

**PLANNING BOARD
FEBRUARY 8, 2011 at 7:30 PM
TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

Members: Bill Dietrich, Judith Esmay, Charles Faulkner, Joan Garipay, Jim Hornig, Michael Mayor, Kate Connolly (Selectmen's Representative)

Alternate: Iain Sim

Staff: Vicki Smith

Others: See attached sheet

1. MINUTES JANUARY 18, 2011

[This portion of the meeting was recorded over; however the paper trail from the meeting indicates the 01/18/2010 minutes were reviewed and approved.]

Approval of these minutes was moved, seconded, and APPROVED.

2. 11-01 SUBMISSION OF APPLICATION FOR SITE PLAN REVIEW BY RT MUDGE & ASSOCIATES, AGENT FOR LYME INVESTMENT COMPANY, PROPERTY OWNER OF RECORD, FOR AN ADDITION AND CHANGE OF USE OF AN EXISTING RESIDENTIAL STRUCTURE TO PROFESSIONAL OFFICE. THE PROPERTY IS LOCATED AT 64 LYME ROAD, TAX MAP 46, LOT 7, IN THE "RO" ZONING DISTRICT.

[A portion of the taped recording of this application presentation was recorded over; the rest was recorded without use of the amplified microphone system. The details below were taken from the muffled recording, Notice of Action dated 02/08/11, and written case review by staff that outlines the project description, waivers requested and staff comments.]

The application was presented by Randy Mudge.

It was moved by CONNOLLY, seconded by FAULKNER, to consider the application complete with the following waivers requested:

- a. **Certification, dated within six (6) months, of a currently valid boundary survey by a land surveyor licensed to practice in New Hampshire;**
- b. **Existing and proposed grades, including topographic contours at intervals not exceeding five (5) feet and two (2) feet;**
- c. **The use of abutting properties within one hundred (100) feet of the site boundary; roads, streets, and driveways within two hundred (200) feet of the site boundary, and trail easements of abutting properties within five hundred (500) feet of the site boundary;**
- d. **A circulation plan of the interior of the lot showing provisions for both vehicle and**

- pedestrian circulation;
- e. Fire lanes, fire hydrants, and emergency access;
- f. A separated utility plan;
- g. Separate construction staging and phasing plans;
- h. A plan for exterior lighting and signs;
- i. Landscaping plan indicating plantings to be installed and natural cover to be retained;
- j. IXBc2(c) 15 foot perimeter landscaped area for a parking lot adjoining a residential district;
- k. IXB3c3 landscaping requirement for the interior of parking areas.

Mudge said a lot of the waivers were requested to eliminate having to file separate plans for each requirement. Instead, they have been combined on one plan. Smith advised that the Fire Inspector has indicated it is not necessary to show the fire lanes, fire hydrants and emergency access for this project. The Inspector is satisfied with the information that has been provided. **THE BOARD VOTED UNIMOUSLY IN FAVOR OF THE MOTION.**

ESMAY asked of resolution of the items identified in staff's comments.

- Snow Removal & Storage: Mudge said he has researched other planning regulations and found a rule of thumb in a Concord document that suggests 20% of the area being plowed may be allowed for storage of snow. He indicated proposed locations for snow storage on the property.
- Soils & Drainage: Smith said it is still unknown whether the proposed infiltration and overflow areas will be adequate. She said the Board resolved that it would not approve a drainage system without real soil data following the Curtiss Court project. Mudge said he is seeking a phased decision pending the functional outcome of the proposed infiltration system. If it is found to be inadequate, Pete Kulbacki, Hanover Public Works Director, will require the installation of an under drain pipe from the retention area to an existing catch basin. Smith said the applicant has only provided a verbal description of his proposed system. It would be wise to have a plan that depicts the alternative Kulbacki has suggested. It is also easier for installation and enforcement purposes to have a plan on file. Mudge said he typically does not provide complete construction documents for Site Plan Review because things come up during development.
- Lighting: Smith asked if the proposed pendant light is a sharp cut-off fixture. Mudge said no, it is a standard residential fixture intended to light the porch, steps, and a few feet beyond. Smith said this would also require a waiver. **It was moved by FAULKNER, seconded by HORNIG, to waive the requirement for a sharp cut-off light. THE BOARD VOTED TO APPROVE THIS MOTION.**
- Open Space/Green Space: Smith pointed out that the proposed plans do not designate use of the exterior space around the building. She said the standard the Board is looking for is general consideration for the provision of open space and green space of adequate proportion. The Board agreed they are satisfied with what was presented.
- Signs: Smith said the Zoning Administrator has indicated that only one sign is allowed; two are shown on the proposed plan. She asked that a condition be imposed that the signs be compliant with zoning.

Parking Landscaping: There was a lengthy discussion regarding the applicant's request for waiver of Article IX B3c(2)(c) which requires the parking area perimeter to have a minimum landscaped width of 15'. Smith said the question is whether the RO is a residential district or not. If it is, a 15' landscaped buffer seems reasonable as all of the other residential districts are protected by a 15' buffer. If it is not, than a 5' landscaping buffer would suffice.

A motion was made, seconded, and voted on. The details were not audible on the taped recording.

Landscaping Requirements: There was additional discussion regarding the applicant's request for waiver of Article IXB3c3 - landscaping of the interior parking areas. Smith said it seems clear this should apply. Mudge said the primary reason for the waiver request is for ease of plowing, the secondary reason is that having an additional parking space, rather than a landscaping island, will allow for future expansion of this property.

Barbara McIlroy asked of the Board's objectives relative to landscaping. She asked why have these regulations if they can just be waived. ESMAY explained that the applicant is seeking waivers regarding design and completeness of the application. Mudge said the requests are relative to the scale of the project. He is proposing only a minor addition to an existing building.

A motion to grant the requested waiver was moved, seconded, and UNANIMOUSLY APPROVED.

It was moved by CONNOLLY, seconded by SIM, to approve site plan 11-01 for Lyme Investment Company for a change of use of an existing structure to Professional Office at 64 Lyme Road, Tax Map 46, Lot 7, in "RO" zoning district with the 2 waivers granted (lights & perimeter landscaping) and subject to the following conditions:

- 1. that addenda that are found to be satisfactory to Planning and Zoning staff be submitted stating criteria for assessing the adequacy of the soil for the proposed drainage plan, and, in the event that the soils are not adequate, an alternate drainage plan; and**
- 2. that any signs installed on the property be complaint with the zoning ordinance.**

The motion was seconded. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

3. DISCUSSION ABOUT ZONING AMENDMENTS FOR TOWN MEETING 2011

Allow Tandem Parking for Single-family, Duplex, & Multi-family Residences of 5 units or less in the "I" District & Amend the Definition of an Off-Street Parking Space

Ellen Arnold, Assistant Counsel for Dartmouth's Planning & Facilities offices and amendment proponent, said the issue of tandem parking came up as a part of the Rivercrest project a few years back. At that time, the ZBA denied use of tandem parking due to their interpretation of the definition of an off-street parking space. Arnold said the College would like to utilize tandem parking for downtown development projects to enable the preservation of more open space. Arnold said there will still be a layer of board review of these arrangements via the application submittals for proposed developments. The proposal is to allow the allocation of one space behind another, not a row of multiple spaces. The people

sharing those spaces would be members of the same household. SIM suggested the amendment should be changed to reflect that.

HORNIG noted that single-family and duplex project proposals would not be subject to Planning Board review. He asked if the amendment could be worded in some way so that all instances of tandem parking would require review. HORNIG said he does not want it considered as a right. CONNOLLY agreed, stating that this is worth looking at but she is not in favor of making it a general ability, even with Planning Board review. She said it should be revised to be very small and specific.

ESMAY said she would like to see it in the context of a larger parking discussion and is also interested in seeing what other studies have been done on tandem parking.

Barbara McIlroy said she does not buy the College's open space argument and expressed concern for people having to back cars out into the street. She further suggested the parked cars should be screened in some way.

SIM suggested this amendment and a few others that offer competing/overlapping ideals could benefit from a holistic approach, such as that of the Residential Project Committee's (RPC) efforts. MAYOR and DIETRICH agreed.

It was moved by MAYOR to move this amendment forward to Town Meeting. This motion was not seconded.

It was moved by DIETRICH to refer this matter to the Residential Project Committee to be considered with the work already on their table. The motion was seconded. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

Allow Student Residences as a Permitted Use in the "I" district:

Arnold, amendment proponent, said this would eliminate the duplicate review by the Planning Board and ZBA. She said the nature of student housing at the College has changed significantly since it was classified as requiring a Special Exception in the mid 1970's. Arnold said the College is not currently planning any new student residence but this has been a traditional issue.

GARIPAY asked if this too is similar to what the RPC is working on. Arnold said the College would like to be an active participant in the RPC process. SIM said now is the time for the College to create a residential housing plan in the context of the "I" district that the Board could buy into. Arnold said there is so much going on at the College. It would be a challenge to come up with some long-term planning in a way that people would feel comfortable committing to. DIETRICH said one of the key points of the objective statements in Table 204.4 is that there is big difference between a building in the center of campus and one abutting a residential district. He agreed the RPC should look at this as part of an overall analysis. CONNOLLY added that there is also a huge difference between altering an existing dormitory and building a new one. She said this proposal is too large and opens up too many doors at one time. To take away the Special Exception requirement for the construction of new College buildings would be a mistake. CONNOLLY suggested narrowing the amendment to non-invasive alterations of preexisting buildings.

There was no public comment on this amendment.

There was some discussion whether the amendment is intended to address having to return to the ZBA to modify an existing student residence or whether it provides an opportunity to address the broader issue of providing adequate student accommodation. **It was moved by DIETRICH, seconded by FAULKNER, to defer this amendment for one year and assign this also to the Residential Project Committee and commit to the Board to come up with a policy that would solve both issues. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.**

To create a new Goose Pond Zoning District:

ESMAY noted that the Board has reviewed this amendment previously. Smith explained recent revisions to add back in the history wording, divide it up between waterfront & non-waterfront, change the footprint to have a maximum of 1,200 sf, encourage the use of NH DES approved advanced septic technology, and include the mapping that defines the district boundaries.

SIM asked about consequences of expanding the zone to include the properties on both side of the road. CONNOLLY said she hoped to include the other lots because of their relationship to the lots on Sands O Time Rd and Goose Pond. She said the difference between the zone around the pond is so disparate, it is pretty well bounded by conservation land and the Town of Canaan. ESMAY said not to include the parcel to the north would allow this tiny pocket of developable forestry zone that is not forestry. It is nonconforming for forestry. It just makes sense to bring it into the new district.

It was moved by CONNOLLY, seconded by DIETRICH, to take this amendment to a public hearing. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION. [SIM voted for HORNIG who was temporarily absent.]

Downtown Parking Reduction & Right-of-way Signs: Smith said the Board has already voted to take these amendments to public hearing.

2 Petitioned Articles: Smith noted that both of the petitioned articles had been submitted to the Town today. She suggested they be continued so that the Board has a chance to review them. SIM asked the petitioners to provide a written statement as to the problem being addressed.

The Board agreed to hold the zoning amendment public hearings February 22nd & March 8th.

4. PROGRESS REPORT ON CENTERRA NORTH VILLAGE CENTER PROJECT

This was deferred in Edwards' absences.

5. OTHER BUSINESS:

Affordable Housing Commission joining the Residential Project Committee

ESMAY suggested the AFC should be brought into the RPC's discussions. The Board agreed to meet with the AHC. CONNOLLY advised that the UVLSRPC is redoing a housing study for the region and the Commission intends to get involved with that study.

6. ADJOURN: The meeting adjourned at 10:00 PM.

Respectfully Submitted,

Beth Rivard