

**PLANNING BOARD
DECEMBER 2, 2014 at 7:30 PM
TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

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

Alternates: Jon Criswell

Staff: Vicki Smith, Judith Brotman

Others: See Attendance Sheet

1. **P2014-34 SUBMISSION OF APPLICATION FOR MODIFICATION OF AN APPROVED SITE PLAN (P2014-14) BY JAMES WASSER, AS AGENT FOR THE HANOVER CONSUMER COOPERATIVE SOCIETY, INC. AND TRUSTEES OF DARTMOUTH COLLEGE, PROPERTY OWNERS OF RECORD, TO INCREASE WIDTH OF PARKING SPACES AND ADD A LANDSCAPE ISLAND AT 45 SOUTH PARK STREET, TAX MAP 34, LOT 110, IN THE "B-1" ZONING DISTRICT.**

Smith said the Co-Op has requested to be heard in January.

It was moved by CONNOLLY, seconded by SIM, to continue this matter to January 6, 2015. ESMAY opened the floor for public comment; there being none, **THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.** CRISWELL participated as voting Alternate.

2. **DISCUSSION OF ZONING AMENDMENTS TO BE CONSIDERED FOR TOWN MEETING 2015** (Previously discussed by the Board 11/18/2014)

Short Name of Proposal: Continuing Care Retirement Community (CCRC)

Proponent: Rebecca Smith of Kendal at Hanover (Kendal)

David Urso, Diana Cox and John Dawson appeared on behalf of Kendal. Dawson said the amendment was revised to: allow CCRC as a permitted use in GR-4 only, and require Special Exception review in all other GR classes. He said CCRC was a use allowed by right on this parcel when it was zoned RR. Special Exception review should be limited to uses that could be considered inappropriate for a zoning district. How does a CCRC not fit into the GR district?

Board & Staff Comments/Questions:

- Smith said the proposed amendment would apply to all CCRC's, not just future Kendal expansions.

- Brotman said there is at least one other parcel of significant size in GR-4 to accommodate a CCRC.
- CONNOLLY, ESMAY and Brotman spoke in favor of requiring Special Exception review due to potential impacts to the character of the area, town services, highways and sidewalks, and to enable neighbors to express themselves before the ZBA. Brotman said a use allowed by Special Exception is envisioned in the Ordinance as being allowed but with additional oversight by the ZBA.
- SIM said assisted living units should be included in the unit count. Requiring 50-acres and a minimum of 100 units seems to be out dated. A cap of 5 units/acre is probably not the right way to go. We should be looking at more diversity in terms of size and a more appropriate way to reflect the number of units for any size of CCRC. If Kendal were to be considered a rather special form of multi-family housing, the number of units could increase quite substantially in the context of area and dimensions requirements of Table 204.5. There is no wording in the Ordinance that relates to parking provisions for CCRC staff. It would be appropriate to distinguish between independent dwelling units and assisted living units in terms of parking requirements.
 - CONNOLLY said assisted living units do not meet the definition of dwelling units.
 - ESMAY said the definition of “dwelling unit” has been predicated on the notion of independent living. To have it encompass units that are not independent is a significant shift and could have spillover effects in other sections of the Ordinance.
 - Cox said when Kendal’s assisted living expansion was approved 14 years ago, it was very clear that those units were not to be counted as dwelling units because they do not have kitchens.
 - Dawson said excluding “dwelling units” from Section 503 and incorporating “CCRC units” with an associated definition may resolve the matter.
 - Brotman cautioned that proposing changes beyond the context of the original proposal could lead to failure and/or hold Kendal up. A committee could be formed to look at other issues for consideration next year.
- GARIPAY asked why Kendal is pushing for this.
 - Dawson said a zoning change is needed for Kendal to expand and stay viable within the market.
- ESMAY suggested:
 1. Changing the proposed definition of “CCRC” to: “A community for ~~the elderly~~ **older adults** which includes a contract for ~~lifetime~~ **housing, services, and health care for** the residents.”
 2. Listing the following as a new Section 503.5e, “a CCRC ~~shall~~ **must** have common facilities, **which may include** ~~including~~ licensed **assisted living**, intermediate and skilled nursing facilities primarily for and adequate to meet the needs of its residents, and other services, ~~which are not accessory to other permitted uses; the community and all of its facilities shall be under one ownership.~~ **facilities and amenities/or the health, wellness and convenience of residents in accordance with industry standards. Such services, facilities and amenities may include, but not be limited to, residential housing; indoor and outdoor recreational areas; congregate dining rooms; small retail areas; educational facilities; medical clinics; hair salons; transportation services; banks and financial institutions;**

wellness, fitness, and aquatic facilities; meeting rooms; adult day care; child day care; and home health care services.

3. Listing the following as a new section 503.5f: *Support services, facilities and amenities within a CCRC are primarily for the use and convenience of the residents, guests, and staff of the CCRC and shall be operated in a way that does not encourage use by the general public as a separate primary use.*

Public Comments/Questions:

- Doug McIlroy suggested extending the NP zone to include Kendal's riverbank area.
 - Smith said that would be a deficit to Kendal. If rezoned, that area could not be counted toward lot coverage or acreage.
 - Dawson said the Kendal riverbank area is part of a conservation easement. To change the zoning map when it is already protected seems like overkill.
- Joanna Whitcomb suggested incorporating permanent public access to the river at the former Chieftain site, now owned by Kendal, into this proposal in exchange for increased density.
 - CARTER said requiring Special Exception review will give the Town the opportunity to look at the appropriate use and full-town use of Kendal's riverside land.

Kendal was asked to submit any further revisions to staff by December 10th for review by the Board on December 16th.

Short Name of Proposal: West Wheelock Gateway District

Proponent: West Wheelock Working Group

Smith said the 2003 Master Plan identifies this area as a place where we should have increased density. Last year, PLAN NH hosted a design charrette to come up with ways to increase density, celebrate the road as a gateway to the campus and downtown, address traffic concerns, encourage safe pedestrian and non-vehicular use for people who live there, and to bring the area together as a neighborhood. The West Wheelock Working Group (Group) was formed to make the resulting PLAN NH vision happen. The Group was comprised of two local architects, an AHC member, an UV Housing Coalition member, PLAN NH team members, an area resident, three property owners, Planning Board members, a Bicycle/Pedestrian Committee member, and town staff. In addition to the proposed zoning changes, a companion piece is needed to add architectural design standards to the Site Plan Regulations. The Group discussed minimizing curb cuts, providing access to designated parking areas and what might occur if lots are combined.

The amendment proposes permitted uses of single-family, two-family, multi-family dwellings, and parking facility. Proposed uses allowed by Special Exception include neighborhood retail sales, restaurant, and property management office. These non-residential uses will be limited to 1,000 sf. Parking is only required for the proprietor. The proposed building heights can accommodate 4-story buildings.

Smith said UK Architects was hired to create a model of what could be. Chris Kennedy of UK Architects walked the Board through a digital terrain model of full build-out. Kennedy said in an effort to align houses on the street, there is a requirement that 30% of a building must be located within 6' of the front setback. Constructing buildings farther back into the

lots will require more intense building shapes, making them less efficient, more expensive, and create other issues.

Public Comments/Questions:

- If a building is located 10' or 20' off the setback, they will result in taller buildings.
- Buildings of this height will loom behind the back yards of houses on Sargent Street.
- A multi-family dwelling overlooking backyards on Sargent Street will change the character of the neighborhood in a significant way.
 - Smith suggested changing the proposed rear setback to 20'.
- What is the distance between Sargent Street houses and houses proposed on West Wheelock Street?
 - Kennedy estimated a range of 30' to 42' based on an aerial view.
- Building height could be measured from the ground level of the plateau, rather than from ground level of the structure.
- How did West Street become a part of the proposed district?
 - Smith said West Street was part of the charrette report and drawings. It is part of the gateway into town. It is also underserved and needs infrastructure improvements, such as sidewalks. The Group thought if we got new development there, maybe we'd get sidewalks and that would facilitate a pedestrian environment. There is also a property on West Street that a lot of people complain about. It was included in the hopes that it would be redeveloped into residential use.
 - We can achieve those things without allowing multi-family dwellings 40' in height.
 - Do you need to have high density development to build sidewalks?
 - SIM said the idea was to have a transition between the massing on West Wheelock Street and the neighborhood as you travel up West Street.
 - There is a zoning boundary between GR-1 and GR-2 that has been in place for a very long time. It is a natural demarcation between the high density uses of West Wheelock Street and single-family homes on West Street.
- Including lots currently zoned GR-1 into this amendment does not make sense.
- No one has said specifically that the design is based on topography. There's a plateau and a ravine. This plan is really for the ravine, which is quite separate from the plateau.
- The West End Overlay District was approved last year. A portion of the proposed gateway district is within that overlay district. Clearly the gateway district development is inconsistent with the purposes that were set forth in the creation of the overlay district.
- The boundary should end at the boundary of the West End Overlay District.
- One of the key challenges of the 2003 Master Plan was to protect and enhance the stability and character of existing neighborhoods. Something like this would totally change the character of the West End neighborhood.
- Where is all of the parking? If that is not worked out, this is not ready for prime time.
 - Smith said we really want to encourage pedestrians in the area. People are going to rent places here knowing they do not have parking. People could find alternate parking in the I and D zones. Sheltered bike storage is required in an effort to encourage travel by bike.
- Drainage is a big issue on West Street. You are proposing underground garages?

- If you really want to achieve the car-free lifestyle, you should consider parking maximums, rather than parking minimums.
 - CARTER said the Bicycle/Pedestrian Committee reported that this corridor has the highest number of bike accidents in Hanover. One of the goals is to limit the curb cuts to reduce the number of times cars and bikes intersect one another.
- If pedestrian safety is an issue, why not propose a separate bike path? Reducing the front setback will deter this.
- The West Street/West Wheelock Street intersection is a pedestrian/traffic accident waiting to happen. How can we agree to extensive development that will increase significantly the number of people and cars trying to get through that intersection without there being a thoughtful, sensible understood plan of how that traffic is going to be handled? These elements of the plan are indispensable to make it work right.
- None of these people who are getting very big entitlements just by changing height limits are being asked to put anything into improving the area. What sense does it make to have this huge development entitlement go forward without any strings attached?
 - Smith said the Group talked about creating a tax increment financing district to support some of the improvements. They came up with 17 pages of standards that need to be added to the Site Plan Regulations. The Town Manager, Public Works Director, and a Selectboard member have been involved with the Group and are aware of what would be needed if this is going to go ahead. There has been a commitment from the Town Manager to take a serious look at this if it goes forward.
- Why does the amendment include allowing more than one principal use on a lot?
 - Smith said so that a restaurant can be located in the same building as apartments, and/or a parking facility can be used as a principle use alongside of accessory parking, alongside of multi-family housing.

Board Comments/Questions:

- CONNOLLY said the non-residential uses are not necessary and are detrimental. They take away from residential space. Required parking for the non-residential uses should be eliminated as well. There are no side setbacks for these buildings. There should be space for emergency vehicle access and to avoid a street-long 4-story barracks appearance.
 - GARIPAY said the non-residential uses were proposed in an effort to develop a community.
- CONNOLLY said Parking Facility is proposed as a permitted use without any designation of the number of cars constituting said facility. It should be allowed by Special Exception if it is to accommodate 20+ cars.

Review of this proposed amendment will continue on December 9th.

Review of the Kendal amendment and the Technical Review amendment will occur December 16th.

3. OTHER BUSINESS: None

4. **ADJOURN:** The meeting adjourned at 10:18 PM.

Respectfully submitted,

Beth Rivard