0. Abstaining: Zook.

IX. OPEN DISCUSSION

Mr. Brooks said there will be a community discussion about the state of housing in the Upper Valley on May 26 from 9:00 a.m.-3:00 p.m. He said he will send the email to Board members. Chair Davio asked if the Board can get an executive summary. Mr. Brooks said he would ask. Mr. Schwarz said he asked the Planning Office how many apartments are in Lebanon and how many are proposed. Mr. Brooks said he is working on that; the assessor does not track what is owned versus what is rented. He knows which buildings are apartments, condos, and multifamilies. He said in 2013, there were almost 1,200 units in the pipeline in Lebanon, and the Housing Needs Assessment stated that 3,500-5,000 were needed in the region. Ms. Stavis said it might be interesting to engage the professor who is doing the May 26 discussion in a big-picture
study. She said Lebanon bears the brunt, and there could be an academic proposal saying that it is best to share that burden.

Ms. Welsch said the Heritage Commission’s report about mills in Lebanon will be presented at Harvest Hill on June 4.

Mr. Garland said at the City Council work session regarding the sewer system, they discussed an urban services boundary. Mr. Brooks reviewed the results of the CMOM study. He said the consultants will do further modeling to predict what the flow will be after CSO 11 is complete, and the Council will discuss how to modify Chapter 181. The system has a significant amount of inflow, and some of that relates to roof drains. Because of the CSO program, the number of sewer overflows is declining, and the amount treated at the wastewater plant is declining, showing that the CSO program is having a positive impact. Ms. Zook said the urban services boundary would look at where the services are, with the possibility of drawing a line indicating where they will not be extended. Mr. Brooks said the modeling will look at the pinch points in the system so the City can see which improvements will provide the most impact for the money.

Regarding the transfer of density rights, Mr. Brooks said it is hard to find receiving zones, since most projects do not max out the allowable density. Ms. Stavis asked how the zoning changes dovetail with the CMOM study. She asked if it is possible that there will be more zoning changes because of changes in the wastewater system. Mr. Brooks said it is too early to tell. He said most of the changes have been related to natural resource protection. Mr. Corwin said he cannot think of any zoning that would have to be changed, as most of the changes were downzoning. Ms. Zook said the idea of an urban services boundary does not sit well with her, as the implications are unpleasant and inconsistent with Lebanon’s image, further segmenting the urban areas. Ms. Monroe said “urban services” is planning-speak, and there is always a danger in trying to apply it outside of the field. Ms. Stavis said Lebanon presents itself as more rural, and separating it into urban services and everything else has implications. It is a matter of the way people interpret it.

Ms. Monroe said the maps of the water and sewer systems that used to be on the walls of the Council chambers were really helpful. Mr. Brooks said they were very out of date. Ms. Monroe said they are seeing higher amounts of rain and snow in shorter periods of time, and they will have to intercept it sooner, treating and absorbing it on-site.

X. ADJOURNMENT

*The motion passed 7-0.*

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Charles Glazer
Recording Secretary