

FINAL

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, JANUARY 27, 2025 6:30PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Patrick Kennelly, Jeremy Rutter, Karen Zook (City Council Rep), Kathie Romano (REMOTE), Kellen Appleton, Eric Stacy (alt)

MEMBERS ABSENT: Richard Ford Burley (Vice Chair), Brian Ceglarski (alt)

STAFF PRESENT: Tim Corwin (Deputy Planning & Development Director), Nate Reichert (Planning & Development Director/ Zoning Administrator), Brian Vincent (City Engineer)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:30pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

Ms. Romano said she was attending remotely because she was out of town. She said no one was in the room with her while she was attending the meeting.

2. PUBLIC HEARING ITEMS

A. City of Lebanon, 0 Barrows Street, Tax Map (Tax Map 77, Lot 106), zoned R-3: Request for Site Plan Review, Major Subdivision approval, and a Conditional Use Permit per Sections 310.2 and 509 of the Zoning Ordinance for a proposed 5-unit cottage development. 2025-04-FMAJSPRCUP- Continued from January 13, 2025

Deputy City Manager Brooks, Mr. Paul Simon (Park Architecture), and City Engineer Rod Finley were present on behalf of the applicant. Chair Faunce said the public hearing that began at the January 13, 2025 meeting was still open.

Mr. Corwin said he provided revised waiver request and condition of approval documents to the Board just prior to the meeting. He suggested that the group go through each during the meeting because the Board may not have had enough time to review them prior to the meeting.

Deputy City Manager Brooks said two new waiver requests have been submitted (since the January 13, 2025 meeting):

- 14.4.C of the Subdivision Regulations – Requires the last 50% of the Building Permits will not be issued until all of the approved infrastructure is completed - Dep City

Manager Brooks said this is a subdivision requirement that doesn't fit the cottage plan because it is smaller in scope than the typical subdivision project

- 10.4.C.2.G – Requires the applicant to submit other approvals from other agencies (in this case, water and sewer approvals from the City). Dep City Manager Brooks said these applications have been filed with City Engineer Vincent on January 27, 2025.

Chair Faunce opened the public comment portion of the hearing. No one from the public spoke. Chair Faunce closed the public comment portion of the hearing.

Mr. Corwin explained the waivers from Section 10.2.F and Section 12.3 that are requested by the applicant. He suggested these waivers be discussed and approved at the outset of the discussion of the other waivers.

The group discussed each DRAFT condition of approval at length.

In particular, they discussed Condition #14 (regarding the owners' association documentation being provided to the Planning and Development Department for review and approval by the City's legal counsel). The group considered how to satisfy this condition, given that the City is the applicant, and its legal counsel is preparing the documentation. They considered alternatives, including forming an LLC in which the City retains 100% ownership. They also discussed whether to have alternative legal representatives review the documentation, perhaps non-involved members of the same legal team.

The group also assessed Condition # 21 (regarding third-party inspections) and whether the reviewing engineer (in this case, Mr. Vincent) could conduct the inspections in order to save the cost of hiring an outside inspector. The group agreed to add this as an option to Condition #21.

NOTE: The language for conditions finalized during this discussion was approved in lieu of reading it into the record during the reading of the motion. For this minutes document, the conditions are included within the body of the motion. See pages 7 to 11 in this document for the full list of the conditions of approval.

A MOTION was made by Kellen Appleton that for the application of the City of Lebanon, PB2025-04-FMAJSPRCUP, the Lebanon Planning Board approves a waiver per Section 10.2.F of the Subdivision Regulations to waive the requirement for Design Review, and in support therefore, finds that because the proposed 5-unit cottage development does not involve the creation of any new lots or streets, preliminary review per Section 10.2 is not required.

The MOTION was seconded by Patrick Kennelly.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

A MOTION was made by Patrick Kennelly that the Lebanon Planning Board finds the application of the City of Lebanon for Final Major Subdivision approval of a proposed 5-unit cottage development, PB2025-04-FMAJSPRCUP, is not scattered and premature per Section 12.3 of the Subdivision Regulations and that, based on the totality of the application information, materials, evidence, and testimony submitted to and reviewed by the Board, the amount of development contained in the proposed subdivision in relation to the quantum of services available will not pose a danger to the public through insufficiency of services.

[12.3 Statement as to Impact of Subdivision and Determination of Whether or Not Premature or Scattered

A. Purpose: The purpose of this section is to require the subdivider to provide information to the Planning Board with regard to the impact of the subdivision and such other information as to allow the Planning Board to make a determination as to whether or not the proposed subdivision will be premature or scattered.

B. Areas of Study and Information: The following areas shall be considered in such studies and such information provided to the Board to determine the effect of the proposed subdivision. The Planning Office may provide administrative guidelines to assist the subdivider in providing appropriate information.

- 1. Statement of impact of the proposed development on natural resources and environmental quality including, but not limited to, water quality, air quality, wetlands, soil erosion and agricultural soils and a statement of pollution control and environmental impact mitigation measures.***
- 2. Capacity of the school system; effect on school bus transportation and distance of the proposed subdivision from the nearest elementary school.***
- 3. Adequacy of streets and/or sidewalks in the general area of the subdivision including major intersections providing access, and such other areas as requested by the Board.***
- 4. Sufficiency, availability and capacity of utility services to provide water, fire protection, and sewer, and further, the impact of the subdivision on the municipal solid waste disposal facilities.***
- 5. (If applicable) The impact of on-site subsurface sewage disposal systems as to adjacent wells, water supply systems, and any known aquifers so designated by the United States Geological Survey.***
- 6. Any special fire, police and public safety problems due to location and/or special conditions relative to the type of use.***
- 7. Impact of drainage from the subdivision on abutting properties and potential drainage problems both on the site of the subdivision and downstream from the subdivision.***
- 8. Fiscal impact statement analyzing the impact of the subdivision on municipal, school and county revenues and expenditures, including estimated potential tax revenue and estimated number of school children.***

C. Prohibition of Approval of Scattered or Premature Subdivisions:

The Planning Board shall not approve a subdivision if such subdivision constitutes premature or scattered subdivision as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire department, or other public services or necessitate an excessive expenditure of public funds for the supply of such services. If a subdivision is determined by the Planning Board to be premature and scattered, the subdivider may show through both on- and off-site improvements made at the expense of the subdivider, that the subdivision is not premature or scattered or, if

so, is overcome by remedial action of the subdivider.

D. Board's Determination as to Premature or Scattered:

The Board shall determine based on the information presented and other information available and made part of the record whether or not the amount of development contained in the proposed subdivision in relation to the quantum of services available will pose a danger to the public through insufficiency of services.]

The MOTION was seconded by Jeremy Rutter.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

A MOTION was made by Kellen Appleton that:

At duly noticed meetings of the Lebanon Planning Board held on January 13, 2025, and January 27, 2025, there appeared representatives on behalf of the City of Lebanon regarding 0 Barrows Street (Tax Map 77, Lot 106), zoned R-3, requesting a Conditional Use Permit per Sections 310.2 and 509 of the Zoning Ordinance for a proposed 5-unit cottage development. 2025-04-FMAJSPRCUP

I. FINDINGS OF FACT

Based on testimony given, application materials presented, and supporting documents submitted, the Planning Board makes the following findings of fact:

- 1. The City of Lebanon intends to develop property it owns at the end of Barrows Street with a 5-unit cottage development and related site improvements. The units are intended to be sold and the property and site improvements will be owned and maintained by a condominium association.***
- 2. The project does not constitute a “governmental use” as defined in NH RSA 674:54, I, and is therefore fully subject to the City’s land use regulations.***
- 3. A “cottage development” is a type of planned development that is allowed by Conditional Use in the R-3 District per Section 310.2 of the Zoning Ordinance, subject to the criteria set forth in Section 509.***
- 4. In order to grant the requested Conditional Use Permit, the Board must find that the project satisfies the cottage development criteria set forth in Sections 509.1 through 509.6 of the Zoning Ordinance and must also find that the project satisfies the general Conditional Use criteria set forth in Section 302.4.D.***

II. CONCLUSIONS OF LAW

As a result of the above findings of fact and based on testimony given, application materials

presented, and supporting documents submitted, the Planning Board concludes the following with respect to the Enhanced Performance Standards set forth in Section 302.4.D of the Zoning Ordinance and the cottage development criteria set forth in Section 509 of the Zoning Ordinance:

- 1. The site is suitable for the proposal. (§302.4.D.1)**
- 2. The external impacts of the proposed use on abutting properties and the neighborhood are commensurate with the impacts of adjacent existing uses or other uses permitted in the zoning district. (§302.4.D.2)**
- 3. The proposed layout and design of the site are not incompatible with the established character of the neighborhood and shall mitigate any external impacts on abutters, the neighborhood, and nearby public ways and infrastructure. (§302.4.D.3)**
- 4. The design of the new buildings is not incompatible with the established character of the neighborhood. (§302.4.D.4)**
- 5. The proposed use and layout of the site, including all related development activities, do to the greatest extent practicable preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. (§302.4.D.5)**
- 6. The proposed use is allowed by conditional use on the proposed property. (§509.2)**
- 7. The proposed number of cottages meets the minimum required and maximum permitted, and they are located in a cluster containing a minimum of 3 units. (§509.3)**
- 8. The lot exceeds the 40,000 sq. ft. minimum lot size for cottage developments in the R-3 District. (§509.4)**
- 9. The proposed development meets the density requirement of 2,500 sq. ft. of lot area per cottage and the maximum building coverage requirement of 35%. (§509.5)**
- 10. The plan set for the proposed development delineates a building site for each detached cottage of no less than 1,500 sq. ft. (§509.6.A)**
- 11. At least 50% of the cottages in the development will be detached units. (§509.6.B)**
- 12. The minimum setback between units within the development will be at least 10 feet, measured from the nearest point of the exterior walls. (§509.6.C)**
- 13. The proposed development will meet the common open space requirements for cottage developments, including the requirements that a minimum of 400 square feet of common open space per cottage and per cluster is provided, that the common open space area for each cluster is contiguous and will abut all of the cottages in the cluster, and that the cottages will be oriented around and have their main entry from the common open space. (§509.6.D)**
- 14. The cottages will meet the requirement that the highest point of a cottage not exceed 24 feet, and the requirement that each cottage have an unenclosed, covered front primary entry and porch of at least 60 square feet in size, oriented toward a common open space. (§509.6.E)**
- 15. The proposed development will meet the parking location and screening requirements for cottage developments, with (a) parking areas and driveways complying with applicable minimum yard requirements for the underlying zone, (b) parking areas screened from public streets and adjacent residential uses by landscaping or architectural screening, (c) no parking areas within the minimum required front yard, and (d) parking areas separated from the common open space by landscaping or an architectural screen. (§509.6.F)**
- 16. The proposed development will meet the requirement that all cottages within 50 feet of a public street shall have street-facing facades that avoid blank walls, and that for all**

such cottages, a minimum of 25 percent of the street-facing façade shall be comprised of windows and/or glass doors. (§509.6.H)

II. DECISION

Now therefore be it resolved that the Planning Board, on this 27th day of January, 2025, hereby grants the request of the City of Lebanon for a Conditional Use Permit per Sections 310.2 and 509 of the Zoning Ordinance for a proposed 5-unit cottage development, as set forth above and per testimony, plans, and materials submitted.

The MOTION was seconded by Jeremy Rutter.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

Chair Faunce reminded the group that the waiver requests had been discussed at length during the January 13, 2025 meeting. Mr. Corwin suggested the Board make one motion to approve the requested waivers in the appropriate sections of the Site Plan Regulations and Subdivision Regulations.

A MOTION was made by Jeremy Rutter that, for the application of the City of Lebanon, 2025-04-FMAJSPRCUP, the Lebanon Planning Board approves partial waivers from the following sections of the Site Plan Review Regulations and Subdivision Regulations:

Section 5.1.E.7 of the Site Plan Review Regulations

Sections 5.1.E.8 + 5.1.E.15 of the Site Plan Review Regulations

Sections 5.1.E.16 + 6.2.B of the Site Plan Review Regulations

Section 6.2.D.1 of the Site Plan Review Regulations

Section 6.5.C.1 of the Site Plan Review Regulations

Section 6.5.C.2 of the Site Plan Review Regulations

Section 10.4.C.2.D of the Subdivision Regulations

Sections 12.2.F + 12.8.A of the Subdivision Regulations

Section 12.3 of the Subdivision Regulations

Section 10.4.C.2.B of the Subdivision Regulations

Section 14.4.C of the Subdivision Regulations

Section 10.4.C.2.G of the Subdivision Regulations

The MOTION was seconded by Andrew Faunce.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

A MOTION was made by Kellen Appleton that the Lebanon Planning Board approves the application of the City of Lebanon regarding 0 Barrows Street (Tax Map 77, Lot 106), zoned R-3, 2025-04-FMAJSPRCUP, for Site Plan Review and Major Subdivision approval to construct a proposed 5-unit cottage development, together with parking, utilities, landscaping, and other related site improvements as shown on a plan set titled “Barrows Street Cottage Development,” dated December 9, 2024, last revised January 8, 2025, including any and all submissions and testimony provided for and during the public hearing.

In support of its decision, the Board finds that the applicant has submitted plans, testimony, technical data, information, reports, and studies – variously prepared by a professional civil engineer, licensed land surveyor, wetlands scientist, architect, and licensed landscape architect – that together satisfactorily demonstrate compliance with the applicable requirements of the Site Plan Review Regulations and Subdivision Regulations, except as may reasonably be addressed through the imposition of certain conditions of approval, as set forth below, and except as may have been waived.

This approval is subject to the following conditions:

General Conditions

- 1. This approval shall automatically expire and be deemed void upon failure to meet any of the conditions of approval set forth herein within the timeframes specified. It shall be the applicant’s responsibility to be familiar with and aware of these conditions of approval, and it shall be the applicant’s responsibility to satisfy these conditions of approval and to satisfy them within the relevant timeframes outlined below.***
- 2. The development is subject to the Zoning Ordinance adopted January 16, 2013, last amended April 3, 2024, the Site Plan Review Regulations adopted May 13, 1991, last revised January 23, 2023, and the Subdivision Regulations adopted May 13, 1991, last revised June 28, 2021, which are the land use regulations in effect at the time the application was submitted.***
- 3. This approval shall be considered void unless all conditions precedent have been met, and the subdivision plat (Sheet 28 of the approved plan set) has been recorded in the Registry of Deeds, within two (2) years from the date of the Notice of Action (Section 7.12.B of the Subdivision Regulations). The plat shall be recorded in accordance with Planning & Development Department procedures.***
- 4. “Active and substantial development,” as defined in Section 14.1.B.1.a of the Subdivision Regulations, shall be achieved within two (2) years of the date of this approval (14.1.B.1.b), subject to an extension if applied for by the applicant and if approved by the Planning Board per Section 14.1.B.1.c. If active and substantial development is not achieved within two (2) years of the date of the Planning Board’s approval, the development shall be subject to any changes in the City’s land use regulations.***
- 5. “Substantial completion,” as defined in Section 14.1.B.2.a of the Subdivision Regulations,***

shall be achieved within five (5) years of the date of this approval. If substantial completion is not achieved within five (5) years of the date of the Planning Board's approval, the development shall be subject to any changes in the City's land use regulations and the default provisions of Section 14.1.C shall apply.

- 6. All required landscape plantings shall meet the minimum size requirements for such plantings set forth in Section 6.2.B of the Site Plan Review Regulations at the time of installation.*
- 7. The applicant shall implement and maintain NHDES Site Specific Best Management Practices before, during, and after construction.*
- 8. Prior to the start of any construction activities on the property, erosion control measures, including edge-of-disturbance fencing if applicable, shall be installed and maintained before and during any site work, to be verified by the Reviewing Engineer or the City's third-party inspector on site.*
- 9. The property owner's/owners' association is responsible for the maintenance and operation of the stormwater management system in accord with the O&M plan, and such responsibility shall run with the land. (Section 6.6.H.2.b of the Site Plan Review Regulations).*
- 10. All service areas and facilities including garbage and waste disposal containers, recycling bins, electrical and mechanical equipment such as transformers and compressors, meter clusters, and other utility elements must be screened in accordance with Section 6.2.B.8 of the Site Plan Review Regulations.*
- 11. Changes to underground utilities that do not impact surface conditions may be approved administratively unless determined by the Reviewing Engineer and the Planning & Development Department to materially alter the development and the approved site plan, in which case such changes shall be reviewed pursuant to Article IX of the Site Plan Review Regulations.*
- 12. Construction of the proposed parking enclosure shall be optional and may proceed at any time prior to or following substantial completion of the development provided that the parking enclosure is constructed in accordance with the approved plan set and in accordance with all applicable building and life safety code requirements in effect at the time of construction.*

Conditions Precedent to be Satisfied Prior to the Signing and Recording of the Plat, Prior to Application for a Building Permit, and Prior to the Start of Any Construction Activities

- 13. The drainage analysis required per Sections 6.6.C.2.1 & 2 of the Site Plan Review Regulations shall be provided to the Reviewing Engineer for review and approval.*
- 14. The owner's association documentation required by Sections 10.4.C.2(d), 12.2.F, and 12.8.A of the Subdivision Regulations shall be provided to the Planning & Development Department for review and approval by the City's legal counsel.*

15. The following conditions shall apply as may be determined applicable by the City and by the City's legal counsel:

- a. The applicant shall sign a Subdivision Agreement in accordance with Section 7.9.B of the Subdivision Regulations.**
- b. Per Section 10.4.C.2.b of the Subdivision Regulations, cost estimates for the completion of all on- and off-site improvements which shall be subject to a Performance Security Agreement pursuant to Section 7.10.c shall be provided. Pursuant to Section 14.5 of the Subdivision Regulations, the applicant shall provide a Performance Bond for all required improvements, both on- and off-site, including but not limited to, roadway and parking improvements, landscaping, lighting, utilities, bike lane/shoulder improvements, stormwater improvements, and sidewalks in an amount considered adequate by the Department of Public Works, and in a form satisfactory to the City Attorney. The Performance Bond shall be secured by a surety bond, a letter of credit, or an escrow account. This requirement shall not apply if the required improvements are constructed prior to the recording of the plat.**

16. The applicant shall obtain approval from the City Council or the City Manager's office for any additional water and/or sewer flows in accordance with the applicable Chapter 136 and 182 of the City Code.

17. The applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department:

- a. On Sheet 28 ("Overall Subdivision Plan" – L5.0):**
 - i. The 15% open space required per Section 12.2 of the Subdivision Regulations shall be delineated.**
 - ii. Add a note indicating how the open space will be owned, protected, and managed.**
 - iii. Add the following as plan notes: "Per Section 13.14 of the Subdivision Regulations, there shall be no depositing, dumping, or storage of waste, or other natural or man-made material, supplies or equipment, on any subdivision land designated as open space," and, "Per Section 13.14 of the Subdivision Regulations, no work, or removal, or filling shall be done, nor shall the existing natural characteristics of open space land be altered from the original condition, until a site plan shall have been approved by the Board."**
 - iv. Add any other information necessary to prepare the sheet for recording.**
- b. Amend the cover sheet to provide description of plan revisions (5.1.E.4.d of the Site Plan Review Regulations).**

The applicant shall provide the Planning and Development Department a digital copy of the revised plan set saved in a PDF-A format for archival purposes.

18. The dwelling units shall be given addresses in accordance with City of Lebanon policies and procedures.

19. The applicant shall schedule and hold a pre-building permit application meeting with the Planning and Development Department, City Building Inspectors, Reviewing

Engineer/Department of Public Works, and Fire Department, in order to help streamline the building permit review process and to review applicable code requirements.

Conditions to be Satisfied Prior to the Issuance of a Building Permit

- 20. As depicted on the approved plan set, appropriate easements shall be provided for the maintenance of the sewer line, water line and hydrants within the site, to the satisfaction of the Department of Public Works.***
- 21. Prior to the start of any construction activities on the property for which construction inspection is required pursuant to this decision or any applicable ordinance or code, the City shall retain the services of an independent third-party inspector, for which the applicant shall be responsible for all inspection fees related to (a) on-site work related to sewer, water, temporary sedimentation and erosion control, and drainage improvements, and (b) all off-site work within the City's right-of-way (including but not limited to water and sewer), in accordance with Section 8.2 of the Site Plan Review Regulations and Section 14.2 of the Subdivision Regulations. The applicant shall provide funding for inspection services in a form and amount acceptable to the City and shall sign an Infrastructure Inspection Agreement. In the alternative, the Reviewing Engineer may provide the required inspection services, depending on the Reviewing Engineer's availability.***
- 22. If required by the Department of Public Works, the applicant shall apply for and obtain an Excavation Permit, Driveway Permit, and Stormwater Permit.***
- 23. Prior to the start of any construction activities on the property, the applicant shall record in the Grafton County Registry of Deeds notice of the stormwater management and erosion and sediment control plans as required per Section 6.6.H.2.d of the Site Plan Review Regulations. Such notice shall be reviewed by the Planning & Development Department prior to recording.***
- 24. The development shall be subject to City of Lebanon Impact Fees, pursuant to Section 213 of the Zoning Ordinance. The Impact Fee shall be calculated at the time of Building Permit issuance based on the Impact Fee Schedule adopted on May 20, 2024. In accordance with RSA 674:39, the approved site plan shall be exempt from any future changes in impact fees and methodology for five years from the date of approval; however, any building permits which are issued after the end of that five-year period shall be fully subject to whatever impact fees and methodology are in effect at the time of building permit issuance.***
- 25. All water and sewer fees shall be paid as set forth in City Code Chapter 68.***
- 26. Prior to the start of any construction activities on the property, the applicant shall obtain or update (if appropriate) any required Federal or State approvals.***

Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy

- 27. Sheet 28 ("Overall Subdivision Plan" – L5.0) of the approved plan set shall be***

recorded at the Grafton County Registry of Deeds pursuant to Condition of Approval #3. Prior to recording, the plat shall be revised as necessary for recording purposes, in consultation with the Planning and Development Department, and shall be signed by the Planning Board Chair.

28. The applicant shall prepare and record an open space covenant or deed restriction in accordance with Section 12.2.D of the Subdivision Regulations that shall be in form and content acceptable to the Planning and Development Department and the City Attorney.

29. The impact fees calculated pursuant to Condition of Approval #24 shall be paid.

30. The site contractor will produce as-built drawings to the Reviewing Engineer's satisfaction. Record drawings in a CAD .dwg format, using the NH State Plane Coordinate System, including tie sheets, shall be reviewed and approved by the Reviewing Engineer.

31. Except as set forth in Condition of Approval #12 above, all improvements depicted on the plan shall be completed, and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Planning Board in accordance with the Site Plan Review Regulations and Subdivision Regulations.

The MOTION was seconded by Jeremy Rutter.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

At 8:12pm, Chair Faunce called for a brief recess.

At 8:20pm, The meeting resumed.

3. STUDY ITEMS

A. Zoning Amendment Concise Statements

Mr. Corwin explained Section 1000.4.C of the Zoning Ordinance, which allows the City Council, the Planning Board, and the Conservation Commission each to provide a brief statement for any proposed zoning amendments that are included on the March ballot. He said the statements are intended to help voters understand the proposed zoning amendments in their totality.

Mr. Corwin also reviewed the City Council's statements, which had already been crafted and approved for the ballot.

A MOTION was made by Eric Stacy to extend the meeting to 9:45pm. The MOTION was seconded by Jeremy Rutter.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

After much discussion, the Planning Board finalized the following three statements to be added to the proposed Zoning Amendments for the March ballot:

Amendment 1 – Creation of a Pattern Zone Overlay District

“The Planning Board endorses this amendment. This amendment encourages development of architecturally designed homes in downtown areas to increase housing opportunities, grow the tax base, and reduce individual tax burdens.”

Amendment 2 – Rezoning of Alice Peck Day Hospital’s campus from R-3 to MC-2 District

“The Planning Board endorses this this amendment. Changing the zone to MC-2 supports the current medical center use at APD and facilitates the possibility of addressing the need to staff housing on the APD campus.”

Amendment 3 – Amend Use Tables in R-1, R-2, and R-3 Districts to allow “Recovery Houses” as a use by Special Exception

“The Planning Board endorses the amendment. Allowing recovery houses by special exception in the R1, R2, and R3 districts ensures that those in need are housed in certified facilities. This not only aids recovery for the occupants but also safeguards neighborhoods from nuisances arising from improvised and unregulated group housing.”

A MOTION was made by Andrew Faunce to extend the meeting to 9:50pm. The MOTION was seconded by Eric Stacy.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

Chair Faunce said that Staff should make tweaks to the language of the statements if needed for accuracy.

Chair Faunce called for a voice vote to approve the statements as they had been crafted during the discussion.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

4. ADJOURNMENT

A MOTION was made by Andrew Faunce to adjourn the meeting at 9:49pm. The MOTION was seconded by Jeremy Rutter.

Roll Call Vote:

Voting For – Ms. Romano, Mr. Stacy, Ms. Zook, Mr. Kennelly, Mr. Faunce, Mr. Rutter, Ms. Appleton

Voting Against – None

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

The meeting was adjourned at 9:49pm.

Respectfully submitted,
Paula Roux
Recording Secretary