FINAL

LEBANON PLANNING BOARD
Work Session Meeting
Monday, October 26, 2020 – 6:30 pm
Remote Via Microsoft Teams
LebanonNH.gov/Live

ROLL CALL OF MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Jim Winny (Council Representative), Kim Chewning, Joan Monroe, Kathie Romano, Jeremy Rutter, Laurel Stavis, and Gregorio Amaro

MEMBERS ABSENT: None

STAFF PRESENT: David Brooks (Planning Director), Tim Corwin (Senior Planner), Chris Christopoulos (Fire Chief), Duane Egner (Fire Inspector). Rebecca Owens (Associate Planner)

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1. **CALL TO ORDER:** Chair Garland called the meeting to order at 6:30 PM.

   A. Review of meeting procedures and NH RSA 91-A "Right-to-Know" requirements.

Mr. Corwin shared the State directive and participation details for the online meeting in Microsoft Teams. All members identified themselves.

2. **Study Items**

   A. Discussion of Fire Code requirements by the Lebanon Fire Department

Mr. Brooks opened the discussion and introduced Fire Chief Christopoulos and Inspector Egner. The purpose of the meeting was to give the Board an opportunity to hear how the City's administration and interpretation of the fire code interacts with the development review process.

Chief Christopoulos explained the two fire codes in use, the State Fire Code and the International Fire Code, which form the basis for the local fire code. Locally, the International Fire Code was adopted as being more up to date, which allows builders and developers to use new technologies. The stricter code is the prevailing code, but the Fire Department does its best to protect the community and allow flexibility where appropriate. The City automatically adopts the most current version of the International Fire Code.

During the discussion, the Board members inquired about a number of items. Chief Christopoulos and Inspector Egner explained and confirmed a number of aspects of fires and the fire code.

- The applicable sections of the fire code for a project are determined in the permitting process.

- Sprinkler systems are 96% effective and provide excellent fire control, particularly when rear access to a building is not available. Sprinkler systems rely on sensors, which do not require power. Alarm systems do need battery backup. In 2015 the Life Safety Code was adopted requiring new apartment buildings to be sprinkled. A fire doubles every 45-60 seconds due to the current types of building materials and furnishings. Fires are much hotter and faster than in the past. The size of a housing lot and proximity to water sources are factored into the codes. Only two local properties have cisterns. State statute prohibits the City from requiring sprinklers in one- and two-family structures, but a builder can offer to sprinkle a one- or two-family structure, and the Planning Board can accept it.

- State-owned land is exempt from local fire codes but not the State Fire Code.

- Adoption of a local fire code has created some redundancy between Site Plan Review Regulations and the fire code.

- Staff will go through the regulations to update them to eliminate redundancy. The recommended changes would go to either the subcommittee or the full Board for review.

Chief Christopoulos noted that items were put into the Site Plan Review Regulations because the City didn't have a local fire code. New technologies can be leveraged with a City fire code. There is now auto-turn software to determine what is required for equipment access. It would be possible to come to agreement on what is in the best interest of both the developer and the City. The Site Plan Review requirements are not consistent with the current fire code, making people do things that aren't needed today. It would be possible to take it on a case by case basis, and a local fire code allows that.

Inspector Egner observed that standards will evolve over time as equipment and digital upgrades continue.

Chair Garland closed the discussion with thanks to Chief Christopoulos and Inspector Egner.

B. Discussion Re: Lighting Site Plan Review Amendments

Mr. Brooks provided background on the topic. City Counselor Below has found research on the color correlated temperature (CCT) of outdoor lighting, whether warm or cool, and identified some American Medical Association policy documents recommending warmer light colors better for health.

Ms. Owens noted that the amendments align the development regulations with the lighting standards.

Mr. Hall stated that the subcommittee heard a presentation by Counselor Below. The subcommittee's consensus was that it makes sense and would be better for public lighting. The cost would fall to the developer. The subcommittee was all in agreement with it being brought to the Board.

The Board discussed an image of lighting for a combination of residential and commercial lighting, noting that the commercial lighting was not directed downward as required.

Ms. Romano recommended sending a letter on what is coming in the future to help property owners make more appropriate replacement lighting choices.

Mr. Brooks added that with the City's new street lighting requirements, the subdivision regulations should be updated for consistency.

Ms. Stavis noted that if it was adopted by the City Council, the Board needs to update their regulations. Ms. Owens added that they are updating the regulations to be consistent. Ms. Monroe stated that she was not aware as a resident that the policy was adopted, and the policy should be enforced.

Mr. Brooks stated that the Planning Department is aiming to review regulations twice a year on a regular basis. There would be a Board review and then a public hearing before adoption.

3. Committee Reports

Chair Garland noted the vacancies on the committees and encouraged all members of the Board to consider serving on a committee.

A. Planning Board Subcommittees:
- Planning Board Capital Improvement Program (VACANT/VACANT/ B. Garland/L. Stavis)
- Planning Board Development Regulations Update (M. Hall/K, Romano/J. Rutter / J. Monroe)

Mr. Hall reported that there is sizeable list of items to review. Board members should bring items to Staff or the Subcommittee members. Ms. Stavis noted that if members have suggestions for improvements that relate to State law, they should feel free to consult her.

B. City Council Subcommittees:
- Class VI Roads Advisory Committee (J. Monroe)

The most difficult roads are under review, with two completed and reported on.
- Lebanon Energy Advisory Committee (J. Monroe)

The committee has been very busy. Ms. Monroe expressed a thank you to Tad Montgomery, the staff coordinator, who dealt with new technologies and developed working relationships with the energy companies, State and local officials, and stakeholders. Those companies are trying to keep monopolies on energy delivery using old practices. Removing a staff coordinator for future planning is a mistake, and she recommended keeping that position.

C. City Council Representative (J. Winny/K. Liot Hill)

The budget season will begin November 4. Westboro funding is uncertain. There is a question of the status of funds approved for demolition that has not happened. Ms. Stavis stated they are looking into it as a statutory requirement. Both companies involved in the railyard have been sold, and it is not clear what the legislative status is regarding appropriations with foreign companies operating in those State-owned lands. The Lebanon delegation of State representatives are looking into it.

D. Heritage Commission (VACANT)
E. Pedestrian & Bicyclist Advisory Committee (VACANT)
F. Upper Valley Lake Sunapee Regional Planning Commission (B. Garland/L. Stavis)
G. UV Sub-Committee of the Connecticut River Joint Commissions (B. Garland)
H. Upper Valley Transportation Management Association (VACANT)
I. Mascoma River Local Advisory Committee (K. Romano)

The Committee is involved in creating a master plan for a year or two, but they are without Canaan representatives and just lost an Enfield member.

J. Steering Committee for the Implementation of the Master Plan (B. Garland/VACANT /VACANT/J. Monroe)
K. West Lebanon Revitalization Advisory Committee (L. Stavis)
L. Planning & Development Department – Task Status (D. Brooks/ M. Goodwin/T. Corwin/R. Owens)

4. Approval of Minutes

A. September 3, 2020 - Special Meeting

B. September 10, 2020 - Special Meeting
Page 4, line 9, Closed public hearing
Continue the application (not the hearing)

C. September 14, 2020 - Regular Meeting

A MOTION by Matthew Hall to approve the minutes of the September 3, 10, and 14, 2020, meetings as amended.
Seconded by Laurel Stavis.

Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Hall, Ms. Romano, Mr. Rutter, Ms. Chewning, Mr. Amaro, Ms. Monroe. Mr. Winny, Ms. Stavis
****The MOTION was approved (9-0).***

5. Other Business

Chair Garland inquired about an update on the Iron Horse Project. Mr. Brooks reported that the lawsuit is in a holding pattern, and the court agreed to stay the appeal for a 9-month period to allow the developer to come back with a revised design that complies with current regulations. There is a new developer working with the property owners to create a new conceptual plan, but they will probably not be able to get a plan to the Board for conceptual review before the end of the year. Mr. Brooks added that he will work with legal counsel on how to handle the pending appeal to allow the developer to bring a new proposal forward. The new developer may have a use in mind for the portion of the property abutting the rail lines. Ms. Stavis requested that she and Rep. Abel be allowed to participate in the meeting with the owner and developer to advise the discussion. Mr. Brooks said he would let them know.

Mr. Corwin reported on Timberwood Common's appeal to the Zoning Board to overturn the Planning Board's determination relative to need for a wetlands Special Exception. Saxon Partners filed a motion to dismiss Timberwood Common's appeal, which the Zoning Board granted.

There was a presentation online by Urban3, which looked at fifteen New Hampshire communities regarding taxation and the value of land. There is a one-hour, archived recording of the presentation for those who did not have an opportunity to hear it. The next session will focus on Lebanon, Hanover, and Claremont.
Mr. Brooks stated that the zoning amendments are being reviewed by legal counsel and would come back to the Board in November.
There will be a conceptual discussion with Ken Braverman about his development at 20 Spencer Street and the City's proposed improvements to Spencer Street itself. There is the potential for it to be seen as a single development. The City Manager and Mr. Braverman will introduce concept, which is probably similar to the RFP response. It will be an opportunity to get a sense of the concept of the project.

This weekend, the New Hampshire Municipal Law Conference will take place online. Board members should contact the Planning Office for details on how to attend.

The Planning Department is moving back to City Hall on Nov. 2 and 3. The other departments will follow. City Hall and the Opera House are scheduled to reopen on Nov. 16 with new hours. They will be following a 4-day work week from 7 a.m. to 5 p.m. as a way to better provide public access to the City offices. Planning will be occupying the top floor, which was formerly the City Council Chambers.

Ms. Romano observed that the City has approved 650-750 units to be built with a similar number yet to come. There are no single-family home projects planned. She inquired about the City's vision for those who want to live in a single-family home. Mr. Brooks noted some ability to influence the situation by zoning. The Keys to the Valley Project provides the most current picture of the need for housing. The Rock Ridge Project is still building Phase 2, with Phase 3 coming soon. Another project is the Prospect Hills Project. Although the plat has been recorded, nothing is happening with it yet. There are 117 units in the second phase with many single-family, detached homes planned.

The Oak Ridge Project will be heard in November for completeness and December for a public hearing.

6. Adjournment

A MOTION by Matthew Hall to adjourn the meeting.
Seconded by Laurel Stavis.

Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Hall, Ms. Romano, Mr. Rutter, Ms. Chewning, Mr. Amaro, Ms. Monroe. Mr. Winny, Ms. Stavis

****The MOTION was approved (9-0).***

The meeting was adjourned at 8:55 PM.

Respectfully submitted,
Holly Howes
Recording Secretary