

**PLANNING BOARD  
OCTOBER 8, 2013 at 7:30 PM  
TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

**Members:** Kate Connolly, Bill Dietrich (Vice-Chair), Judith Esmay (Chair), Joan Garipay, Michael Mayor; Iain Sim; Nancy Carter (Selectmen's Representative)

**Alternates:**

**Staff:** Vicki Smith

Others: See Attendance Sheet

1. **MINUTES:** The minutes of September 24, 2013 were approved.
  
2. **P2013-37 SUBMISSION OF APPLICATION FOR MODIFICATION OF AN APPROVED SITE PLAN (CASE NO. P2006-05) BY GILE COMMUNITY HOUSING REAL ESTATE, LLC, TO CONVERT THE DESIGN OF BUILDING #4 FROM 15 CONDOMINIUMS TO 15 RENTAL UNITS IN A SMALLER FOOTPRINT AT 215 LEBANON STREET, TAX MAP 21, LOT 2, IN THE "OL" ZONING DISTRICT.**

ESMAY read the Notice of Public Hearing.

Andrew Winter, Executive Director of Twin Pines Housing Trust, Justin Dextradeur, formerly of the Hartland Group, and Kevin Worden, of Engineering Ventures, presented the application. They said the Gile project was approved for the development of 120 units; 97 have been completed. Building 7 is currently under construction. This proposal is to convert the design of Building 4 from condominium units to rental units with a reduced building footprint. Aerial photographs of the project site and additional information regarding the ratio of rental units to condominium units were distributed to the Board.

The proposed revised design of Building 4 will be almost identical to that of Buildings 6 and 2; flat-style design and the same façade detailing. The only difference being the detailed grading required for Building 4. Like other buildings, there will be parking up above, a sidewalk, four points of access, one-story below grade with additional parking and walk-out bottom levels. There will be no change to the number of parking spaces provided since the 2008 approved revision. The reduced building size will create more green space. An additional area for trash and recycling is proposed in response to residents' requests. Grading changes include a one-story grade change and a path to come from the upper area to the lower area. There are no proposed changes to utilities.

Board Comments/Questions:

- Will the trash enclosure be enclosed?
  - Applicant said yes.

- With all of the parking area available, where will the snow go?
  - Applicant said one benefit of having a perched layout for a lot of the roadways is that there are typically embankments. He indicated the location of one central area previously designated for snow storage for the entire complex.
- Snow storage is shown on the proposed plans in the top right corner of the building. How will snow be directed to this location over the curbing and shrubbery?
  - Applicant said this entire area is already cleared for snow. The plow operators have been able to accommodate snow storage on the site successfully at its current stage of build out. The completion of this building will not really add much in the way of additional volume.
  - If that area is not conceivable for snow storage, it should not be shown on the plan.
- Only two handicap parking spots are proposed?
  - Applicant said the new parking associated with this building must only meet the needs of the accessible units within this building. There are additional handicap spaces throughout the complex.
- How will this alter the proportion between condominiums and rentals?
  - Applicant said the original mix was 61 rentals to 59 condominiums. This final proposal would result in 76 rentals and 44 condominiums. The change to more rentals is driven mainly by the cost of the project. There were cost overruns to the site's development and the condominiums completed in 2009 and 2010 hit the market at a bad time. It now makes more sense to do this as a rental development while still meeting the Town's requirement that at least 50% of the units be affordable. In terms of marketability, the intent has always been to have more rental units than condominium units.
- The proposal is to make all 15 units affordable units?
  - Applicant said "up to 15". It is possible there might be one or two market-rate units in the mix. These units will be developed utilizing a federal tax credit allocated by the NH Housing Finance Authority. They have to look at the investors who will receive the benefit of those tax credits in exchange for providing the equity to build the project. There is some flexibility.
- What is the visual impact of the height of this building compared to others in the complex?
  - Applicant said the roof configuration will not change from the original design. Elevation, and what is seen on the outside, will have the same aesthetics and impacts in terms of massing, but will be slightly shorter. This is the lowest portion of the site. The two closest buildings are significantly elevated above this building.
- Will visitor parking be pinched?
  - Applicant said no, an adjacent visitor parking area is not heavily utilized.
- Explain what the terrace level is?
  - Applicant said the building is semi enclosed on the sides. One floor is below grade of the upslope elevations. Units on the backside of the buildings are essentially walk-out levels. That design mirrors what has been done elsewhere on the site.
- All of the windows of the terrace units face to the northeast. There is minimal opportunity for solar heating or illumination.
  - Applicant said building orientations were driven by the site constraints; fitting the massing of the buildings in a sensible way that minimized their scale and fit with the topography. Switching the orientations and interior layouts would require relocating

- the common circulation and stairwell accesses on the north face. This would force residents on the top floor to travel up and down three stories, including one below grade, between their unit and building entrance/exit. This would impact marketability. It has always been a goal of this project to provide at least the opportunity for the ease of future solar installations if they could not be afforded upfront. The economics have been such that there are no solar installations on the rental properties. Once they are deemed affordable housing they will become eligible for a different set of grants.
- What are the extra windows shown on the north elevations?
    - Applicant said the condominiums have an extra loft area with extra windows.
  - How much parking is being provided and how does it fit into the landscape requirements?
    - Applicant said the parking shown directly adjacent to the building is per the original approved configuration with a minor exception near the dumpster/recycling enclosure. The landscaping immediately adjacent to the building is a common theme throughout the complex.
    - CONNOLLY said the landscaping was approved as one giant project. Only recently has the Board been dealing with small portions of it.
    - GARIPAY spoke favorably of having more trees but said they result in less sunshine for the buildings and for melting ice on the roadways.
  - What are planned for the insertion areas between parking spaces?
    - Applicant said the bump-outs do not offer a lot of space for a large planting. There may be ways to achieve additional street-tree scale plantings that may result in a slight decrease in the number of parking spaces. Applicant reiterated the financial hurdles they face digging out of a fairly deep hole just to finish the 12 buildings. The site is maxed out in terms of additional level area. Applicant said all of the landscaping previously approved for Building 4 has been completed except for one area. Four parking lot islands were approved but two have been eliminated due to the building design change and elimination of the parking below the structure. More trees will be incorporated into a strip of parking.
      - The Board reached consensus to pursue additional landscaping acceptable to staff which may include loss of a parking place to create a bump out large enough to accommodate a tree and/or plantings along the north face to soften the building.
      - Applicant said taking away any spaces from the original plan will make it harder for the condominium owners to accept a shift in the distribution of parking across the site due to the construction of this pad site.

Staff Comments/Questions:

- Is this the last of the changes to this project?
  - Applicant said that is dependent upon input from their lenders and investors.
- No new buildings? No exterior lighting that isn't already shown? Keeping the rental/ownership mix as is currently proposed?
  - Applicant they are endeavored to stay within the appearance, finishes and materials that are prevalent in the other buildings. The hope is that this is the final piece.
- In the end, this building will be able to meet all of the approvals and satisfy all conditions of approval, in particular with respect to the community building?
  - Applicant said they have not been able to obtain financing for the community building. It was understood on their end that a location for a community building was

- identified but that it was always understood that that was a tenuous and optimistic proposition.
- Do the current residents want a community building or could that space be used for something different?
    - Applicant said the area was leveled out and is commonly used for dog-walking and recreation-type uses. It is still recognized within the condominium declaration as a carve-out for potential future structure. Applicant said there is no certainty that the resources are available to even complete the construction of Building 4. They want to be very clear about their assessment of the likelihood of securing financing for a community building.
  - Smith stated for the record that she is not able to sign off on the project until it is known what is going in that space. If unresolved, this issue will hold up occupancy of this building.
    - Applicant agreed to engage the Gile community in the coming months to obtain their thoughts/wishes for use of this space.

Public Comments/Questions:

- A Gile Hill resident suggested a playground would be appropriate in the community building space.

Waivers requested:

1. Vicinity sketch
2. Plat with professional license stamp
3. Survey Map
4. Site Context Map
5. Site Plan with
6. Tax map and lot number
7. Zoning designation
8. Area of lot
9. Front, side and rear setbacks
10. Location of water resources and man-made drainage features
11. Location of other natural and man-made features
12. 100 year flood elevation
13. All legal rights of way and easements
14. Use of abutting properties
15. Use of all rooms and areas
16. Vehicular and Pedestrian Circulation Plan
17. Utility Plan
18. Lighting Plan
19. Paving, Grading and Drainage Plans
20. Construction Staging Plan

**It was moved by MAYOR, seconded by CONNOLLY, to accept the application as complete with the waivers requested and conditions recommended by staff.** It was noted that the construction staging and lighting plans previously approved would still apply. Applicant said a very modest shift is proposed for the exact location of a sidewalk and island.  
**THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.**

Proposed conditions of approval:

Continue conditions of the original application acted on by the Board January 23, 2007; amended August 28, 2007:

1. No site work on each construction phase of the development shall begin until the Planning & Zoning Director, in consultation with the Public Works Director and other appropriate town staff, is satisfied with:
  - Phasing and sequencing plans;
  - Best management practices to be followed;
  - Site inspection and plan revisions as necessary by the site engineer;
  - Contract obligations with site contractor regarding adherence to plans, surety of performance at all stages of construction, and immediacy of corrective actions.
2. A site inspector, selected and overseen by the town and paid by the applicants shall be retained to oversee site construction regularly and frequently and to report as necessary to the Planning & Zoning Director. The applicant shall undertake all recommendations which the site inspector determines in consultation with the site engineer, the Public Works Director, the Planning & Zoning Director, and other appropriate town staff.
3. No building permit shall be issued until the Planning & Zoning Director, in consultation with the site inspector and Public Works Director, is satisfied that site construction of the relevant phase has been properly performed and is stable.
4. Prior to the issuance of a certificate of occupancy for the final residential building, the developer shall have:
  - a) completed the work based upon approved sidewalk plans; or
  - b) commenced such work and escrowed funds sufficient for completion; or
  - c) escrowed \$25,000 toward the development of the plans and construction of the sidewalk, so long as the developer, in the view of the Planning & Zoning Director [Senior Planner], is actively engaged in the process seeking State approval and leading to the identification of funding sufficient to complete the work. This escrow amount may be revisited, if necessary, based on project costs and consideration of this applicant's fair share of the cost.

ESMAY suggested inserting "Senior Planner" where "Planning & Zoning Director" is mentioned above. She further suggested the following additional conditions of approval:

5. Removal of the designation of snow storage as previously discussed
6. Submission of the new condo agreement when drafted and complete
7. Additional landscaping acceptable to town staff [Senior Planner] as discussed this evening – essentially the surrender of a parking space to accommodate an additional tree.

**It was moved by CONNOLLY, seconded by MAYOR, to approve the application with the conditions as recited. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.**

- 3. P2013-38 SUBMISSION OF APPLICATION FOR MODIFICATION OF AN APPROVED SITE PLAN BY GILE COMMUNITY HOUSING REAL ESTATE, LLC, TO EXTEND THE APPROVAL OF CASE NO. P2006-05 TO MID-2014. THE**

**PROPERTY IS LOCATED AT 215 LEBANON STREET, TAX MAP 21, LOT 2, IN THE “OL” ZONING DISTRICT.**

ESMAY read the Notice of Public Hearing. Andrew Winter, applicant, said that an extension of site plan approval was sought and granted in Case P2013-09 through April 2016. Smith asked for confirmation that the April 2, 2016 expiration would be met. Winter said yes.

Case P2013-38 was withdrawn.

**4. DEVELOPMENT OF REGIONAL IMPACT: ALTARIA LEBANON PARK – PHASE 2** [Final Review of a Major Subdivision of 50.1+/- acres on Route 120 into an 11-lot Planned Business Park (8 Industrial/Office lots, 1 Residential lot (120 multi-family residences), 2 dedicated Open Space lots)]

ESMAY acknowledged receipt of:

- Kevin Worden’s September 9, 2013 letter to the Lebanon Planning Board and corresponding schematic plans
- copies of the Hanover Planning Board’s November 1, 2011 meeting minutes when the Preliminary Subdivision Conceptual Review was discussed
- a copy of Jonathan Edwards’ November 9, 2011 email to David Brooks detailing the Hanover Planning Board’s comments from the November 1<sup>st</sup> discussion

It was noted that the only substantial change to the plan since November 2011 is the granting of a municipal agreement to allow the extension of water and sewer services to the planned business park. The Hanover Planning Board’s November 2011 concerns regarding site design and connectivity, off-site traffic impacts, Mink Brook neighborhood noise and light impacts, and Route 120 infrastructure have not been addressed.

Kevin Worden, of Engineering Ventures, offered to speak unofficially about the project. He said there have been discussions about a bike path along Route 120, from the hotel to Centerra. Emergency access will continue right up to Centerra. Worden said the Lebanon Zoning Ordinance requires subdivisions to show connections to adjoining properties. When Centerra was laid out in the 1990’s it did not follow that requirement. Subsequent to the approval of Centerra, adjacent property owners created deed restrictions of vehicular and utility passings over their property boundaries. It was only through finding a lot that did not have that deed restriction that Altaria is able to get access to the back eight lots of the planned business park. Phase 2 includes eight lots much like Centerra and a residential lot in the back that will be developed as a PUD with 120 condominium units. Worden said the intent has always been to access these lots from Route 120 but also ideally for those residents to work within the PUD.

Board Comments:

- The total burden is still on the public roads.
- MAYOR said Route 120 studies have been stymied by the financing that is needed to complete them. He reiterated his shared concern with the other members of the Hanover Planning Board that having only one way in and out of the development seems to be a short sided approach to what should be regional cooperation.

- It was questioned whether the proposal for two northbound lanes on Route 120, from the Centerra traffic light to Greensboro Road, is still under consideration.
  - Kevin Worden said no.
- Tree removal at the former Wilson Tire site is bold. Will trees be replanted?
  - Worden said yes and added that 230-240 acres will be put into conservation. He said in order to do that, all of the proposed development must be squeezed into a new urbanist compact development. Due to the grade change and the need to terrace on the site, there are no opportunities to save existing trees in that compact area.
- It was questioned whether a traffic light will be added on Route 120 at the former Wilson Tire site.
- A site visit was suggested and scheduled for Thursday, October 31, 2013 at 2:00 PM. [NOTE: This has been postponed.]
- Traffic impacts are different from impacts affecting quality of life.
  - Worden said he will pass along the Mink Brook neighborhood's concerns.

The Board reviewed their comments communicated by Edwards' in his November 2011 email to David Brooks and agreed they are all still very relevant. They agreed to add a comment regarding the sensitivity to the residential Hanover neighbors on the north side of the project as to the quiet enjoyment of that neighborhood.

Staff was asked to prepare a cover letter stating that Hanover's Planning Board has reviewed their comments of November 2011 and continue to endorse of them with the exception of the IMA, which has already been resolved.

**5. OTHER BUSINESS:**

Zoning Ordinance Amendments: It was questioned whether staff will be proposing any amendments this year. ESMAY said it was not yet known.

**6. ADJOURN:** The meeting adjourned at 9:25 PM.

Respectfully submitted,

Beth Rivard