

FINAL

LEBANON PLANNING BOARD
Monday, July 27, 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, Laurel Stavis, and Gregorio Amaro (Alt.)

STAFF PRESENT: David Brooks (Planning Director), Tim Corwin (Senior Planner), and Mark Goodwin

1. CALL TO ORDER: Chair Garland called the meeting to order at 6:33 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 members identified themselves.

Chair Garland appointed Gregorio Amaro for a vacant Board position.

Chair Garland welcomed Palmer Hall as the newest member of the Matthew Hall family.

2. CONTINUED APPLICATIONS – Public Hearings:

A. **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 – *continued from July 13, 2020*

Mr. Corwin explained that although a NH-DES wetland application was sent in, there is a need for a special exception from the Zoning Board regarding Section 401.5 for wetland impact. The applicant has submitted an application for the exception to the Zoning Board. The Zoning Board will be meeting next Monday, August 3, and it is possible that the applicant will have approval of the exception at that time. The Site Plan Review will be continued to August 10th.

A MOTION by Kathie Romano to continue the hearing of 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 to August 10, 2020 at 6:30 PM.

Seconded by Matthew Hall.

Roll Call Vote:

Voting in Favor – Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Mr. Winny

****The MOTION was approved unanimously (8-0).***

3. STUDY ITEMS:

A. Preview of Proposed Amendments to the Zoning Ordinance

Mr. Corwin stated that the Planning Department amends the Zoning Ordinance yearly based upon changes in all aspects of City administration. Staff works collaboratively with the Planning Board to propose amendments to the ordinance, and the City Council officially adopts and amends the ordinance. The Planning Board input is important, and Staff begins during the summer by seeking possible updates and additions from the Board. This year the Site Plan and Subdivision Regulations are the focus. The amendments are expected to be generally small as a means to clean up the regulations.

One amendment for consideration involves the building height limitation of 45' in the R-1 residential area. The suggested change would be to allow the Planning Board to approve an increase in height as a conditional use permit to accommodate parking within the building. Staff is looking for feedback, and the change would require voter approval.

Mr. Corwin shared a map of the R-1 District.

Mr. Martz expressed his concern over increasing the allowed building height. He inquired if there could be multiple levels of parking which further increase the building height. Mr. Brooks stated that the proposed height regulation does limit the maximum height of a building. If an applicant desired three levels of parking, there could be only one or two levels of residential space up to the maximum of 55'. It would be a conditional use permit for up to 55' total. Mr. Corwin stated that it is a way to incorporate parking within a building.

Ms. Stavis recalled conversation that the increased height pertained to the downtown district, and the question of W. Lebanon came up due to the lack of visioning. Mr. Corwin clarified that the original Central Business District included both Lebanon and W. Lebanon and allowed a maximum height of 45', which changed only for Lebanon to 55'. This amendment concerns the R-1 District and allowing a maximum height of up to 55' with a Conditional Use Permit to accommodate parking within a building.

Mr. Hall stated that the change makes sense, but wondered if there may be other circumstances that would influence a developer to go higher. Perhaps more recreational area or other things may come up to consider later, and the Planning Board could approve more height to eliminate pavement. Ms. Stavis expressed concern that it could be seen as granting favors.

Mr. Brooks noted that this suggested change came up due to concerns expressed lately over increases in impervious coverage. It would not be a favor to a developer but would be similar to the Lebanon Downtown District (LDD) in which the Board could approve an increase in height if an applicant met some community or City goal. There are built in considerations in the LDD, but in no case would more units than allowed be considered. It would not provide for an increase in allowed density on a parcel, but could change how those units are configured on the property.

Ms. Romano noted the difference between a structure with increased height against a wooded hillside and ones without such separation from other structures. Accomplishing a reduction in the amount of impervious coverage that is allowed would be an advantage. In the R-1 District, there

is not much wooded hillside behind most proposed structures, and some recent proposals call for the maximum height in areas where the surrounding buildings are much lower. There would have to be a significant trade off.

Chair Garland closed the discussion. There will be time to consider the issue before it comes up again in September.

4. **COMMITTEE REPORTS:**

A. Planning Board Subcommittees:

- a. Planning Board Capital Improvement Program (T. Martz/**VACANT**/ B. Garland/L. Stavis)

Mr. Brooks inquired if anyone was interested in joining the committee. The group meets for 2.5 hours, and the CIP review process is coming up in July and August. By streamlining the process, there would possibly be two meetings. Mr. Hall said he would think about it.

- b. Planning Board Development Regulations Update (M. Hall/K, Romano/T. Martz/ J. Monroe)

B. City Council Subcommittees:

- a. Class VI Roads Advisory Committee (J. Monroe) Ms. Monroe reported that Class VI Roads is about to have its first meeting.

- b. Lebanon Energy Advisory Committee (J. Monroe) Ms. Monroe noted that LEAC is very busy with a number of projects. Streetlights are being taken down; and they are working on the landfill gas project, community power, and solar being put back in the system for credit. They are involved in a great deal of good work.

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

D. Heritage Commission (**VACANT**)

E. Pedestrian & Bicyclist Advisory Committee (T. Martz)

Mr. Martz stated that there was a discussion of a bicycle accident involving a child. The meeting centered more on bicycle issues than pedestrian ones. Bicycle safety with separate lanes costs \$1million/mile for a berm between. It might inspire more ridership, and the cost could be less based on lower repair and maintenance costs for roads.

Ms. Romano noted the white marking for bike lanes and turns haven't been painted. Mr. Brooks stated that they are being painted as of last night. Ms. Romano suggested that the marking at Seminary Hill and S. Main St. was done incorrectly last year, which should be corrected this year. Mr. Brooks made a note of it.

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 that the commissioners reported the budgets have dwindled, so they are putting together a 5-year plan to broaden participation. Chair Garland invited members to pass along the information to anyone interested in joining the group. Ms. Monroe noted that the observation expressed by the Joint Commission that people would be moving to the Upper Valley due to COVID-19 was

insightful.

- 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/T. Martz/**VACANT**/J. Monroe)
- K. Planning & Development Department – Task Status (D. Brooks/ M. Goodwin/T. Corwin/R. Owens)

Mr. Brooks updated the Board on possibilities for in-person meetings. Remote meetings are expected to continue into the fall when City administration moves back to City Hall in November. The School District facilities are not open to the public yet. Staff is still looking for a location.

Mr. Brooks reported on a discussion with the City Manager's Office regarding the possibility of a joint meeting with City Council to discuss the City's housing needs and projects. It was noted that more key information from the census would be available by the end of year. The Regional Planning Commission is working with the Vermont commissions to update the housing needs analysis, which was last done in 2012. The goal is to get a true picture of housing for both sides of the Upper Valley. The results will be made available in late October or early November. Deputy City Manager Maville suggested it would be best to wait until more data is available before scheduling a joint meeting with the City Council.

5. APPROVAL OF MINUTES: None

6. OTHER BUSINESS:

Mr. Corwin shared the Development Regulations sub-committee's progress regarding Site Plan Review to obtain feedback from the full Planning Board. The sub-committee members looked at a variety of things regarding Site Plan Regulations and the thresholds for Site Plan Review in Section 3.1. If an applicant qualifies for any one of those things, they must come before the Planning Board and are subject to what any other project is subject to. As an example, if an applicant is converting a 2-family to a 3-family, they are required to undergo a Site Plan Review and are subject to the same process as a new 200+ unit development. There is a significant difference between the two situations, which results in many waiver requests for the small projects and a formal hearing before the Planning Board that could involve a great deal of both the Board's and applicant's time. The suggested change would create two different categories for either minor and major site plans. The minor review could be more streamlined, and they could benefit from review by a technical review committee as authorized by State statute. There could be targeted requirements for small-scale projects. The technical review committee would be staffed by City Staff from certain departments as specified by the Planning Board, and all decisions could be appealed to the full Planning Board. The meetings would be held in the afternoon by the technical review committee with notice to abutters instead of in front of the full Planning Board. There would be a mechanism to bump some applications up to the full Board if they require a number of waivers. It would be a far more efficient process from the applicant's perspective and could save the Planning Board time. There was consensus within the sub-committee that it was a good idea to create the Technical Review Committee. This overview of the proposal will give the Board members time to consider the idea before it is discussed at a

later date.

The August 24 work session will be devoted to a presentation by Steve Buckley and the attorneys from the New Hampshire Municipal Association on the basic operations of Planning Boards. It will be an online training for all Board members and Staff. Any questions for the Commission attorneys can be emailed to Staff, who will forward them on to the attorneys.

7. ADJOURNMENT:

***A MOTION by Laurel Stavis to adjourn the meeting.
Seconded by Tom Martz .***

Roll Call Vote:

Voting in Favor – Mr. Garland, Mr. Hall, Ms. Monroe, Ms. Stavis, Ms. Romano, Mr. Amaro, Mr. Martz. Mr. Winny

****The MOTION was approved unanimously (8-0).***

The meeting was adjourned at 7:28 PM.

Respectfully submitted,
Holly Howes
Recording Secretary