

FINAL

**Lebanon Planning Board
Special Meeting
Thursday, September 3, 2020 – 6:30 pm
Remote Via Microsoft Teams
LebanonNH.gov/Live**

ROLL CALL OF

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Kathie Romano, Kim Chewning, Jeremy Rutter

MEMBERS ABSENT: Jim Winny (Council Representative), Tom Martz, Joan Monroe, Laurel Stavis, and Gregorio Amaro (Alt.)

STAFF PRESENT: David Brooks (Planning Director), Tim Corwin (Senior Planner), Brian Vincent, (City Engineer)

1. CALL TO ORDER: Chair Garland called the meeting to order at 6:30 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.

2. Public Hearings-Continued from August 10, 2020:

A. Lebanon Housing Authority (Applicant), Bayne Stevenson (Property Owner), 258 Heater Road (Tax Map 64, Lot 7), zoned R-O-1: Request for Site Plan Review to construct a proposed 45,678 sq. ft. multi-family dwelling with 44 dwelling units, together with parking, utilities, landscaping, and other related site improvements. #PB2020-21-SPR

In attendance online in support of the application:

Jeffrey Merritt, Granite Engineering

Tom Sokoloski, Certified Wetland Specialist, TES Environmental

Jerry Wuebbolt, Project Coordinator

Ditha Alonso, Executive Director, Lebanon Housing Authority

Attorney Greg Chakmakas

Chair Garland specified a plan for the conduct of the meeting.

Mr. Hall stated that he visited the site. His main concern relates to traffic and bus stop placement but no concerns about the building based on the site visit. Chair Garland expressed concern for the wetlands, but the driveway would be well away from the wetlands.

Chair Garland noted that several letters with public comment had been received, and a Letter to the Editor appeared in the Valley News. One letter concerned the impact on traffic on Dartmouth Avenue, and Chair Garland asked the applicant to comment.

Mr. Merritt addressed the traffic generated by the project, stating that the project is considered a low generator in terms of peak hours. A substantial upgrade to the bus stop is planned to include a turnout in the shoulder and a waiting area.

Lebanon Planning Board, Minutes, September 3, 2020

The Board members commented on the bus stop and location of the turnout in relation to the driveway. Mr. Vincent stated that moving the bus stop one or two car lengths toward the driveway could help with the bus pulling out into traffic. The intersection of Heater and Old Etna Roads was not specifically studied in the applicant's trip generation memo, but other recent studies have been done for projects along Mt. Support Road that did look at this intersection. The level of service at the intersection is expected to be good through 2031.

Ms. Romano expressed concern over the wetness of the lot. Mr. Vincent stated that he was surprised at the low depth of the water table. Mr. Sokoloski noted the good soil conditions in February for his evaluation. He found the water table to be deeper than 40". The soil was well drained and there was no impervious layer. The water tables were typical for that time of year.

Mr. Wuebbolt stated that the water on site flows to a wetland area away from the building site. Storm water mitigation is planned to reduce peak runoff by creating a bio retention feature that blends into the landscaping. Mr. Brooks confirmed that the wetlands higher up along Mt. Support Road drain under Mt. Support Road and flow behind Dartmouth Avenue toward Densmore Pond away from the proposed site. Mr. Wuebbolt also addressed the location of the heater pads within ten-foot of the building.

Mr. Merritt addressed the sidewalk plan, stating that there is already a sidewalk on Old Etna Road and a full length sidewalk on the other side of the Heater Road. They are proposing a sidewalk from the intersection to the site driveway and onto the property. There is a crosswalk at the intersection of Bixby and Heater Road for student use.

James Scott King, 13 Old Etna Road, commented on the location of the heater pads. He lives across the street and is worried about light and noise that could impact his home. Mr. Wuebbolt stated that the pad location would be down in grade 3' to 4', and heat pump units are not loud. There would also be shrubbery for visual and sound screening.

A MOTION by Matthew Hall that the Lebanon Planning Board **APPROVE** waivers for the application of **Lebanon Housing Authority (applicant)** and **Bayne Stevenson (property owner)** for **258 Heater Road (Tax Map 64, Lot 7), #PB2020-21-SPR**, from the following sections of the Site Plan Review Regulations:

- **Partial Waiver of Section 6.2.D** – *“Landscaping around buildings shall be provided to a minimum width of 10 feet and planted with trees, shrubs, and ground cover appropriate to the architecture in order to buffer parking areas, define entrances, provide foundation planting, and soften large expanses of walls or long roof lines.”*
- **Partial Waiver of Section 6.5.B.4** – *“All projects proposed for development, except for those in rural lands and heavy industrial zoning districts, shall install sidewalks along the street frontage(s).”*

Seconded by Jeremy Rutter.

Roll Call Vote:

Voting in Favor – Mr. Garland, Mr. Hall, Ms. Romano, Mr. Rutter, Ms. Chewing

****The MOTION was approved (5-0).***

Mr. Hall stated that he appreciated the thorough renderings and responses. Ms. Romano inquired about the number of ADA units, as there is a shortage of such units in the area.

Mr. Wuebbolt stated that they are required to provide 5% accessible units, but all units are accessible by wheelchair due to wide hallways, and each unit will have sufficient access to spaces like bathrooms and are adaptable.

Chair Garland closed the Public Hearing.

A MOTION by Matthew Hall that the Lebanon Planning Board **APPROVE** the application of **Lebanon Housing Authority (applicant)** and **Bayne Stevenson (property owner)** for Site Plan Review to construct a proposed 45,678 sq. ft. multi-family dwelling with 44 dwelling units, together with parking, utilities, landscaping, and other related site improvements at **258 Heater Road (Tax Map 64, Lot 7)**, zoned R-O-1, **#PB2020-21-SPR**, as shown on a plan set titled “Heater Landing Apartments”, Granite Engineering, LLC, dated July 13, 2020, last revised July 27, 2020, Project No. 20-0127-1 (19 sheets), including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

Conditions to be Satisfied Prior to Application for a Building Permit

1. The applicant shall schedule and hold a pre-building permit application meeting with the Planning & Development Department, City Building Inspectors, City Engineer/Department of Public Works, and Fire Department, in order to help streamline the building permit review process and to review applicable code requirements.
2. The applicant shall obtain approval from the City Council or the City Manager’s office for any additional water and/or sewer flows in accordance with the applicable Chapter 136 and 182 of the City Code.
3. All engineering review fees shall be paid in full as required by Section 4.7.E.1 of the Subdivision Regulations.
4. All sewer and water use permit fees shall be paid as set forth in City Code Chapter 68.
5. The plans shall be revised to relocate the bus pull-off closer to the access drive, to the satisfaction of the City Engineer.

Conditions to be Satisfied Prior to the Issuance of a Building Permit

6. The City shall retain the services of an independent third-party inspector, for which the applicant shall be responsible for all inspection fees related to the construction of sewer and water both on-site and work within the City’s right-of-way (water, sewer, road, drainage), in accordance with Chapters 136 and 182 of the City Code and Section 8.2 of the Site Plan Review Regulations. The applicant shall provide funding for inspection services in a form and amount acceptable to the City, and shall sign a Water & Sewer Extension and Inspection Agreement in accordance with Chapters 136 and 182 of the City Code.
7. The development 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 August 13, 2018. 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 which 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.

8. All sewer connection fees shall be paid.
9. Construction or installation of any new driveway(s) shall require a Driveway Permit and Excavation Permit from the City.
10. Prior to the start of any construction activities on the property, the applicant shall obtain or update (if appropriate) any required State approvals including, but not limited to, the following:
 - a) NHDES Alteration of Terrain Permit, if necessary
 - b) NHDES Sewer Connection Permit, if necessary

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

11. The impact fee calculated pursuant to Condition of Approval #6 shall be paid.
12. Third-party engineer or design engineer inspection reports and as-built drawings provided by the applicants (PDF format and CAD .dwg format, using the NH State Plane Coordinate System), including tie sheets, shall be reviewed and approved by the City Engineer prior to acceptance of any utility improvements by the City.
13. All improvements depicted on the plan shall be completed, and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Planning Board in accordance with the Site Plan Review Regulations.

General Conditions

14. The applicant shall obtain an Excavation Permit from the Department of Public Works for any site work in the public right-of-way prior to any work in the right-of-way.
15. All required landscape plantings shall meet the minimum size requirements for such plantings set forth in Section 6.2.B of the Site Plan Review Regulations at the time of installation.
16. The applicant shall implement and maintain NHDES Site Specific Best Management Practices before, during, and after construction.
17. The property owner is responsible for the maintenance and operation of the stormwater management system in accord with the O&M plan, and such responsibility shall run with the land. (Section 6.6.H.2.b of the Site Plan Review Regulations).

Seconded by Kathie Romano.

Chair Garland commented on the change in placement for the bus stop. Mr. Brooks stated that if the Board wants it to happen, it needs to be a condition, which is added above.

Mr. Hall inquired if the applicant would have to come back to the Board if the bus stop is redesigned. Mr. Vincent stated that it is to his satisfaction. He is fine with that.

Roll Call Vote:

Voting in Favor – Mr. Garland, Mr. Hall, Ms. Romano, Mr. Rutter, Ms. Chewning

***The MOTION was approved (5-0).**

3. ADJOURNMENT:

**A MOTION by Matthew Hall to adjourn the meeting.
Seconded by Jeremy Rutter.**

Roll Call Vote:

Voting in Favor – Mr. Garland, Mr. Hall, Ms. Romano, Mr. Rutter, Ms. Chewning

***The MOTION was approved (5-0).**

The meeting was adjourned at 8:04

Respectfully submitted,
Holly Howes
Recording Secretary