

FINAL

MINUTES
PLANNING BOARD DEVELOPMENT REGULATIONS SUBCOMMITTEE
Friday, August 7, 2020 – 12:30pm
REMOTE VIA MICROSOFT TEAMS
LebanonNH.gov/Live

Members Present: Matthew Hall (Chair), Joan Monroe, Tom Martz, Kathie Romano

Staff Present: Rebecca Owens (Associate Planner), Tim Corwin (Senior Planner)

Other Participants Present: Clifton Below

1. CALL TO ORDER:

Chair Hall called the meeting to order at 12:30 pm.

A. Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements.

Procedures were reviewed by Ms. Owens

Chair Hall conducted attendance by roll call vote in order of the above-listed Members Present.

2. APPROVAL OF MINUTES:

A. July 10, 2020

No comments.

***A Motion by Mr. Martz to approve the minutes of July 10, 2020.
Seconded by Mr. Hall.***

Roll Call Vote:

*Members voting in favor included: Mr. Hall, Ms. Monroe, Ms. Romano, and Mr. Martz.
The vote on the Motion was unanimous (4-0). The Motion was approved.*

Chair Hall requested discussion of a date for the next meeting. The sub-committee agreed on Thursday, August 27, 2020.

3. STUDY ITEMS:

A. New review of proposed amendments to Site Plan Regulations relative to Lighting

Mr. Below presented highlights from his memo to the Sub-Committee, as presented in the meeting packet. He detailed the benefits of LED lighting that is a warmer temperature (lower Kelvin rating) when used for outdoor lighting and recommended text amendments to Site Plan regulations. The memo identified the UHAUL property on Hanover Street, which Mr. Below explained is an example of the disability glare created by cooler temperature lighting that additionally lacks cut-off fixtures. This type of lighting is not dark-sky compliant, for which there are national standards and the State of New Hampshire has adopted RSA references that support these standards, he emphasized.

Mr. Hall asked about the costs and potential exceptions for the proposed 3000 Kelvin threshold. Mr. Below responded that the industry has matured and warmer and cooler temperature lighting products have cost parity. He shared examples from an NHDOT contract's deliberations on the matter when several communities that already had warm-temperature regulations requested matching specifications for an NHDOT project that would impact them if the originally proposed 4000 Kelvin products were selected and NHDOT ended up buying 3000 Kelvin-rated products.

Regarding potential exceptions that the Planning Board might anticipate waiver requests for, Mr. Below and Ms. Owens noted sports arenas/stadiums as well as some indoor uses like grocery, manufacturing and warehouses where high acuity and color intensity are important but that those are outside the purview of the proposed amendments. As relates to stadiums, Ms. Owens noted that one reference indicated the cooler temperatures were in part for HD videography, and that would be a less common need in Lebanon.

Ms. Romano shared that she liked the clarity of the proposed language, She also asked if there is an existing regulation about uplighting to support correction of the current UHAUL lighting non-conformance to cut-off and light trespass requirements. Mr. Corwin responded that as a previously approved site plan, it could be suggested but might be debatable. Mr. Below suggested that a new City ordinance or amendment to the existing ordinance on public lighting could help address retrofit compliance in cases where properties are not going through site plan review but may warrant upgrades. Staff indicated that they would look into potential strategies, including notification to UHAUL.

Ms. Monroe related her recent experience buying residential outdoor lighting fixtures at a local retailer and that while she was surprised that the bulk of options are non-dark sky compliant, she was able to locate products that were clearly labeled with the 3000 Kelvin temperature rating. Ms. Monroe also recalled a UPS site plan proposal in Lebanon that asked for waivers on lighting requirements to support security camera optics for their shipping trucks. She observed that the City's skating rink located on Bank Street extension has several pole-mounted lights that are of a cool temperature and not dark-sky friendly, in addition to being operated when the rink was not in use, causing necessary glare impacts on the neighborhood. She suggested that the lights be retrofit or at least set on timers or motion sensors similar to what a facility at Dartmouth has done.

Mr. Hall inquired if it would be helpful to consult with Lebanon Police about the proposed changes. Mr. Below recalled that when Lebanon Police was consulted about the parallel requirements for lower (warmer) Kelvin products as part of the City Ordinance adopting public lighting standards, they did not share concern so he does not anticipate the need for additional outreach. There was some discussion about the data and science of lighting in urban areas and lack of demonstrated correlation between crime rates and lighting, in part as high lighting levels can create shadow effects. Mr. Below noted that some communities have managed to provide low-level lighting during early and late hours, using dimmers, to find a middle-ground.

Mr. Martz agreed with previous comments including suggestions to address UHAUL. He submitted that dark sky requirements have widespread adoption by communities and for development, and have been around for at least twenty years, hence he supports Lebanon following suit. He asked if there can be enforcement, or otherwise mechanisms to spur retrofits to more dark sky-friendly fixtures. Mr. Martz also noted that many vehicles have high power LED lights so whatever Lebanon can do to reduce other disability glare on and near roads would help.

Ms. Monroe further recommended review of National Park Service standards for lighting, which recently deceased Planning Board member Gregory Schwarz had been a strong advocate for.

Ms. Owens pointed members to a non-lighting amendment, to re-locate Multifamily Recreational Facilities from the Lighting section of Site Plan Regulations to Section 6.5. There was no related discussion.

Sub-committee members unanimously accepted the proposed text amendments to the Site Plan regulations, with one change to indicate acceptable lighting of 3000 Kelvin or less rather than the 2700 Kelvin or less that staff had presented. The reason for the change is that in state proceedings that Mr. Below has been party too, research found adequate market availability for products rated 3000 Kelvin and limit availability for products offering less than that. It is anticipated that if the market evolves, the Planning Board can re-visit the threshold. Members collectively recommended to bring the proposed amendment to the next available full Planning Board agenda for review.

B. New review of potential amendments to Subdivision Regulations

Continued to the meeting of August 27th.

4. FUTURE AGENDA ITEMS:

Ms. Romano indicated that she would like to see continued address of options to create a Minor Site Plan Review process, such as for smaller residential projects.

Mr. Corwin stated that he may present a proposal the Planning Board procedures and or Site Plan regulations about acceptance and distribution of supplementary and revised application materials post-application intake and completeness decisions.

***A Motion by Ms. Romano to adjourn the meeting.
Seconded by Mr. Martz***

Roll Call Vote:

*Members voting in favor included: Mr. Hall, Ms. Romano, Ms. Monroe, and Mr. Martz.
The vote on the Motion was unanimous (4-0). The Motion was approved.*

The meeting was adjourned at 1:32 pm

Minutes recorded by Rebecca Owens.