

FINAL

LEBANON PLANNING BOARD
Special Meeting
Thursday, September 10, 2020 – 6:30 pm
Remote Via Microsoft Teams
LebanonNH.gov/Live

ROLL CALL OF

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Joan Monroe, Laurel Stavis, Kathie Romano, Kim Chewning, Jeremy Rutter, and Gregorio Amaro (Alt.)

MEMBERS ABSENT: Jim Winny (Council Representative) and Tom Martz

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.

Chair Garland appointed Gregorio Amaro for Tom Martz.

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

A. Saxon Partners (Applicant) and Alfred P. & Lorelee S. West (Property Owners), 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3: Request for Site Plan Review to construct a proposed multi-family residential development consisting of 250 dwelling units, together with parking, utilities, landscaping, access, and other related site improvements. #PB2020-11-SPR – *continued from July 13, 2020*

Don Smith of Saxon Partners, Dave Fenstermacher and Jason Plourde of VHB, and Atty. Tim Britain attended online on behalf of the application.

Jeremy Rutter and Kim Chewning indicated they would abstain from any votes since they are relatively new to the Board and have not been present for a large portion of this application review.

Chair Garland stated that an email with attachments that was received yesterday would not be discussed at this meeting, because the substance was primarily outside the jurisdiction of the Planning Board. The information pertaining to the Planning Board was already included in the agenda packet for the application.

Chair Garland asked for the Saxon team to present the changes to their plan.

Dave Fenstermacher gave an overview of the changes to the plan as stated on pages 133-136 of the agenda packet. The changes were prompted by the site visit and follow-up meeting, which included parking, stream restoration, roadside wall height and location, tree selection for landscaping, and enhancements for the wildlife corridor.

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Mr. Smith confirmed that the property would be Saxon's responsibility and all improvements left behind from the trailer park would be removed by over-excavating.

Timberwood Commons and Saxon Partners were given equal time for their presentation and rebuttal, respectively.

Attending for Timberwood Commons: Joseph Martell of Marion Partners, Alan Saucier and Jeff Goodrich of Pathways Consulting, Atty. David Grayck, Dr. Rick Van de Poll, and Dr. Erica Wygonik of RSG.

The Timberwood team commented on the NH-DES letter dated September 8, 2020, the visual impact of the Saxon project, wildlife and wetland impacts, and traffic impacts.

Mr. Corwin read a letter from the management group for the Altaria Apartments in Lebanon. An email was received today regarding a letter to the Conservation Commission, and it is part of the record.

There were no other comments from the public.

Don Smith of Saxon Partners introduced the Saxon team as outlined above. Mr. Smith detailed some factual points made by Timberwood related to the size and siting of the project that were inaccurate. Mr. Fenstermacher noted that Saxon has been on board with the shared expense for the combined traffic impact of the Mr. Support projects. Jason Plourde gave his credentials and reiterated his comments on specific traffic issues, which were discussed at previous meetings.

Mr. Smith noted that the Saxon project process started in October 2019 with a conceptual review by the Planning Board.

Atty. Tim Britain noted that his office has responded to all issues in a letter dated September 1st.

The Board members directed their questions to both Saxon and Timberwood representatives.

Mr. Hall stated that specific regulations needed to be referenced in the Timberwood comments. Atty. Grayck outlined a number of regulations that Timberwood believe are in contention. Mr. Corwin noted that the applicant has requested several waivers and stated that Staff disagrees with the contention that the applicant is not in compliance with other sections.

The Board members brought up a number of issues regarding traffic, height and size of the project, removal of trees, stormwater management, and recycling. Mr. Corwin stated that Staff would research best practices to create a potential condition regarding recycling. Mr. Fenstermacher confirmed that the stormwater management is geared to a 100-year storm. Mr. Brooks stated that there is no issue with the proposed building height relative to the zoning requirement. Both Mr. Fenstermacher and Mr. Smith confirmed that the fence on the retaining wall would be more decorative and attractive. Mr. Fenstermacher also confirmed that the crosswalk near the bus stop would have a flashing beacon, which would improve site distance with the enhanced crosswalk.

Chair Garland noted that the State has jurisdiction over wetlands.

There was a discussion of the wildlife corridor related to the culvert under Mt. Support Rd. Mr. Brooks shared comments from NH Fish & Game staff during the Timberwood review that larger

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mammals approach Mt. Support Road where there is cover from trees, not by the wetland area. The 4'x4' culvert has always been a drainage culvert and was formerly an 18" drainage pipe. The box culvert was designed to accommodate some small mammals. The City-owned fence is there as a result of the box culvert, but perhaps the City can have a discussion regarding removal of additional sections of the fence. Dr. Van de Poll listed several smaller species that have been found to use the culvert, but agreed that larger animals will follow the tree cover to the shortest crossing distance.

Mr. Corwin explained that Section 6.2.B requires a 15' perimeter landscape buffer with specific standards. If they are using existing vegetation, they must identify what is there. The waiver is from having to identify all the trees within the 15' buffer. Mr. Fenstermacher noted that they are only counted if part of the landscape requirement. Mr. Corwin added that there could be a condition to preserve a certain area, but it would need to be specific. Mr. Vincent noted that site plan approval has a limit on clearing, and the City has the ability to control what is cut. Applicants have to file an Intent to Cut Permit if they want to do additional cutting. Mr. Brooks stated that it is typical for the Board to include a condition for inspection for site disturbance and erosion control and the area of disturbance would be reviewed.

The Board members agreed to vote on the waivers individually.

A MOTION by Matthew Hall to extend the meeting to 9:45 PM.

Secoded by Joan Monroe.

Roll Call Vote:

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

Voting Against – Ms. Stavis

****The MOTION was approved (7-1)***

A MOTION by Matthew Hall to APPROVE a waiver of Section 5.1.E.15 of the Site Plan Review Regulations regarding perimeter landscaping as described in the staff memo.

Secoded by Joan Monroe

Roll Call Vote:

Voting in Favor – Mr. Hall, Ms. Stavis, Mr. Amaro, Mr. Garland

Voting Against – Ms. Romano, Ms. Monroe

Abstaining – Ms. Chewning, Mr. Rutter

****The MOTION was approved (4-2-2).***

A MOTION by Matthew Hall to APPROVE a waiver of Section 6.5.B.4 of the Site Plan Review Regulations regarding sidewalk installation as described in the staff memo.

Secoded by Joan Monroe

Roll Call Vote:

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

Voting Against – Ms. Monroe

Abstaining – Ms. Chewning, Mr. Rutter

****The MOTION was approved (5-1-2).***

A MOTION by Matthew Hall to APPROVE a waiver of Section 6.5.B.5 of the Site Plan Review Regulations regarding a 50-foot turning radius as described in the staff memo.

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Seconded by Joan Monroe

Roll Call Vote:

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

Voting Against – Ms. Monroe

Abstaining – Ms. Chewning, Mr. Rutter

**The MOTION was approved (5-1-2).*

Mr. Goodrich was allowed to speak but had no new facts to share.

Chair Garland asked for a motion to continue the hearing.

A MOTION by Laurel Stavis to continue the hearing of Saxon Partners (Applicant) and Alfred P. & Lorelee S. West (Property Owners), 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3 to Monday, September 28, 2020 at 6:30 PM.

Seconded by Joan Monroe

Roll Call Vote:

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

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

3. Adjournment:

A MOTION by Matthew Hall to adjourn the meeting.

Seconded by Laurel Stavis.

Roll Call Vote:

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

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

The meeting was adjourned at 9:39 PM.

Respectfully submitted,
Holly Howes
Recording Secretary