FINAL

LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL
OR REMOTE VIA MICROSOFT TEAMS
LEBANNONNH.GOV/LIVE
MONDAY, MARCH 25, 2024, 6:30 PM

MEMBERS PRESENT:	Andrew Faunce (Chair), Richard Ford Burley (Vice Chair), Jeremy Rutter (REMOTE), Patrick Kennelly, Brandon Hill, Kathie Romano (REMOTE)
MEMBERS ABSENT:	Karen Zook (City Council Rep), Laurel Stavis
STAFF PRESENT:	Tim Corwin (Deputy Planning Director), Nate Reichert (Director of Planning & Development/Zoning Admin), Doug Whittlesey (City Councilor)

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1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:32pm.

Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

Ms. Romano arrived at the meeting at 6:34pm. She said she is attending remotely because she is out of town.

2. STUDY ITEMS

A. Presentation by Bruce Mayberry of BCM Planning LLC RE: City of Lebanon Impact Fee Update 2024 Report

Mr. Bruce Mayberry gave an overview of the updated Impact Fees Assessment for 2024, based on the presentation included in the meeting agenda packet:

- What are Impact Fees
- A brief history
- How they are calculated
- Comparison of the last few updates
- Capital Cost Basis
- Final Impact Fee Schedule

He said the methodology for arriving at this update is the same as the last few updates. Ms. Romano asked if Impact Fees had to be returned if not used (because of an emergency situation like the pandemic) within a six-year period. Mr. Mayberry said funds can be used for other capital projects so are almost never returned. Ms. Romano noted that fees are charged for units that are 500 square feet or larger and asked if the new, one-bedroom units that have been built in the City recently are 500 square feet. Mr. Mayberry said he had no specific data on the size of one-bedroom units being built in the City.

Mr. Hill asked if there is a map that identifies the police incident call volume by geographic area. Mr. Corwin said he could provide the Board with that information. Mr. Hill asked why Dover was chosen as the city for comparison with Lebanon. Mr. Mayberry said Dover has diverse development (residential and non-residential) and it is near a border with another state that has a sales tax, and he had a lot of other detailed information about it. Mr. Hill also asked whether the large, upcoming projects at DHMC and Dartmouth College will affect the employment projections Mr. Mayberry included in his report. Mr. Mayberry said spikes in employment because of these projects will not affect these projections.

Mr. Mayberry explained that Impact Fees are only charged for two housing categories because the decision was made in the past by the Planning Department to simplify the categories from five categories to two. He said nursing and licensed care facilities have the highest change in the rate from the last update because of the number of fire department/emergency medical services provided at these facilities. He explained that the Alternatives paragraph included in the report was added to accommodate non-residential facilities that have a higher rate of response rate/demand on City services. He said Lebanon's fee structure has never been legally challenged. Mr. Whittlesey said developers are usually looking to get waivers of the fees as opposed to challenging them.

Mr. Ford Burley asked if Mr. Mayberry (who recently retired) will be able to update the City's Impact Fees in the next few years. Mr. Mayberry said he could provide the names of other practitioners in New Hampshire that could do the update. Mr. Ford Burley suggested the Board make a note to develop an RFQ in 12 months to have enough time to develop an RFP in time for the next update a few years from now.

Mr. Mayberry said Lebanon's fees are in line with those of neighboring towns, but Lebanon does have some of the lowest school enrollment ratios of any city or town, so that impacts the school fees. He said he could provide the data he has on how Lebanon compares to neighboring towns to the Planning Department.

Mr. Mayberry said waivers should be given when it can be demonstrated that there's no significant impact from the category of development. He said the state statute allows for waivers, provided the criteria are detailed in the ordinance. He said too many waivers can make the fees disproportionate.

The group discussed whether to accept the updated Impact Fees as presented and when to hold a public hearing about them. Mr. Kennelly asked for a chart of the fees for the years prior to 2021 and Mr. Corwin said he would provide that to the Board.

Mr. Rutter joined the meeting at 7:40pm.

Mr. Rutter said he would like to have a chart of the fees over the last 10-15 years for 4-5 communities near (and including) Lebanon to present at the public hearing. The group discussed how the Impact Fees have been presented to the public in the past (by the Board, the Planning Department, or by an expert such as Mr. Mayberry). Mr. Corwin said he would provide the chart that Mr. Rutter suggested and research how the fees have been presented to the public in the past.

The group decided to table the discussion and acceptance of the Impact Fee update until the requested information can be provided by the Planning Department. They agreed to review the information and fees update at the April Planning Board work session.

B. Recap 2024 Adopted Capital Budget, Commence 2025-2030 CIP Process

Mr. Corwin gave an overview of the CIP process and the Planning Board's role in that process. He said the Board will review the 2025-2030 projects and noted CIP projects should support the goals of the Master Plan.

Mr. Corwin reviewed the Planning Department's CIP Planning document. He outlined the steps that are taken by City staff to identify potential CIP projects and collect them into one document for the Planning Board. He noted that, in the past, a subcommittee was formed (made up of 3-4 members of the Planning Board) that ranked the potential CIP projects provided by the City's Department Heads, and then presented them to the full Planning Board. He said it was determined that this subcommittee was not really needed because the Department Heads could prioritize their projects. Mr. Corwin said the Board can provide guidance on this to the Department Heads with the CIP guidelines that are distributed January 1. Mr. Corwin confirmed the Planning Board is tasked with adopting the CIP project list.

The group discussed the status of the South Main Street Bridge project – known as the Dry Bridge – in West Lebanon, as well as the Phase I Solar Project Buy Out, and grant opportunities that can provide more funding opportunities for projects.

Chair Faunce asked why some projects are bolded and italicized on the list. Mr. Corwin said those are Planning Board CIP projects related to City growth and the Planning Board should focus on them. Mr. Corwin confirmed that vehicles that cost more than $100,000 are CIP projects (i.e., fire department vehicles) but all others are not. Mr. Hill asked if the Board will be informed about which projects impact taxpayers, and which do not. Mr. Corwin said each project includes a project narrative (with photos or sketches) and a financial breakdown.

3. COMMITTEE REPORTS

Ms. Romano said there does not seem to be a Mascoma Advisory Committee any longer. Mr. Corwin said he would look into whether that group has disbanded.

Mr. Rutter asked why "Planning & Development Department – Task Status" was included in the list of Other Subcommittees on the agenda. Mr. Corwin said he believes it should be removed but would speak with Mr. Reichert about it.

4. OTHER BUSINESS

A. Preparing for April 29 Special Work Session re: Planning Board Rules of Procedure

Mr. Corwin told the group that this item was added to the agenda to discuss how to prepare for the upcoming discussion about how the Board can tighten up processes for public hearings, etc. Mr. Ford Burley said he, Chair Faunce, and Mr. Corwin have been reviewing the procedures and making edits/revisions/additions. He said they plan to have a red-line version of the rules/procedures for the Board to use as a starting point during the April 29 special session. He said they would like to change the location of the meeting to a room with a round table to encourage conversation and collaboration. He said he would like to change the way the Planning Board interacts with the Planning Department from a reactive mode to a proactive mode.

Mr. Corwin asked the Board members to review the Site Plan Review regulations in preparation for the meeting. He said the following sections were particularly important:

- Section 4.7 – Review for Complete Application
- Section 4.8 – Procedure for Site Plan Review
- Article 5 – Submission Requirements

He said it helps if everyone knows the Rules of Procedure so if the Board wants to do things differently, it can make a change and update the rules. Mr. Ford Burley suggested the Board members think of the best applications that were received and what made them so readable and whether those elements can be made into requirements.

B. Vacant Subcommittee Appointments

Mr. Corwin noted there are five committees that do not have Planning Board representatives:

- Ped & Bike – meets 1st Tues of the month at 7pm
- LEAC – meets 2nd Thurs of the month at 4pm
- Upper Valley Lake Sunapee Regional Planning Committee – meets Weds at 5pm
- Upper Valley Subcommittee of the Connecticut River Joint Commission
- Upper Valley Transportation Management Association

He discussed the activities of each of these subcommittees. He asked the Board members to consider joining one of the subcommittees.

Mr. Ford Burley suggested the April 8 Planning Board meeting be rescheduled because many people will be viewing the eclipse that day and may not be back in time for the meeting. The group decided to reschedule the April 8 meeting to April 15.

A MOTION was made by Richard Ford Burley to move the April 8, 2024 Planning Board Meeting to April 15, 2024 at 7:00 pm. The motion was seconded by Patrick Kennelly.

Roll Call Vote:
Voting in Favor –Mr. Faunce, Mr. Ford Burley, Mr. Hill, Mr. Kennelly, Ms. Romano, Mr. Rutter

Voting Against – None
Abstaining from the Vote: Mr. Whittlesey

****The MOTION was approved (6-0).***

5. APPROVAL OF MINUTES – February 26, 2024

Amendments: Page 2 Line 30: Delete "the motion"
Page 3 Line 35-37: Include full Lot Numbers
Page 4 Line 20-23: Include Lot Number for abutter Dave McLoughlin
Page 5 Line 37: Change "Nova" to "Novo"
Page 6 Line 11: Change "on-going" to "ongoing"
Page 8 Line 39: Delete "Planning & Development Department – Task Status"

A MOTION was made by Richard Ford Burley to approve the Planning Board Minutes of February 26, 2024, as amended. The motion was seconded by Patrick Kennelly.

Roll Call Vote:
Voting in Favor –Mr. Faunce, Mr. Ford Burley, Mr. Hill, Mr. Kennelly, Ms. Romano, Mr. Rutter
Voting Against – None
Abstaining from the Vote: Mr. Whittlesey

****The MOTION was approved (6-0).***

6. ADJOURNMENT

A MOTION was made by Andrew Faunce to adjourn the meeting at 9:21pm. The motion was seconded by Richard Ford Burley.

Roll Call Vote:
Voting in Favor –Mr. Faunce, Mr. Ford Burley, Mr. Hill, Mr. Kennelly, Ms. Romano, Mr. Rutter, Mr. Whittlesey
Voting Against – None

****The MOTION was approved (7-0).***

The meeting was adjourned at 9:21pm.

Respectfully submitted,
Paula Roux
Recording Secretary