

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

In attendance:

Members: Kate Connolly, Judith Esmay (Chair), Michael Mayor; Iain Sim; Nancy Carter (Selectmen's Representative)

Alternates:

Staff: Vicki Smith

Others: See Attendance Sheet

1. **MINUTES:** The minutes of June 4th and June 25th were approved.

2. **P2013-27 SUBMISSION OF APPLICATION FOR SITE PLAN REVIEW BY MATTHEW PURCELL, AS AGENT FOR THE TRUSTEES OF DARTMOUTH COLLEGE, PROPERTY OWNER OF RECORD, TO INSTALL A NEW MODERN ATHLETIC SCOREBOARD AT MEMORIAL FIELD, 4 CROSBY STREET, TAX MAP 34, LOT 16, IN THE "I" ZONING DISTRICT.**

ESMAY read the Notice of Public Hearing.

Matthew Purcell, Bob Ceplikas, Richard Whitmore, and Ellen Arnold of Dartmouth College, and Jeff Fullerton of *Acentech* presented the application. Purcell said the proposed 18'x38' scoreboard is to be located in the south end of Memorial Field. Power and communication will be provided from an existing electrical conduit that services the Leverone Field House and the West Stands. Dartmouth hopes to begin construction in mid-August and to use the scoreboard at the first home football game on September 28th. Construction requires rebuilding an existing foundation. All work will occur within the field's existing fence line. Parking for the five-man construction crew will be provided at the Leverone Field House lot. Dartmouth hosts four to six football games a year plus the annual Shrine Maple Sugar Bowl and one track meet.

Fullerton said the scoreboard has three components: (1) conventional data (score, game clock, downs, etc.), (2) a video display, and (3) a donor recognition panel, similar to the one on the current scoreboard. The conventional component will be used during practices. The video display, used typically just for games, will enable spectators to see instant replays, game statistics, headshots of individual players, and sponsor recognition. The only audio component proposed is a horn. If Dartmouth chooses to have any audio coordinated with a video image, the sound would have to go through the sound system already in use.

Purcell said of project impacts:

- Lighting from the scoreboard will be absorbed by natural daylight and existing stadium lighting. Lighting levels will be adjustable.
- Sound: As proposed, the horn does not meet the Town's noise standards requirement. The horn manufacturer will either provide a horn with adjustable noise levels, or provide two horns, one for daytime use and one for evening use. Dartmouth is seeking a condition of approval relative to locating a suitable horn.
- Visual: The scoreboard starts approximately 14' off the ground, making it visible from Lebanon Street, Wheelock Street, and Park Street. The main concern is from Lebanon Street, where the scoreboard will be visible for a seven second period for those traveling southbound. An Arborvitae hedge, 12'-14' in height, is proposed along the south end of the field adjacent to Lebanon Street, extending from the scoreboard to the gate at the farthest end. The applicant mentioned comments made during a ZBA public hearing of a Special Exception application for this scoreboard, questioning whether the proposed hedge is in character of athletic fields or the neighborhood. The ZBA has not yet rendered a decision on the Special Exception application; deliberations are scheduled for July 9th. Ceplikas reported that the ZBA's sentiment was that they would prefer not to have a hedge.

Dartmouth invited all of the abutters to a community outreach meeting; only one attended. Purcell said issues raised by Peter Kulbacki, William Desch, and Judy Brotman, during the June 10th Staff Review, have been addressed.

Board & Staff Comments & Questions:

- Smith questioned whether the video display side of the scoreboard would emit more light than other portions of the scoreboard?
 - Purcell said the lighting results presented are based on the unit as a whole, not in terms of one side versus another.
- ESMAY asked when the horn will be used.
 - Purcell said at the start of each quarter.
- Smith suggested having just one horn that respects the night-time limits.
 - Ceplikas said he is concerned that a horn with the nighttime limit of 55 dBA will not be heard over the crowd noise. He said the new horn will be quieter to the residences than the current one due to the direction it will face.
- SIM asked how long it will take the hedge to reach 12'-14'.
 - Purcell said they will be purchased at 12'.
- SIM asked whether it is possible to install temporary screening for use only during games.
 - Purcell said it would be distracting to players to install and take down temporary screening. Screening provided at Dartmouth's other sport facilities are permanently installed.
 - Ceplikas said Saucier + Flynn did not see a practical way to have an additional screen that could be taken down on a regular basis.
- MAYOR said he does not have any doubt that the scoreboard will be a distraction for drivers on Lebanon Street's southbound lane. Statistics would suggest that accidents are an unfortunate consequence of distraction. The hedge will be an asset as long as it does not profoundly alter the nature of the neighborhood.
 - SIM agreed that it will be a visual distraction and needs to be mitigated.

- CARTER said the current screening is perfectly adequate for the number of months of the year that we see a really important piece of architecture in our town. The playing fields on both sides of Lebanon Street act as a welcoming corridor to an outdoor-oriented community. Drivers can be trusted to be more attentive during the five short periods of time when games are played.
- ESMAY said she feels rather strongly that the hedge would not be a welcomed addition to Lebanon Street. Given the activities at the high school, there are so many distractions on this length of road where you want people to slow down. To build a corridor that is sealed in on both sides will invite speed.
- CONNOLLY said if drivers cannot get by a sign that is active five times a year, they probably should not be driving. She said she agrees the proposed hedge would be a great blank space that she would prefer to have open.
- SIM asked whether the brightness levels of the screen, which will be physically controlled by the operator, are proposed at the maximum brightness.
 - Purcell said yes.
- SIM questioned DakTronics' assumption that "*the stadium lighting follows Dark Sky and Illuminating Engineering Society of North America-based illumination outputs of two foot candles*".
 - Ceplikas said it is valid.

Public Comments / Questions:

- John Schumacher, owner of 32 and 34 Lebanon Street, said Dartmouth has been true to their word in the past with respect to field lighting, and the impact or lack thereof that it has had on his property. Similarly, if Dartmouth says they can customize the noise of the horn, he is sure that they will. Video replays will spice the game up and may increase crowd numbers. He suggested that an Arborvitae hedge would invite deer to the area.
- Bryant Denk, of 5 Hovey Lane, said it would be nice to have the dining van and portable bleachers moved to improve visibility. One tree may be sufficient to provide the screening needed to soften the effects of the scoreboard.

It was moved by CONNOLLY, seconded by MAYOR to find the application complete with the waivers requested. Waivers were noted as: Stamped Plat Plan with abutters identified on the plan; Survey Map; Site Context Map with area of lot, location and gross area of buildings, existing off-street parking, existing handicap/access spaces, existing loading spaces, front and side setbacks, height and number of stories of existing buildings, 100 year flood plain, legal rights of way; Site Plan showing proposed off street parking, proposed handicapped or accessible parking, areas designated for loading, front, side, rear setbacks, height and number of stories of existing buildings, proposed grades, 100 year flood elevation, all legal rights of way, use of all rooms and areas; Vehicular and Pedestrian Circulation Plan; Utility Plan showing location of any vents, mechanical equipment location; Lighting Plan; Landscape Plan showing snow removal; Paving, Grading and Drainage Plan; Construction Staging; Comments specific to design review; Comments from design review; Approval of utility plan by DPW; and Design review. ESMAY said in nearly all of these cases, applicant's rationale is that they are simply inapplicable to this application. The others are defended in the application. There being no further comment, **THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.**

Possible conditions of approval:

- ZBA approval of a Special Exception
- Horn choice at a decibel level acceptable to Planning & Zoning staff as compliant with the Ordinance
- Removal of the Arborvitae hedge from the Site Plan

SIM and MAYOR went on record stating that they would vote against the approval if it is conditioned on the removal of the hedge.

It was moved by CONNOLLY, seconded by CARTER, to approve the application with the following conditions: (1) that any necessary zoning permits be obtained prior to construction; (2) that the Arborvitae hedge be removed from the plan and not planted; and (3) that the horn be selected at a decibel level acceptable to Planning and Zoning staff and compliant with the noise standards in the Zoning Ordinance. THE BOARD VOTED THREE IN FAVOR (Carter, Connolly, Esmay); TWO OPPOSED (Mayor, Sim). THE MOTION CARRIED.

3. PRESENTATION OF NEIGHBORHOOD SUMMARY FOR HOVEY / LEDYARD / BUELL NEIGHBORHOOD 06/18/2103

ESMAY said this was the beginning of a long process of defining and stressing the values of our neighborhoods. She thanked the residents of the Hovey/Ledyard/Buell neighborhood for their early participation in the process. The floor was opened for public comment on the summary of the June 18th neighborhood meeting.

A majority of the neighborhood residents' comments focused on the proposed construction of a single-family dwelling within the neighborhood that many of them oppose. Concerns were expressed regarding the proposed building's height, size, use, excessive garage space and traffic impacts, and it being inconsistent with the neighborhood character and Master Plan. NH Statutes were quoted and the Board's obligation to render judgment on this proposed project was questioned. The residents in opposition said they do not feel as though their concerns are being heard. ESMAY explained that by statute, the Planning Board is precluded from reviewing applications for the construction of single-family or two-family dwellings. Smith added that absent the need for a Special Exception or Variance, abutter involvement is not required in the review of single-family project proposals. Assuming the proposal conforms to each aspect of the Zoning Ordinance and building codes, the Zoning Administrator and Building Inspector are obliged to approve it. Abutters can appeal the issuance of a zoning and/or building permit, but the basis of the appeal(s) is limited to aspects of the Ordinance or codes to which the project does not conform. ESMAY said the Planning Board is the official visionary of the town as to how it develops. It is charged with the development of a master plan, to adopt it, publish it, and revise it. The only way to carry out the Master Plan is through changes in the Zoning Ordinance. ESMAY said it takes an effort to tell the town we need to revise the Zoning Ordinance, and that is precisely what this neighborhood planning project is. MAYOR said the distinction that has been missed is the one between the Master Plan and the Zoning Ordinance, as they exist and how they are crafted. The Master Plan provides the rationale for changes that need to be made to the zoning regulations. In a functional sense, it does not happen as rapidly as it needs to happen. ESMAY announced CONNOLLY's appointment to work with the public, individually or by

group, to forge possible zoning amendments relative to the issues they've raised. Jolin Kish, of 12 Ledyard Lane and property owner of the proposed single-family project, said she wants to build a big house on her lot that is fully compliant with the Zoning Ordinance. She spoke of the definition of family and explained that she houses her extended family, which is not uncommon within her Venezuelan heritage. Kish questioned developing an Ordinance that prohibits multi-generational family homes.

A female speaker said the neighborhood residents are very happy with the Master Plan. She asked what could be done now to preserve open space in the neighborhood. Smith said she is able to work with individuals who want to limit development on their properties to a greater extent than the zoning does. Zoning changes will affect everyone in the neighborhood. If the goal is to protect fields, it can be done on a lot by lot basis with deed restrictions. If the goal is to not have houses over 40' in height we can work on a height limitation.

Bill Boyle, of 12 Buell Street, asked of the status of the Safe Routes to School project and whether the town is any closer to facilitating more people walking to school. Smith said the funding received for that project only dealt with routes to the Ray and Richmond Schools. Intersection changes and striping were suggested. Smith said improvements such as that which occur within the roadway, are controlled by the Board of Selectmen and Department of Public Works. Relative to the Hovey/Ledyard/Buell neighborhood, there are mixed opinions amongst its residents about having sidewalks. Some want them; some don't.

A rise in neighborhood cut-through traffic was discussed. One of the major issues in the summary is what to do about traffic to make it conducive to pedestrians and bicyclists. Smith advised of a shared lane proposal that was recommended for Rip and Valley Roads. The roads will be restriped to have a single vehicular travel lane run down the middle. Pedestrians and bicyclists will have access to the shoulders. Smith said DPW is anxious to implement it. Dick Lewin, of 3 Hovey Lane, said traffic will increase very significantly in the Hovey/Ledyard/Buell neighborhood when the River Park development is built on Route 10 in Lebanon. We should be considering what we want the neighborhood to look like five years down the road.

ESMAY thanked the audience for their public interest, time, and effort. Smith said she would further refine the summary to include concern about anticipated additional traffic due to the River Walk development. She'll then forward the document to the Board of Selectmen and DPW.

4. OTHER BUSINESS

Moose Mountain East Neighborhood Meeting: ESMAY said this is a neighborhood not unlike Goose Pond in that it is unique in Hanover. It is the only residential area in which only seasonal dwellings are permitted, although there are some year-round residences by virtue of grandfathering. A very real concern, especially on the part of those who are year-round residents, is the zoning limitations that result from non-conformities. ESMAY said this might be an area for the Board to move forward more expeditiously, recognizing that it is a special neighborhood with special needs and the residents' desires to remain as they are and not to be suburbanized or subject to development. SIM said his professional training tells

him to be wary of a self-selected group. They don't necessary represent every opinion and intent that might exist amongst landowners in the F district. CARTER asked if there was any difference of perspective between the seasonal and year-round residents. CONNOLLY said some seem to enjoy the seasonal use basis and others do not. She said there was a huge concern about the ability of one family to pass on their properties with what they consider full usage. An issue to keep in mind is that anything the Board does goes with the land; it has nothing to do with the families. ESMAY shared an email she received from Nancy Collier suggesting data the Board could be collecting via these neighborhood planning meetings.

Neighborhood Planning follow-up: SIM said it is rumored that another large house will be proposed in town similar to the one on Ledyard Lane. He said it might behoove the Board to give more thought to what they can do under the law. Aesthetics are something the courts are now beginning to take into account and allow to be part of conditions.

CARTER said she was sad that the opportunity was not taken for the residents of the Hovey/Ledyard/Buell neighborhood to really share with the Board their feelings about their neighborhood. She said she understands the urgency they are facing. CARTER said all of us that have the joy of living in town also have the curse of living in town. She does not want to see gated neighborhoods. CONNOLLY said topics repeatedly discussed are roads and traffic, of which the Planning Board has no control over. She said her discussions with the public will be to keep the issues specific to zoning and to encourage them to bring their traffic, etc. issues to the Selectmen.

Rental Housing Ordinance: CONNOLLY announced that the Board of Selectmen passed a Rental Housing Ordinance. Smith congratulated the Planning Board saying that the Rental Housing Ordinance was really their initiative. ESMAY said Bill Boyle deserves the credit for the efforts he began ten years ago.

Office of Engineering & Planning Conference: SIM provided a lengthy overview of the conference he attended. He said the main thrust of the Planning for the 21st Century portion of the conference is changing the planning emphasis to planning for economic growth going forward. Regional planners are seeking public opinion of their draft regional plans. The idea is to have a state plan, regional plans, and town master plans, using the same format at all levels.

Middle Mink Brook Watershed Neighborhood Planning Meeting: Smith said this area runs from Route 120 to Cuttings Corner, up to the Trumbull House Bed & Breakfast, and all the way down to the Lebanon line on Great Hollow Road. It is a mixed neighborhood with all different kinds of housing that are united by their concerns for the watershed. Their neighborhood planning meeting will be held in October in Trumbull Hall in the evening.

Technical Review of the Zoning Ordinance: ESMAY said she, Dietrich, and Judy Brotman continue their review of the consultant's proposed changes. The work as a whole will take more time than they initially envisioned.

Notice from Lebanon of a proposed subdivision related to DHMC: Smith said Hanover was notified as an abutter of this application. Lebanon is not requesting a formal comment from the Board. Details will be provided in the next Planning Board meeting mailing.

5. ADJOURN: The meeting adjourned at 10:34 PM.

Respectfully submitted,

Beth Rivard