

FINAL

**LEBANON CONSERVATION COMMISSION
REGULAR MEETING MINUTES
Council Chambers, City Hall
Thursday, November 14, 2019
7:00 PM**

MEMBERS PRESENT: Ernst Oidtmann (Chair), Sarah Riley (Co-Chair), Donald Lacey, Bruce James, Darla Bruno (Alt.), George Sykes (City Council)

MEMBERS ABSENT: Susan Almy, Erling Heistad, Suellen Balestra (Alt.)

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER – Chair Oidtmann called the meeting to order at 7:02 PM.

2. APPROVAL OF MINUTES: October 10th, 2019

Ms. Riley MOVED to approve the October 10th, 2019 Minutes as amended below and presented in the November 14, 2019 agenda packet.

Seconded by Mr. Lacey

Amendments:

Mr. James pointed out his name is Bruce James and to please correct his name throughout the minutes.

Page 1, Line 19, Change Ms. Almay to Ms. Almy

Page 2, Line 30, Change “completed” to “draft”

Page 2, Line 41, Remove “they” at the beginning of the line

Page 3, Line 16, Change “long” to “log”

Page 3, Line 27, Change “stick on” to “present at the” and add “Property” after Ticknor

Page 3, Line 32, “Brooks” to “Goodwin”

** The Vote on the MOTION passed (4-0-1) abstention by Councilor George Sykes who was not at the October 10, 2019 Conservation Commission Meeting.*

3. STUDY ITEMS:

A. RIVER PARK WEST LEBANON

Mr. David Clem introduced Mr. Chet Clem as President of Lyme Properties 2, LLC who gave the presentation to update the Conservation Commission on the status of River Park West Lebanon with a focus on Lot 6 at River Park, which is a dedicated open space area along the Connecticut River. A slide show was presented about the River Park West Lebanon project. Lyme Properties 2, LLC is committed to providing public access to the Connecticut River. In 2018 River Park recorded deed restrictions in Grafton County allowing for 6 acres of property along the river front, known as Lot 6, to remain public. This year a New Hampshire non-profit organization, Friends of River Park, was created and the land transferred into that entity. Friends of River Park are looking into different ways to give access to the public such as creating walking paths and trails along the river.

In April of 2020 Phase 1 of the River Park project will begin and the Lyme Properties 2, LLC will be paying current use penalty fees into the Lost Fund which is administered by the Conservation Commission. The proposal for consideration is that if the Conservation Commission will pledge the current use penalty fees to the Friends of River Park for improvements to Lot 6 then Lyme Properties 2, LLC will match it for use in investment toward open public space. The presentation is available on the new Friends of River Park website if anyone would like to review it there.

Questions, answers and discussion took place amongst the Conservation Commission members and the Clems. It was noted that the project is in the preliminary phase and this presentation was for informational purposes only and no decisions about the fees would need to be made at this time. The Commission is welcome to visit the property and walk it if they choose to do so. If more than 3 Commission members wish to walk the property at one time than it would be considered a public walk and a vote during the meeting would need to take place.

4. PERMIT REVIEW:

A. REVIEW OF THE TRUSTEES OF DATMOUTH COLLEGE

Review and comment on NHDES Wetland Standard Review (permanent impact) application to construct a 31,000 square foot library storage facility which will impact three wetland areas. The project in review includes 3,866 square feet of impact. The property is located at 56 Etna Rd., Lebanon, NH as seen on Tax Map 50, Lot 28, CC#2019-05 NH DES File #2019-3334.

Jason Rouillard, Project Manager for Dartmouth College in the Planning, Design and Construction of the Architectural section of this project came forward to represent Dartmouth College. There is a need to expand their off -site storage facility so they want to build a 31,000 square foot building to house record retention and will include books decommissioned by the library. There is a building on the lot that they use that is almost full creating the need for more storage space.

Mr. James wanted to know how much more pavement will go into the wetlands. Mr. Rouillard doesn't believe any pavement will be going into the wetland, he believes there will actually be less pavement when the project is done. The project is 2 phases, the first one would be the proposed building to be built and the second would be a modular building that may happen 10 to 15 years from now. That phase would also include a parking lot with pavers that would allow grass to come through. This would be for fire trucks to come around the building and set up if needed.

Chair Oidtmann asked how much square footage would impact the wetlands. Mr. Rouillard pointed to a slide that shows it would be 3,855 square feet over 3 areas in the building plan that will impact the wetlands. Chair Oidtmann asked why the building can't be moved back more on the pavement to avoid the wetlands. He also inquired on what will happen to replace the existing parking spaces that will be built on. Mr. Rouillard said there was more than enough parking before and the studies show they will meet the required parking spaces for the building use. Chair Oidtmann wanted to know if it was feasible to make a two story building to condense ground footage. Mr. Rouillard said the building was already 35 feet high to accommodate the storage. It would not be feasible to be any taller because equipment could not reach the stacks.

Councilor Sykes asked Chair Oidtmann if there will be a mitigation plan for the wetlands impact. Chair Oidtmann said that the impact is too small for that, it is less than 10,000 square feet that will be impacted.

Ms. Bruno asked if Dartmouth College can make the building smaller. Mr. Rouillard said they would like to get 7-10 years of use out of the building which is what determined the size of the building. Ms. Riley asked if it wouldn't be feasible to add a second floor to the building, not make the stacks taller. Mr. Rouillard said he has never seen a second floor storage facility, he believes because the weight is just too much.

Councilor Sykes went back to Ms. Bruno's suggestion of a smaller building, no wetland impact, and a possibility of a few less years use for the building stating he felt that was a better solution than impacting the wetlands now.

Chair Oidtmann asked about the storm water management mentioned in the application for the permit and what it would entail. Mr. Rouillard was not sure but could inquire with the Engineers and get a letter explaining what they intended in the plan.

Mr. Goodwin explained some slides that show wetlands and how different values of the wetlands are rated. Discussion amongst the commission members continued in regard to what kind of motion they would like to make in for the review.

Mr. James MOVED that the Conservation Commission does not recommend approval of the application by Dartmouth College on NHDES Wetland Standard Review (permanent impact) to construct a 31,000 SF library storage facility, application (CC#2019-05 NH DES File #2019-03334) as proposed, in accordance with the City of Lebanon's "no net loss" of wetlands policy. Seconded by Mr. Lacey.

However, the Conservation Commission encourages DES to examine additional information that could result in an approval. Such information should include storm water management techniques that would demonstrate an improvement to the functions and values of the wetlands within the vicinity of the property.

****The vote on the MOTION unanimously approved (5-0)***

5. STUDY ITEMS CONTINUED:

B. ZONING ORDINANCE AMENDMENTS:

Review and comment to the City Council on proposed amendments to the Zoning Ordinance and Zone Map. Mr. James noted that the Conservation Commission has until January to give their comments to the City Council. He believed they would need more than what is left in this evenings time to review the zoning ordinances before the Commission can give their recommendations.

Mr. Goodwin explained that all amendments to the zoning ordinance need to come before certain Boards and Commissions for review and comment before the City Council can go forward with the amendments. Sometimes the amendments come before the Conservation Commission even though they have nothing to do with the Commission.

Mr. James believed there were two sections in the amendments that may come under the Conservation Commission review, Section 600B, Home Based Agricultural Business and Section 612, Renewable Energy Systems. Mr. James was concerned about how animal waste management will affect living conditions for neighbors. Councilor Sykes agreed that these are concerns and suggested that the

Conservation Commission take a closer look at the Home Based Agricultural Business zoning amendment.

Mr. Goodwin outlined to the Conservation Commission which sections they will need to study more before their next meeting in December. The Sections are 600B, changes being made to Section 611, and Section 612.

Councilor Sykes will report back to the City Council that the Conservation Commission is mostly not concerned about the amendments to the zoning ordinances but there are three areas that they are going to take a closer look at during their next meeting. Mr. James agreed that flagging their concerns is a good idea to send to the City Council.

Mr. Lacey MOVED to extend the meeting by 5 minutes at 9:30 PM.

Seconded by Chair Oidtmann.

**** The Vote on the MOTION passed (5-0).***

6. OPEN TO THE PUBLIC:

Mr. Goodwin introduced Chris Johnson to the Conservation Commission. He came to observe the meeting because he is interested in getting more involved in our local government. He looked over the different Commissions, especially the Conservation Commission, because he is interested in the environment.

7. OTHER BUSINESS:

Chair Oidtmann and 3 other Commission members attended the New Hampshire Association of Conservation Commission. They brought back some informational packets to hand out to the other members.

8. ADJOURNMENT:

Mr. Lacey MOVED to adjourn the meeting at 9:35 PM.

Seconded by Mr. James.

**** The Vote on the MOTION passed (5-0).***

The meeting was adjourned at 9:35 PM.

Respectfully submitted,
Barbara R. Higgins
Recording Secretary