

**PLANNING BOARD
NOVEMBER 1, 2011 at 7:30 PM
TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

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

Alternate: Iain Sim

Staff: Vicki Smith, Jonathan Edwards

Others: See Attendance Sheet

1. **MINUTES:** The minutes of October 4, 7, and 8 were approved.

2. **CONTINUATION OF 11-36 SUBMISSION OF APPLICATION FOR SITE PLAN REVIEW BY FR. FRANCIS BELANGER, AGENT FOR THE ROMAN CATHOLIC BISHOP OF MANCHESTER, PROPERTY OWNER OF RECORD, TO ALLOW MIXED-USE (MEETING, OFFICE, & RESIDENTIAL) OF 14 HOVEY LANE, TAX MAP 34, LOT 67, IN THE "I" ZONING DISTRICT.** [This case was previously heard 10/04/2011.]

ESMAY read the Notice of Public Hearing.

Randy Mudge, of Randall T. Mudge & Associates, explained the proposed changes to the project, as shown on a revised site plan dated October 25, 2011 which include:

1. The location of the 6 required parking spaces: 4 unassigned on-site spaces located in front of the Rectory, 1 space within the Rectory's garage, 1 space in the driveway. An existing barrier-free space will also be kept.
2. An asphalt sidewalk with granite curbing from the barrier-free parking space to the existing porch.
3. 2 new English oak trees in the front yard.
4. A new fence to deter pedestrians from crossing the lawn to get to the existing bark mulch path and removal of the fence along the western property boundary. The Church intends to replace the boundary fence, but not as a part of the current application.
5. A 3'x'5' trash enclosure (cut-sheet provided).

Mudge said the plan does not include burying utilities due to budgetary constraints. The project can now be accomplished without a Variance from the Zoning regulations. A Special Exception is still required with respect to parking.

Board Comments/Questions:

- Is there any proposed lighting along the paths?
 - Mudge said no, not at this time.

- Will there be exterior lights on the building?
 - Mudge said there are exterior lights on the back door and on the porch. They are down-lights, as required. Cut-sheets were provided previously.
- Will the existing path remain bark mulch?
 - Edwards said the Town intends to work up an easement with the Parish to enable the Town to rebuild & maintain the path as a public way for pedestrians and bicycles.
 - Mudge added that no commitments have been made; the matter is still being negotiated.
- Will there be any changes to the driveway drainage, curbing, or pavement?
 - Mudge said there are no plans to affect the driveway. The Church's neighbor, to whom driveway runoff flows toward, is aware of the drainage situation and has made no request of the Church to change it.

Waivers:

1. Height and number of stories of existing buildings
2. 100 year flood elevation, floodway, and floodplain
3. All rights of ways and easements
4. Existing and proposed areas designated for loading and unloading of passenger or freight
5. Existing accessible parking spaces
6. Location of any vents
7. Mechanical equipment
8. Temporary sediment basins and other drainage structures
9. Erosion controls
10. Phasing plan showing progression of work
11. Construction staging plan
12. Plans for snow removal
13. Landscaping plan
14. Other local approvals

Staff Comments/Questions:

- The request to waive 'Other local approvals' should not be granted.
- A condition of Site Plan Review approval should be added relative to modification of the ZBA's Special Exception approval.

It was moved by SIM, seconded by MAYOR to find the application complete with the waivers granted as requested. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

Possible Conditions of Approval:

1. ZBA approval
2. Submission of cut-sheets for lighting
3. Removal of the fence on the west side of the property with some future intention to replace it in-kind
4. No on-street parking of construction vehicles

SIM encouraged the applicant to work toward burying utility cables to help the Town achieve its streetscape improvement goals.

Public Comments/Questions: None

It was moved by SIM, seconded by GARIPAY, to approve the application with the following conditions: (1) Prior to construction, zoning approvals shall be obtained, including approval from the Zoning Board of Adjustment, if necessary, (2) Prior to installation, a cut sheet for each exterior lighting fixture shall be submitted to the Planning and Zoning Office and installation of the fixtures shall occur only following approval of the fixtures by Planning and Zoning staff, (3) The fence along the western boundary of the property shall be removed. When this fence is replaced (not necessarily prior to occupancy and completion of all other improvements associated with this project) it shall match the fence immediately to the north installed along Sanborn Road, and (4) No contractor or sub-contractor shall park in public parking spaces. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

3. ON REQUEST OF THE CITY OF LEBANON, THE HANOVER PLANNING BOARD WILL BE REVIEWING AND DISCUSSING A PRELIMINARY PLAN, TOGETHER WITH A TRAFFIC ANALYSIS, FOR THE PROPOSED ALTARIA PHASE II DEVELOPMENT.

Kevin Worden, of Engineering Ventures, presented the preliminary plan. He said the project is a product of conservation development design, meaning that a lot of time has been put into evaluating & assessing the natural resources on the site. The entire project has 3 phases: A Planned Unit Development (PUD), a Planned Business Park (PBP), and conservation.

Phase I – PUD: Approved by the Lebanon Planning Board earlier this year. It is still under review by the State DOT. Includes 6 lots of urban development with 3-4 story buildings occupied by retail and office/residential uses, an extended stay hotel, and 33 units of residential housing. Parking will be provided below the buildings as well as on-street. Access will be provided from Route 120, at the former Wilson Tire location, where a traffic light and turning lanes will be added. Emergency access is proposed at the far end of the parcel, closer to Centerra. All water will be treated and retained before being discharged to the Route 120 swale. The goal is to begin construction of Phase I in the spring of 2012 and complete it 2015. The build out to complete Phases II and III is 10-15 yrs.

Phase II – PBP: Preliminary review is currently in progress by the Lebanon Planning Board. It is essentially a subdivision plan that straddles the remaining 50 acres of the developable portion of the entire project. Includes 8 2-acre developed lots of office, research & development uses, 1 undeveloped lot of required open space, and 120 residential units, clustered close to Phase I's PUD. Access will be provided from Cavendish Dr.

Phase III – Conservation: Encompasses 200+ acres on the eastern portion of the project site. Land will be designated for conservation.

Staff Questions/Comments:

- Why does the road in the north end curve around the last lot on the east?
 - Worden said it is a right-of-way providing access to a sewer pump station the last location of stormwater treatment. Lebanon regulations require providing connectivity to adjacent lands.

- If the road continues into Hanover, will it follow the contour of the land?
Worden said there has been no design/development plan to continue it to the north. The plan is to lead it around the wetland to a vehicle turn-around area.
- Where will the forced main go?
 - Worden said it is designed to come up from the pump station, to the Cavendish Rd right-of-way, into the Lebanon sewer system, and on to Hanover - assuming an existing Inter-Municipal Agreement (IMA) is met.
- Is the land immediately north of Dartmouth's Technology Center owned by Altaria and does Lebanon's connectivity requirement apply to that parcel?
 - Worden said it is not owned by Altaria, and the connectivity requirement does not require connectivity to every adjoining lot. Connectivity there is not proposed.
- The lack of connectivity essentially creates cul-de-sacs. Being well over a mile from Route 120 to the end, with no other way in or out, tends to concentrate traffic at the 2 existing intersections. It also limits future connectivity in this whole area as other adjacent property might be developed. Conceptual revisiting of the whole approach might be proper.
 - Worden said a road was shown to the west at one time. It was removed due to steep slopes, fallen boulders, the wildlife area, and wetlands. Viewshed issues also deter the possibility of building roads in other areas where the land is less challenging. Most of the properties along Centerra have deed restrictions against the access being suggested.
- At a minimum, year-round pedestrian & bike access between the residential & commercial lots should be provided.
 - Worden agreed pedestrian & bike access needs to be looked at. He said the goal is to enable residents to get to the Co-op by foot or bike.

Public Comment:

Bill Baschnagel said the design is not conducive to use of alternatives to automobiles. This looks like another rural development isolated from everyone who does not have cars. Route 120 is not hospitable to that. Alternative access & connectivity to Centerra would be beneficial.

- Worden said 1 of the main solutions to traffic issues on Route 120 is to put housing in that core area. The project proposes 150 units of residential housing and 40,000 sf of retail space to employ those residents. The Phase I PUD includes bike lanes and is totally accessible to buses. There are also opportunities for additional accesses to the north.

Scott Drysdale, of Hanover's Bicycle & Pedestrian Committee, asked for details of the traffic study.

- Worden said the firm that conducted the traffic study recommends the addition of a 2nd northbound lane from LaHaye Dr to Greensboro Rd.

Drysdale questioned the advantage of having the 2nd lane and what consideration was made for bicyclists & pedestrians if that lane is added. He said his main concerns are the 2 Advance Transit stops at the Town garage & at Buck Rd. Widening the road will limit the pedestrian travel way from those stops.

- Worden explained the 2nd lane installation is not a condition of approval of Phase I. Altaria is required to contribute financially toward the study of that option and others, at which time accommodations for bikes & pedestrians would presumably be made.

Gail Dahlstrom, of DHMC, expressed concern for the infrastructure capacity of Route 120, traffic, wastewater, etc. and spoke in opposition to judging impacts to those infrastructures on a project-by-project basis.

Baschnagel suggested the Town speak w/NH DOT about improving Greensboro Rd so that it can handle the traffic it is being asked to while still maintaining its residential character. He further encouraged the Board to reach out to the Lebanon Planning Board to create an advisory subcommittee consisting of members from both boards to focus on the Route 120 corridor & its environs.

Board Comments/Questions:

- The Town should petition the State to reconsider the 2nd northbound travel lane.
- The traffic study must go beyond Greensboro Rd to look at impacts to various intersections to the north given the other developments occurring on Route 120.
- NH DOT study gives the Greensboro Rd & Exit 18 intersections a level of service F under 2025 build scenario. It is not clear whether that includes the extra northbound lane.
 - Worden pointed out that the traffic projections developed in 1989, in association with the Centerra project, have not yet been realized. The Altaria Phase I traffic report lists the Greensboro Rd intersection, with the 2nd lane mitigation, improving to a level of service C in 2025. He said frustrations about Route 120 are expressed from all sides. Altaria has worked hard to bring them to the attention of the NH DOT District 2. Helping to fund the next traffic study will lead to a more holistic view of what to do. It is clear that more lanes in general are not the answer.
- The likelihood of the State granting additional curb cuts off Route 120 was questioned.
 - Worden acknowledged that the State & City of Lebanon do not want several curb cuts along Route 120; however, Altaria is working with the State to allow the proposed emergency access.

ESMAY asked Edwards to draft a letter to Lebanon's Planning Board recapping the concerns expressed.

4. DISCUSSION ABOUT HANOVER INN PARKING STUDY SCOPE OF WORK

Correspondence from Edwards and SIM were distributed to the Board. Edwards recapped his letter stating that staff's recommendation for the parking study's scope of work is to combine the Hanover Inn parking demand & management issues with a downtown employee parking needs analysis that was requested by the Parking & Transportation Board (PTB). SIM recapped his letter, suggesting the scope include a broader vision of ways to access downtown Hanover, creating a model for developing access, recommending an action plan to get the vision in place, and revising Article IV of the Zoning Ordinance to make it compatible with the vision & action plans.

CONNOLLY said she does not want to broaden the scope too much as she does not believe the Town can accommodate everyone downtown all the time. She said the downtown area

was studied not long ago. Answers to many parking issues are already known and are very expensive to act on. She said she hopes the new study will blend all of the Town's needs.

Baschnagel suggested 50% of people coming to Hanover are customers traveling from more than 50 miles away and are not too amenable to alternative modes of transportation. Many employees come from elsewhere too. The PTB is quite confident there is more parking demand than services to provide them. He said employee parking is easier to manage than visitor parking. The PTB's goal is to gain enough understanding of the employee needs and put together a program to target their needs to free up spaces for the people who are less easy to target (customers, visitors, residents).

ESMAY encouraged SIM, as the Board's rep to the parking study subcommittee, to present himself to the PTB & attend a PTB meeting now and then.

The Board agreed to endorse the October 28, 2011 outline presented by staff regarding the proposed scope of work for the Hanover Inn Parking Study.

5. DISCUSSION AND POSSIBLE ENDORSEMENT OF PROPOSED RENTAL HOUSING LICENSING AND INSPECTION STATUTE

The Board discussed a written request from the Town of Durham Administrator to collaborate in an initiative to adopt a local ordinance requiring licensing & inspection of all non-owner-occupied rental dwelling units. Hanover's draft Rental Housing Ordinance has not been enacted and is currently in the hands of Jesse Levine, Asst Town Manager. CONNOLLY said there is already state legislation that addresses buildings of 4 units or larger. She cannot believe narrowing this to only college student rentals will pass or is constitutional. CONNOLLY suggested Hanover continue working on its draft ordinance.

Edwards said Town Counsel is struggling with how to demonstrate the difference between rental housing and owner-occupied housing. RSA 41a, the state health statute, does make a distinction and has since the 1920's. Town Counsel is researching whether basing a rental housing ordinance on the state health statutes may be legally justifiable.

ESMAY & SIM questioned if joining the initiative will put Hanover in a more difficult position than moving forward with its own ordinance.

The Board agreed to decline Durham's invitation and asked staff to relay the Board's concerns to the Durham Administrator.

6. OTHER BUSINESS: None

7. ADJOURN: The meeting adjourned at 10:02 PM.

Respectfully Submitted,
Beth Rivard