

PLANNING BOARD
Tuesday, February 4, 2020
Board Room, Town Offices
Regular Meeting at 7:30 PM

Members Present: Judith Esmay, Iain Sim, Brian Edwards, Nancy Carter

Alternates Present: Beth Esinhart, Paul Simon

Staff Present: Vicki Smith, Rob Houseman

Others Present: Jeremy Katz, Don Cutter, John Scherding, Joanne Coppinger, Will Mudge, Randy Mudge, Jason Rouillard, Jarret Berke, Lara and Jeff Acker, Jolin Kish, Chris Audion, Lauren Graves, Bryant Denk, Neil Fulton, Ron Wybranowski, Rick MacLeay, Steve Canon

The meeting was called to order by Chair ESMAY at 7:30 PM. ESINHART and SIMON were appointed to serve as full members.

- 1. P2020-02 Submission of Application for Site Plan Review by John Scherding, as Agent for the Trustees of Dartmouth College, property owner of record, to restore/renovate the Dartmouth Outing Club, including an addition, new mechanical systems, upgrade site lighting, and a new accessible route to the pond level at 10 Hilton Field Lane, Tax Map 40, Lot 9, in the "I" zoning district.**

ESMAY called the first item on the agenda and read the legal notice. Jason Rouillard, project manager; Joanne Coppinger, civil engineer; and Will Mudge, architect; came forward to represent the case. Mr. Rouillard started by explaining the history of the case.

ESMAY asked the Board if they found the application complete. **EDWARDS made a motion to find the application complete. SIM seconded the motion. The motion to find the application complete was unanimously approved by the Board.**

SIM asked what changes had been made since Design Review. ESMAY stated that Design Review was a separate review process and the applicant was not committed to that design. The Board should look at this application as if it were a never seen before application. Mr. Rouillard explained the renovation project to the Dartmouth Outing Club. ESMAY asked about the staff comments that were shared with the Board. Mr. Houseman explained there were small items that were noted as conditions. SIMON asked for clarification about access to the terraces and ramps shown on the plan. Mr. Rouillard stated there was a path along the north side. The terrace adjacent to the dining area is accessed from the interior. The wooden ramp at the lake is for seasonal access only and is temporary. SIM asked about weatherization methods that would be used during the renovation. The windows will be replaced, insulation will be added to the roof, the kitchen and dining area will have additional spray foam insulation, and the Cabin and Trails room will have additional cellulose added to the walls. There are no plans for solar panels. SIM asked about parking. Mr. Houseman read from section 1001.2A of the Zoning Ordinance that stated since there was not an expansion or change of use there would not be a change in parking requirements. Two spaces will be designated as ADA. ESINHART asked if two ADA spaces

were enough. Mr. Rouillard stated that Dartmouth uses shuttles for large events, and it should not be a problem.

ESMAY asked if anyone from the public wished to speak. No member of the public came forward. ESMAY noted that four waivers were requested: three submission items, survey of the property boundaries within six months with abutters identified; use of properties within 100 feet of site boundary; and loading/unloading spaces; and one standard, IXB(2)(a) (2) lighting mounted above 15 feet. EDWARDS asked about the 15' light waiver. Mr. Rouillard explained a light would be affixed to a pole and be used to light the skating area. The similar light is currently on a tree.

ESINHART made a motion to approve the site plan for the renovation of the DOC House with waivers as noted and the following conditions:

Prior to the Issuance of a Building Permit

- 1. A construction logistics plan including identification of areas for contractor parking, material storage, and job trailers, must be approved by the Zoning Administrator, emergency services and code officials prior to the start of construction.**
- 2. At the time the application for a building permit is submitted, the applicant will submit for review by the Department of Public Works "for construction" set of site utility plans stamped by the design engineer. Approval of the site utility plans must be given prior to the building permit being issued.**
- 3. A plan for screening the transformer acceptable to Planning and Zoning staff be submitted.**
- 4. A preconstruction meeting shall be scheduled and held with Town Planning, Police, Fire and Public Works staff prior to the construction start.**
- 5. At the discretion of the building inspector, independent code review of building plans may be required at the applicant's expense.**

During construction

- 6. Construction worker parking shall not occur in public parking spaces. Weekly, a list of contractor vehicle license plate numbers will be given to the planning and zoning office and used for enforcement of this provision.**
- 7. On-site inspection of utilities and other site features may be required at the applicant's expense.**

Prior to the Certificate of Occupancy being issued

- 8. A stormwater maintenance plan (SWMP) shall be submitted for approval by Planning and Zoning staff that addresses routine maintenance and repairs for all permanent erosion control, stormwater conveyance and stormwater control systems.**
- 9. Sound mitigation will be required where the sound produced by noise-generating**

features of the project exceed the standards in Section 514 of the Zoning Ordinance measured at any location along the boundary except for short periods of time.

10. A CAD file of the building footprint satisfactory to the Director of Public Works along with \$1000 (for as-builts to be completed by the Town), will be submitted to the Town.

11. If Hanover DPW staff inspect and find the condition of public streets and sidewalks to be unsatisfactory due to damage sustained from construction access, applicant will remedy the damage to the satisfaction of Hanover DPW staff or submit to the Town an amount of money to cover the expenses for the Town to remedy the damage.

EDWARDS seconded the motion. SIM wanted to state before the vote that he felt the parking is woefully inadequate for the location. The motion passed unanimously.

2. Public Hearing on zoning amendments for Town Meeting 2020

ESMAY called the next item on the agenda, the review of the zoning amendments for Town Meeting 2020. She stated she would work down the list provided to the Planning Board.

ESMAY called the first amendment, remove all references to “churches” and “private clubs” and replace those references with “places of assembly. Remove the definition of church and private club, and the parking standard for private club. Replace the term “places of public assembly” with “places of assembly” Add a definition for place of assembly. Add “place of assembly” as a permitted use in the I, OL, B, and BM zoning districts. Add “place of assembly” as a use permitted by special exception in the RO, GR, SR and RR zoning districts. ESMAY opened the public hearing for the first amendment. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board how they wished to act. SIM asked staff about primary uses and accessory uses. Mr. Houseman explained that having a social gathering at one’s personal home does not change that property’s principle use a place of assembly. **EDWARDS made a motion to move the amendment to warrant. CARTER seconded the motion and the motion passed unanimously.**

ESMAY called the second amendment, broaden the definition of “residential institution” to include supervised independent living units and update some terms in that definition. ESMAY opened the public hearing on the second amendment. No one came forward. ESMAY closed the public hearing. Ms. Smith suggested adding more medical uses so trying to define what is “care” would not be brought in the future. Mr. Houseman suggested removing the use from the “RR” district to prevent a large complex, like Kendal, to be constructed without being on Town sewer and water. Staff recommended not sending the item to warrant without further discussions. SIM agreed to going back and reevaluate the purpose of the amendment and what the end goal should be. Ms. Smith said this would be discussed at the next work session. CARTER wanted to make sure the Board doesn’t lose this item and the goal is to move it forward.

ESMAY called the third amendment, eliminate “tourist home” from the ordinance. ESMAY opened the floor to public hearing. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. **SIM made a motion to move the third amendment to warrant. SIMON seconded the motion and it passed unanimously.**

ESMAY called the fourth amendment, allow solar energy systems to be mounted on buildings such that the solar energy system exceeds the height limit but only if the system is not visible from abutting public ways. ESMAY opened the floor to public hearing. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. Someone asked for clarification on if restrictions applied if it could be seen from a neighbor’s property. Mr. Houseman explained that a neighbor’s property is not a public right of way and would not consider when determining the solar panel height. The discussion ensued about solar panels being seen from abutting property. Mr. Houseman stated he was afraid this would not encourage solar. There was a consensus to continue discussing this amendment at the next work session.

ESMAY called the fifth amendment, amend Section 504.1 C to allow unscreened and unenclosed porches to be located in the side or rear setback under certain circumstances. ESMAY opened the floor to public hearing. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. **ESINHART made a motion to send the amendment to warrant. SIM seconded the motion and it passed unanimously.**

ESMAY called the sixth amendment, amend Section 715.2 F to add a new section allowing two temporary signs, neither exceeding four square feet in area to be erected no nearer the street lot line than ten feet on lots where the principal use is residential. ESMAY opened the floor to public hearing. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. **CARTER made a motion to move the item to warrant. SIM seconded the motion and it passed unanimously.**

ESMAY called the seventh item, amend Section 715.1 (1) to establish a standard for free-standing sign height and to clarify rules that apply to building-mounted signs. ESMAY opened the floor to public hearing. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. **SIM made a motion to move the item to warrant. CARTER seconded the motion and it passed unanimously.**

ESMAY called the eighth item, add a new subsection to Section 715.1 that clarifies that political signs are permitted as allowed by statute and all other applicable laws or regulations. ESMAY opened the floor to public hearing. A member of the public asked for clarification. Mr. Houseman explained that the Town has little authority over political signs due to State law. ESMAY explained this amendment was more instructional for the public rather than a

regulation. Another member of the public asked if this was just for election signs. Mr. Houseman explained that residents are allowed two yard signs. The Town regulates size and placement but not content. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. **EDWARDS made a motion to move the item to warrant. ESINHART seconded the motion and it passed unanimously.**

ESMAY called the final amendment, update Subsections 1103.5A and D to conform to NH DES Wetland Rules, Env-Wt 100-900. ESMAY opened the floor to public hearing. No one came forward. ESMAY closed the public hearing. ESMAY asked the Board what they wished to do. **SIM made a motion to move the item to warrant. ESINHART seconded the motion and it passed unanimously.**

3. Voluntary Lot Merger- Tax Map 45, Lot 1 and Tax Map 44, Lot 56, property owned by Stephen Canon and Jennifer Hong

ESMAY called the next item on the agenda, a voluntary lot merger. Mr. Canon came forward to address the Board. ESMAY asked if either of the properties was mortgaged. Mr. Canon explained the lot with the house was mortgaged. ESMAY explained the mortgage holder had to be notified. SIM asked about there being 3 parcels described in the application. Mr. Canon explained there were three deeds but only two parcels.

On a motion by EDWARDS that was seconded by SIM, the Board unanimously approved the voluntary merger with the condition that the mortgage holder be notified. Confirmation of this notification will be submitted to the Planning and Zoning office.

4. Minutes January 25 and 28, 2020

The minutes of January 25 were reviewed. **On a motion by SIM that was seconded by EDWARDS, the Board unanimously accepted the Minutes of January 25, 2020 as submitted.**

The minutes of January 28, 2020 were tabled until the next meeting on February 18, 2020.

5. Other Business

The Board asked when the next meeting date would be. The next meeting date would be February 18, 2020 and it will include the two deferred zoning amendments.

Mr. Houseman explained that SB 458 is pending, and it would prohibit municipalities from regulating short term rentals through zoning. Mr. Houseman explained some reasoning behind the bill. Mr. Houseman explained the Grafton county short term rental revenues and impacts this bill could have on the community.

ESMAY reminded the Board about meetings to discuss the 120 corridor on February 24th in Lebanon and on February 26th at 8am at the Howe Library.

Ms. Smith and Mr. Housemen went over other pending legislation that would directly impact the Planning Board.

6. Adjourn

Meeting adjourned at 8:53 PM