

**PLANNING BOARD
APRIL 2, 2013 at 7:30 PM
TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

Members: Kate Connolly, Judith Esmay (Chair), Michael Mayor, Iain Sim

Alternates:

Staff: Vicki Smith

Others: See Attendance Sheet

1. **MINUTES:** The minutes of March 5 and 12, 2013 were approved.

2. **P2013-09 CONTINUATION OF SUBMISSION OF APPLICATION FOR MODIFICATION OF AN APPROVED SITE PLAN BY GILE COMMUNITY HOUSING REAL ESTATE, LLC, THE JOINT-VENTURE ENTITY OF TWIN PINES HOUSING TRUST & THE HARTLAND GROUP, FOR EXTENSION OF SITE PLAN APPROVAL OF CASE NO. P2006-05, ISSUED 01/23/2007 AND AMENDED 08/28/2007 & 06/03/2008 IN CASE NOS. P2007-17 & P2008-19. THE PROPERTY IS LOCATED AT 215 LEBANON STREET, TAX MAP 21, LOT 2, IN THE “OL” ZONING DISTRICT. [Previously before the Board March 5th and 12th.]**

Justin Dextrateur, of The Hartland Group, and Andrew Winter, of Twin Pines Housing Trust (Twin Pines), presented the application. Winter said the Gile project was intended to have 120 units. At this point, all but 23 have been constructed. The current request is for a three-year extension of the Site Plan approval that has expired. This will enable them to move forward with the sale of the building pad for Building 7 to Bill Bittinger and a partner. Dextrateur said they are also requesting an extension of the building permit issued for Building 7. Its foundation and infrastructure are in place; the vertical construction has not been started. Smith said that the Planning Board does not have the authority to grant extensions of building permits. She referred Dextrateur to Ryan Borkowski, Building Inspector.

Winter said the remaining building, #4, will be developed by Twin Pines. They will return to the Board to request a slight modification of the approved Site Plan for Building 4. They want to mimic the smaller floor plan of Building 6, instead of constructing the 15 condominium units currently approved. Dextrateur said the change reflects the current market conditions which favor the offering of rental apartments rather than condominium units.

Board Comments/Questions:

- Does the third party intend to request any modification(s) of the approval for Building 7?
 - Winter said no.

- Staff's written recommendation to approve the application with the conditions of previous approvals carried forward was noted.
- The Site Plan Regulations require that the Board make a finding that conditions beyond the control of the applicant prevented it from complying with the initial three-year period. Can the applicant speak to those conditions?
 - Winter said as originally envisioned, the project had a significant market component of a number of condominium buildings. Due to the financial conditions of the last couple of years, it was difficult to secure financing and sell the units. Although we are building some condominium units, eight as opposed to 23, we think that is a reasonable number going forward.
 - Dextrateur added that the eight condominium units will be constructed by Bittinger in Building 7, taking advantage of the foundation and infrastructure that is already in place.

Staff Comments/Questions: None

Waivers Requested: (Procedures) Design Review Submission - all submission materials. CONNOLLY remarked that all of the submission materials were submitted in 2007 and the map for the site was updated.

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

It was moved by SIM to recommend that the Board approve the request. Smith asked if the approved extension will be from the date of the current meeting. ESMAY said it would be three years from the date of approval.

Public Comments/Questions:

- Nancy Collier asked of the location of Buildings 4 and 7.
 - Winter said the main access is off Medical Center Drive and explained the line-up of the existing buildings and the locations of Buildings 7 and 4.

THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

3. P2013-10 SUBMISSION OF APPLICATION FOR MINOR SUBDIVISION BY TIMOTHY ROCKWOOD, AS AGENT FOR THE JEAN BUTLER SIBLEY REVOCABLE TRUST, PROPERTY OWNER OF RECORD, TO DIVIDE ONE LOT INTO TWO LOTS (CREATING LOTS OF 11.11 ACRES & 38± ACRES) AT 40 ETNA HIGHLANDS ROAD, TAX MAP 2, LOT 56, IN THE "RR" ZONING DISTRICT.

ESMAY read the Notice of Public Hearing.

Timothy Rockwood, of Rockwood Land Services, LLC, presented the application. He said the parcel, on Hayes Hill Road in Etna, totals 49 acres. It is a Class 3 lot, located in the RR zoning district which requires a three-acre minimum lot size, 200 feet of frontage, and 50' setbacks. Rockwood provided a detailed overview of the parcel's history including its creation in 1865, a subdivision and sale of tracts to the east and west, and the Sibleys'

purchase in 1953. Rockwood said he has only visited the site during the winter, when it was too late to see vegetation. He did enough work to find an acceptable septic location that meets the setbacks. Soils will be tested in the spring. There's a brook-type area on the east side of the property. The proposed site plan shows wetland buffers to this area. There are two ponds on the Etna Highlands Road side of the parcel. One mainly catches drainage; the other was originally constructed as a fire pond but is not attached to a dry hydrant. A dry-hydrant is proposed.

Board Comments/Questions:

- Could the brook-type area be a vernal pool?
 - Rockwood said he is not an expert but if it is, it is not much of one. He said he is sure it is dry in the summer.
- A good portion of Etna Highlands Road is Class VI. Is there enough frontage on the Class V portion of Hayes Hill and Etna Highlands Road to satisfy the needs of the 38 acres remaining?
 - Rockwood said yes and pointed out the location of the end of the maintained portion of Etna Highlands Road.
- What is a dry hydrant?
 - Rockwood said it is a hydrant that goes to a pipe down into a waterbody. There's no pressure, so the hydrant provides a way to draw water from the pond.
- Has Hanover's Fire Chief approved the dry hydrant?
 - Smith said yes and added that Public Works has also approved a driveway plan.

Public Comments/Questions: None

Staff Comments/Questions:

- The proposed plan does a nice job of depicting where wetlands are probably located, but a condition of approval should be that a wetlands delineation be undertaken. Smith said she does not think the intent is to require delineation of the entire lot, but of sufficient area for the Zoning Administrator to determine whether there are alternate locations for the septic, house, and driveway structures.

Possible Conditions of approval:

1. Wetland delineation to the satisfaction of the Zoning Administrator.
2. The dry-hydrant be installed to the satisfaction of the Fire Chief.
3. An easement allowing the Town to use and maintain the access and hydrant to be completed prior to issuance of a building permit.
4. The plan be revised to show the hydrant and access, and to reflect corrections of Plan Notes 1, 3 and 4.

Waiver Requested: Full perimeter survey for the remaining lot.

Smith said there is already a full delineation of the proposed smaller lot, but not one of the full perimeter of both lots.

It was moved by CONNOLLY, seconded by MAYOR, to find the application complete with the waiver requested. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

Public Comments/Questions: None

It was moved by CONNOLLY, seconded by MAYOR, to approve the subdivision creating two lots of 11 acres and 38 acres respectively with the conditions that (1) a wetlands delineation satisfactory to the Zoning Administrator be undertaken in advance of the septic system being designed and the building permit being issued; (2) the dry hydrant be installed to the satisfaction of the Fire Chief and an easement allowing the Town to use and maintain the access and hydrant be completed prior to a building permit being issued for construction above the foundation; and (3) the plan be revised to show the hydrant and access, and to reflect corrections noted by staff for Plan Notes 1, 3 and 4. Rockwood said he was in agreement with the proposed conditions. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

The following two applications were heard together.

5. **P2013-05 CONTINUATION OF SUBMISSION OF APPLICATION FOR SITE PLAN REVIEW BY HYPERTHERM, INC., FOR RECONSTRUCTION AND PAVING OF THE PARKING LOT, SERVICE AREA, REAR ACCESS ROAD, AND PEDESTRIAN PATHWAY AT 15 GREAT HOLLOW ROAD, TAX MAP 1, LOT 18, IN THE “BM” ZONING DISTRICT.** [Previously before the Board March 5th.]
6. **P2013-06 CONTINUATION OF SUBMISSION OF APPLICATION FOR SITE PLAN REVIEW BY HYPERTHERM, INC., FOR REMOVAL OF AN EXISTING CONCRETE PAVER DRIVEWAY AND REPLACEMENT WITH A BITUMINOUS CONCRETE DRIVEWAY, PAVEMENT OF A PORTION OF EXISTING PEDESTRIAN ACCESS PATHWAY, AND STORMWATER MANAGEMENT AT 21 GREAT HOLLOW ROAD, TAX MAP 1, LOT 20, IN THE “BM” AND “NP” ZONING DISTRICTS.** [Previously before the Board March 5th.]

ESMAY read the Notices of Public Hearing.

Perry Seale, of Hypertherm, and Russ Rohloff, of Pathways Consulting, presented the applications. Seale said the key driver of the two projects is the safety of our associates, contractors and staff working within the context of our buildings. Hypertherm has found from their property management practices that asphalt allows for better clearing of these surfaces during the winter months. The proposal for 15 Great Hollow Road is to pave the existing gravel parking surface, add parking lot lighting, and to create a paved area to the back of the facility to provide access for the maintenance staff. The proposal for 21 Great Hollow Road is to replace the emergency access drive that goes around to the side of the building, and extend the service pad to provide a pull-in/turn-around area and allow for better maneuverability for larger vehicles. Pavers, installed in 2006, have not been terribly successful, and will be removed. The width of the driveway will not change. A couple of trees will be planted to screen the new access drive from the entrance. All of the pavement will be sloped so that stormwater will flow into grass treatment swales and discharge into the existing wetlands. The work at 21 Great Hollow Road is completely within the wetland buffer areas and the pavement area is literally right on the wetlands. There are grass treatment swales between the pavement and the wetlands.

Rohloff said the concept has not changed from the Conceptual Review presented to the Board November 6th. The only changes are to incorporate the three substantive comments that came out of the Staff Evaluation meeting:

- (1) Be more aggressive with stormwater treatment at 15 Great Hollow Road.
 - Grass treatment swales and bioretention areas have been added.
- (2) Change some of the plantings.
 - The plantings suggested by the Urban Forester have been added.
- (3) Improve the snow storage area at 15 Great Hollow Road.
 - A shallow depression will be created in the snow storage area to collect any sediment resulting from winter sanding. The sediment can then be easily removed without having to enter the wetland buffer area.

Rohloff said the ZBA has approved the wetland buffer impacts. He does not believe the Conservation Commission or ZBA found any significant issues other than to review their policy on de-icers within the buffer areas, which has been accommodated.

Board Comments/Questions regarding 15 Great Hollow Road:

- There is a lot of concern about oil runoff entering adjacent wetlands due to heavy rain or snow removal. Please elaborate on the process to prevent that from occurring.
 - Rohloff walked the Board through Sheet 3, the Drainage Plan. He said the proposed parking lots and access roads are within the footprint of the existing gravel surfaces. Groundwater at this site is pretty high; there is not too much opportunity for infiltration. The parking lot slopes to one corner. Water flows down to a grass treatment swale with bioretention areas on each side. There will be a stone apron in front of the treatment swale to trap sediment before it gets into the bioretention area. It will be adequate to treat any of the sediment or oil that may flow from the parking lot area. The depressed snow removal area is well outside of the wetland buffer area of the closest wetland. This will be a fairly large peak island.
- What are the requirements for shade trees?
 - Smith said Hanover has really vigorous planting requirements. Additional plantings will be added but not to the extent that is consistent with what is required.
 - Rohloff said the current amount of parking must be maintained. If they were to add intermediate islands to meet the shade requirements, the lot would have to be expanded into the wetland buffers. He said the proposed plan represents a reasonable and best effort to reserve the parking lot size with the least impacts to wetland buffers.
 - Smith said there are perimeter landscape requirements as well.
 - Rohloff said there are no changes proposed to the existing perimeter landscape.
- Please address the issue of lighting that has come up with this application.
 - Rohloff said all of the existing parking lot lighting will be replaced with high-efficiency light fixtures. The interior of the parking lot will be lit somewhere between .75 and 1.5 foot candle, which is suitable for a private parking area, and prevents spill-off at the property boundaries. The majority of the lighting will be along the travel lanes. Double-headed fixtures are proposed on the islands. The end result is a little bit higher level of light at the main entrance and reduced level of light within the parking lot body.
 - Seale said there are three buildings here. The business is operated 24/7. Light is an important feature in terms of providing a safe environment for our associates. We

- have made every attempt, on the front end of the lot that faces the public, to do the best we can with the type of lighting that we have.
 - Rohloff distributed more detailed information of the pole-mounts and light fixtures shown on the plans. He said they are dark sky compliant; flat, downcast LED, so that there is no throw. They are identical to what was installed at Hypertherm's Heater Road site in Lebanon.
- There is so much information on Sheet 3 it difficult to see where lighting will be installed.

Public Comments/Questions:

- Nancy Collier, abutter, said the Board has entire discretion when considering Site Plan Review. This neighborhood is so different than the Heater Road area and most industrial areas. She questioned pole-heights, lighting along the walkway to the pedestrian bridge, and the lot level compared to existing conditions. She said the cut-sheet does not convince her that the lighting element will be hidden from view. There is already lots of lighting along the building. Perimeter plantings have not been maintained over the years and one of the lots is now completely revealed.
 - Rohloff said the proposed poles will be uniform with three-foot concrete bases and twelve-foot poles. Pattern shoebox lights are proposed, which is pretty common for industrial parking lots.
 - Seale said lighting height, lumen distribution, and performance will be very similar to the Lebanon site. Using sharp cut-off fixtures along the new service road would be a challenge. Seale said Hypertherm maintains a healthy white pine tree buffer adjacent to the street. Their landscaping crew has tidied up broken branches that resulted from heavy snowfall.
- Present lighting, as depicted on Sheet 1, is few in number but presumably very tall and unshielded.
- Will the LED's have enough heat to sustain the mounting of snow?
 - Seale said that has not been a problem.
- The cobra-head light has also been brought to the Board's attention. It is not on your property but is a nuisance to a number of people. The Public Works Director has said that it is unsafe. Is there any possibility of relocating a light in that area of the property so that the cobra-head light could be removed?
 - Seale said no; his understanding is that those lights are regulated by the local utility company. He encouraged the Town to work with the utility company to find alternatives that work effectively to meet Hanover's needs. He said Hypertherm has had numerous near misses at that intersection. That light was installed to address that issue.
 - CONNOLLY said National Grid offered an inadequate alternative at a totally inflated price. The Town declined. Perhaps Liberty Utility will be more forthcoming.
 - Collier said Hypertherm does not have to light the road, but rather the entrance to their property to protect the safety of their employees. Offsite impact is what we are talking about.

Board Comments/Questions regarding 21 Great Hollow Road:

- Is there any lighting involved at this site?
 - Rohloff said no.
- Have you done an inventory of your parking?

- Seale said the lot is pretty full at a regular basis. Hypertherm has paid significantly to bring in Advance Transit and also provides incentives internally for employees to choose alternative transportation.
- CONNOLLY said Hypertherm has as many possible users of a Route 120 corridor bus line as does DHMC.

Public Comments/Questions:

- Collier said she was hoping to see a plan of existing lighting.
 - Rohloff said the plans do not show existing lighting because there are no proposed changes to them.
 - Collier said the proposal is to pave the service area, to make it function better. It seems like lighting could be considered in that vein.
- Collier asked who owned the entrance road to 15 Great Hollow, whether it will be paved, and of any changes to its width.
 - Seale said it is a shared entrance amongst Hypertherm and Creare. Creare has approved the proposed paving of that area.
- Collier reiterated that Great Hollow Road is not your average industrial zone in terms of geology, nature and conservation. The corridor is green, with tall trees, and means something to the people as they drive by it. Collier said Hypertherm tries hard to fit in. They've got a really huge facility with a ton of people. She said she hopes all of these subtleties are considered too.

Staff Comments/Questions:

- Smith said hay should not be used for erosion control, only straw. The grass swales must be seeded so that they will be effective. She urged the Board members to visit the sites during the day to view landscaping and at night to see the lighting.

The Board agreed to conduct individual, daytime visits to the Great Hollow Road sites, and to conduct a group visit to the Great Hollow and Heater Road sites April 16th at 7:30 PM. The applicant was asked to provide a demonstration at the evening site visits relative to proposed lighting.

It was moved by MAYOR, seconded by SIM, to continue these matters to April 16, 2013, at 7:30 PM, at 15 Great Hollow Road. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.

7. OTHER BUSINESS

Residential Zoning Project: Smith said VHB will be sending proposed Zoning Ordinance revisions next week. Dietrich, Brotman, and Esmay will meet to review them. The resulting iteration will then be presented to the Planning Board.

Residents of the neighborhood on the east side of Moose Mountain have invited the Board to hold their neighborhood meeting. The Board agreed to meet with them June 25th.

The EPA material on the benefits of low impact development, provided to the Board in their meeting mailing, was briefly discussed. Smith said they are pretty concise and simple.

Hidde Van Hoeven addressed the Board. He said he was new to the town and wanted to learn what each board does. ESMAY acknowledged the email he sent to her earlier in the day.

Dana Property: ESMAY commented on the Board of Selectmen's meeting, televised the evening prior, at which the Moose Mountain situation was discussed. She said it was really good to see the town in action and dealing with a very difficult situation in a way that is fair to all parties. ESMAY said she is grateful that the meeting was televised.

8. **ADJOURN:** The meeting adjourned at 9:07 PM.

Respectfully submitted,
Beth Rivard