



**LEBANON PLANNING BOARD
DECEMBER 13, 2021 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

-
1. **Call to Order**
 2. **Notice of Regional Impact**
 3. **Public Hearing Items**
 - A. **Mount Support Development, LLC (applicant) and Sylvia D. Lahaye Revocable Trust & Pat Lumber Jack, Inc. (property owners), 402 & 392 Mount Support Road (Tax Map 24, Lots 9 & 10), zoned R-1:** Request for Site Plan Review to construct a proposed 4-building multi-family development consisting of 204 dwelling units, together with parking, utilities, landscaping, access, and other related site improvements. PB2021-33-SPR - ***Completeness review only on 12/13/2021, public hearing to commence on 1/10/2022***
 - B. **SPNH Mount Support, LLC, 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3:** Request for a Minor Subdivision to create two parcels. PB2021-36-MIN
 - C. **Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3:** Pursuant to Section 14.1.B.1.c of the Subdivision Regulations, a request for an extension of time to achieve active and substantial development of Phase II of a project identified as Prospect Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect Street, Tax Map 108 Lot 2 (phase 2) and Lot 14 (phase 1). PB2021-02-EXT - Continued from November 22, 2021
 - D. **Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3:** A request to amend the approved plan for Phase II of the Prospect Hills planned unit residential development, to allow construction to proceed in phases per Section 7.13 of the Subdivision Regulations. PB2021-37-FMAJA
 4. **Other Business**
 - A. **SPNH Mount Support, LLC, 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3:** Review of a minor alteration to an approved site plan (PB2020-11-SPR) per Section 9.2 of the Site Plan Review Regulations.
 - B. **Execusuite, LLC, 2 Mascoma Street (Tax Map 91, Lot 254), zoned**

LD: Conceptual review per Section 4.3 of the Site Plan Review Regulations for a proposed phased redevelopment of 2-acre parcel. Phase I: construction of a 6 story, 72 unit apartment building & 17 car garage below. Phase II: Construction of a 6 story, 75 unit apartment building. Existing market to be renovated for restaurant/retail. Phase III: demo of existing market & replace with 70,000 SF of residential & 21,000 SF of restaurant/retail. PB2021-38-CON

- C. **Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L:** Conceptual review per Section 4.3 of the Site Plan Review Regulations for a proposed car wash. PB2021-39-CON

5. Approval of Minutes

- A. November 8, 2021
B. November 22, 2021

6. Adjournment

The order of agenda items is subject to change.

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #3A
Public Hearing Items**

**Mount Support Development,
LLC (applicant) and Sylvia D.
Lahaye Revocable Trust & Pat
Lumber Jack, Inc. (property
owners), 402 & 392 Mount
Support Road (Tax Map 24,
Lots 9 & 10), zoned R-1
PB2021-33-SPR**



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

December 13, 2021 Meeting

Staff Memorandum – PB2021-33-SPR

APPLICATION INFORMATION

Agenda Item: 3.A

Application ID: PB2021-33-SPR

Application Type:

Site Plan Review of a 204-unit multi-family residential development

Property Location & Tax Map:

402 Mount Support Road (Tax Map 24, Lot 9) and 392 Mount Support Road (Tax Map 24, Lot 10)

Applicant: Mount Support Development, LLC

Property Owners:

Sylvia D. Lahaye Revocable Trust (402 MS Rd) and Pat Lumber Jack, Inc. (392 MS Rd)

Property Size (per City Assessor's records):

+/-14.21 acres (consisting of +/-6.55 acres for 402 MS Rd, and +/-7.66 acres for 392 MS Rd)

Existing Use & Improvements:

- 402 MS Rd: +/-3,552 (gross) sq. ft. one-family dwelling, constructed in 1986 (a conforming use in the R-1 District per §308.2), and accessory structures
- 392 MS Rd: vacant

Proposed Use:

204-unit multi-family development consisting of four (4) buildings

Zoning District: Residential One (R-1)

Overlay Districts:

Wetlands Conservation District

Future Land Use Map:

Residential – High and Rural

LEGAL NOTICE

Mount Support Development, LLC (applicant) and Sylvia D. Lahaye Revocable Trust & Pat Lumber Jack, Inc. (property owners), 402 & 392 Mount Support Road (Tax Map 24, Lots 9 & 10), zoned R-1: Request for Site Plan Review to construct a proposed 4-building multi-family development consisting of 204 dwelling units, together with parking, utilities, landscaping, access, and other related site improvements. PB2021-33-SPR

PLANS AND APPLICATION MATERIALS

- ▶ Application forms (2 pages)
- ▶ Letter dated November 8, 2021, from Nicholas A. Fiore, PE, of Engineering Ventures, PC (project description; 5 pages)
- ▶ Application for Waivers (2 pages)
- ▶ Site Plan Review Regulations Technical Checklist (10 pages)
- ▶ Excerpt from plan set titled "402 Mr. Support Road – Residential Development Site Plan Review" prepared by Engineering Ventures, PC, dated November 8, 2021, EV Project #19324 (Cover Sheet and Site Plan Overview)

On file at the Planning and Development Department and available for review upon request:

- ▶ Plan set titled "402 Mr. Support Road – Residential Development Site Plan Review" prepared by Engineering Ventures, PC, dated November 8, 2021, EV Project #19324 (33 Sheets)
- ▶ Lithonia Lighting specifications for D-Series Size 0 LED Area Luminaire fixture, WDGE2 LED Architectural Wall Sconce fixture, VCPG LED Parking Garage fixture, LDN4 WallWash LED Downlight fixture, and anchor base poles (25 pages)
- ▶ Traffic impact assessment memo dated April 27, 2020, from Jason R. Plourde, P.E., of VHB, to Ken Braverman (26 pages plus appendices)
- ▶ Drainage Analysis titled, "402 Mt Support Rd Residential Development," dated November 8, 2021, prepared by Engineering Ventures, PC, EV Project #19324 (59 pages)

COMPLETENESS REVIEW & STAFF COMMENTS

In order to accept jurisdiction and commence review of the applicant's proposal, the Planning Board must first determine that the application is

complete. NH RSA 676:4, I(c)(1). Section 4.7.C.2 ("Initial Completeness Determination") of the Site Plan Review Regulations provides as follows:

- a. The Planning & Development Department shall review the application for completeness pursuant to the requirements of Section 4.7.A and Section 5.1. If the Planning & Development Department finds that the application is complete, or lacks only those items or documents for which waiver requests have been submitted, then the Planning & Development Department shall make a preliminary determination of whether the waiver requests meet the standards of Section 7.2 of these Regulations, and if so, then the Planning & Development Department shall recommend to the Board acceptance of the application for review.
- b. If the Planning & Development Department finds that the application is not complete or that one or more of the waiver requests do not meet the standards of Section 7.2, the Planning & Development Department shall so advise the Applicant, who can elect to complete the missing submission requirements. [...]

The Planning and Development Department has reviewed the application in accordance with the Lebanon Site Plan Review Regulations and, per Section 4.7.C.2.b, has requested additional information from the applicant in order to make a recommendation to the Board with respect to completeness. It is expected that the applicant will submit revised plans and application materials addressing staff's comments and questions before the Board's meeting on December 13th. Staff will review any such revised materials prior to the December 13th meeting and provide the Board with a recommendation at that time as to whether the application is complete enough to accept jurisdiction and to commence review.

If the Board deems the application complete, the public hearing should be opened and continued to the next regular meeting of the Planning Board scheduled for **January 10, 2022**.

Prior to making any completeness determination, staff recommends that the Board first consider the Applicant's waiver requests from the submission requirements of Article V of the Site Plan Review Regulations. *If the Board denies any such waiver request, a finding that the application is incomplete would then be appropriate.* As described in the attached Application for Waivers, the applicant has requested a waiver from the following site plan submission requirement:

- **Partial Waiver of Section 5.1.E.16** – *"Existing trees over 12 inches in diameter, measured 4.5 feet above the ground surface, and within 25 feet of the disturbed area, must be counted and shown on the [landscaping] plan, if included towards fulfilling the landscaping requirements."*

Depending on the applicant's response to staff's request for the additional information needed to make a determination with respect to completeness, additional waiver requests from the submission requirements may be requested or may need to be requested by the applicant.

Attachments

cc: Ken Braverman, Mount Support Development, LLC (via e-mail)
Sylvia D. Lahaye Revocable Trust (via e-mail)
Pat Lumber Jack, Inc. (via e-mail)
Nicholas A. Fiore, PE, of Engineering Ventures, PC (via e-mail)
File

APPLICATION FOR

SPECIAL EXCEPTION	☐	☒ SITE PLAN REVIEW
VARIANCE	☐	☐ SUBDIVISION
MOTION FOR REHEARING	☐	☐ LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	☐ CONDITIONAL USE PERMIT

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: Sylvia D Lahaye Rev Trst // Pat Lumber Jack Inc. TEL.#: 603-448-2720 // 603.746.4923
MAILING ADDRESS: Kevin F. Carr, Esq., 29 School St, Lebanon NH 03766 // James P. Fredyma 109 Carriage Ln, Contoocook, NH 03229
E-MAIL ADDRESS: Kevin@bakerandhayes.com // fredymaj@comcast.net

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Mount Support Development LLC TEL.#: 802-343-6300
MAILING ADDRESS: Braverman Co. 214 Barnes Hill Rd, Stowe, VT 05672 // Anaganost Invst, 1662 Elm St, Manchester, NH 03101
E-MAIL ADDRESS: kb@bravermancompany.com

PROJECT LOCATION:

TAX MAP #: 24 LOT#: 9 & 10 PLOT #: ZONE: R1
STREET ADDRESS OF PROJECT: 402 & 392 Mount Support Road
IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☒ YES ☐ NO **HISTORIC DISTRICT** ☐ YES ☒ NO
FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

Four three-story apartment buildings with 51 units each in a mix of 1-, 2-, and 3-bedrooms. 45+/- parking spaces below each building, additional on site parking, plus new water, sewer, and stormwater facilities.

TYPE OF OCCUPANCY:

EXISTING ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC** USE: _____

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on _____, 20____, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: Pat Lumber Jack, Inc. by J. P. Hayes, President DATE: 10/29/21

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY OWNER: Pat Lumber Jack, Inc. by J. P. Hayes, President DATE: 10/29/21

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #
11-8-21	24/9 & 24/10	PB2021-31-SPR			

**CITY OF LEBANON
APPLICATION FOR**

SPECIAL EXCEPTION	☐	☒ SITE PLAN REVIEW
VARIANCE	☐	☐ SUBDIVISION
MOTION FOR REHEARING	☐	☐ LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	☐ CONDITIONAL USE PERMIT

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: Sylvia D Lahaye Rev Trst // Pat Lumber Jack Inc. TEL.#: 603-448-2720 // 603.746.4923
MAILING ADDRESS: Kevin F. Carr, Esq., 29 School St, Lebanon NH 03766 // James P. Fredyma 109 Carriage Ln, Contoocook, NH 03229
E-MAIL ADDRESS: Kevin@bakerandhayes.com // fredymaj@comcast.net

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Mount Support Development LLC TEL.#: 802-343-6300
MAILING ADDRESS: Braverman Co. 214 Barnes Hill Rd, Stowe, VT 05672 // Anaganost Invst, 1662 Elm St, Manchester, NH 03101
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PROJECT LOCATION:

TAX MAP #: 24 LOT#: 9 & 10 PLOT #: ZONE: R1
STREET ADDRESS OF PROJECT: 402 & 392 Mount Support Road
IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☒ YES ☐ NO **HISTORIC DISTRICT** ☐ YES ☒ NO
FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

Four three-story apartment buildings with 51 units each in a mix of 1-, 2-, and 3-bedrooms. 45+/- parking spaces below each building, additional on site parking, plus new water, sewer, and stormwater facilities.

TYPE OF OCCUPANCY:

EXISTING ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC**
USE: _____

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on Jan. 10, 2022, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: D J Lahaye DATE: 11-2-2021

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY OWNER: _____ DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #

November 8, 2021

City of Lebanon Planning & Development Department
Attn: Tim Corwin, Senior Planner and Zoning Administrator
51 North Park St
Lebanon, NH 03766

RE: Site Plan Review Application
402 Mt Support Rd Residential Development
Tax Map 24 Lots 9 & 10

Dear Mr. Corwin,

On behalf of Anagnost Investments and The Braverman Company (dba, Mt Support Development LLC), Engineering Ventures, PC (EV) is pleased to submit the enclose Site Plan Review application package for the 402 Mt Support Rd Residential Development project. The following is a summary of the project.

Summary

The proposed development is an affordable workforce housing project to be located at 402 (Map 24, Lot 9) and 392 (Map 24, Lot 10) Mount Support Road, located in the City's high-density R1 Zoning District. Pending project approval, the two parcels will be merged for a combined parcel of 14.2± acres.

The project is planned to be 204 residential units; constructed in four 3-story buildings. Each building will include a parking garage under the building footprint; minimizing the need for surface parking and avoiding wetland impacts. The property is a strong smart growth location with exceptional access to the region's largest employers, public transportation, and existing bike and pedestrian connectivity.

402 Mt Support Rd is currently occupied by a residence and landscaping operation. 392 Mt Support Rd is currently undeveloped. The site is moderately sloped and includes a mix of open fields, woods, and wetland areas. The project is designed as a conservation development, which concentrates the buildings and parking near Mt Support Road in the upland areas while preserving the existing wetland areas and wildlife corridor located along the site's south boundary line.

Site Layout

The development is designed to create a compact neighborhood setting. Two buildings will be just off the front set back line, a central drive will be behind them, and two more buildings behind that.

The central drive will have on-street parking that creates a “downtown street” feel with sidewalks and street trees where residents can interact in sidewalk conversations. Adequate parking is provided for residents and visitors in surface lots and below the buildings. Recreation areas are provided in the two fenced play areas and a fenced dog park. On-site multi-use paths make direct connections to the Mt Support Rd multi-use path which provides access to nearby Boston Lots trails. A majority of the land is preserved in its natural state.

Transportation

Two driveways provide access to the site from Mt Support Road. This provides flexible vehicular circulation and emergency vehicle access redundancy. The northern driveway is designed exactly opposite the driveway to the Michaels Student Living project to provide a traditional intersection configuration. Sidewalks and internal mixed-use paths connect to the Mt Support Road mixed-use path providing good pedestrian access. Advance Transit’s Blue Line services Mt Support Rd and new bus shelter is proposed (by others) near the north property corner of this development. Covered bike parking is provided in the garage below each building. A Traffic Impact and Access Study by VHB is included with this Site Plan Application.

Wetlands and Wildlife

The rear portion of the parcel includes wetlands that are part of a larger wetland complex between Mt Support Road and Route 120. The Lebanon Natural Resources Inventory classifies these wetlands as Medium-Low Value. The wetlands within the project site were delineated by Audra L. Klumb, NH Certified Wetland Scientist #222 of A&D Klumb Environmental, LLC, Webster, NH, in September 2021. The project is designed to avoid impacts to these wetland areas and therefore does not require any wetland waivers for approvals from the City or State.

The Natural Resources Inventory also identifies a wildlife corridor south of the project site. The development is designed to conserve the integrity of this corridor.

Stormwater Management

The development’s stormwater management system is designed in accordance with City of Lebanon and NHDES Alteration of Terrain (AoT) regulations. An AoT permit application is pending. Stormwater treatment and mitigation will be accomplished through construction of a gravel wetland system as indicated on the plans. Pretreatment for the north and west end of the site will be provided by a stormwater chamber system which will filter out sediment and provide flow attenuation to the gravel wetland. Drainage from the south and east ends of the site will be directed to a precast concrete sediment forebay for pretreatment prior to discharging to the gravel wetland system. Stormwater will be directed to the pretreatment systems through a series of roadside swales, grate drains, yard inlets, catch basins, and parking lot curbing. The gravel wetland

will then treat and attenuate flows prior to discharging to the existing natural wetlands east of the site.

For further details of existing and proposed drainage catchment please refer to the HydroCAD printout and the Drainage Plans included in this application's plan set. Sample calculations for the drainage analysis are as follows:

- $WQ_v = (P)(R_v)(A)$
- $P = 1''$ of rainfall (NHDES standard)
- $R_v = \text{Runoff Coefficient} = 0.05 + (0.9 * I)$
- $I = \% \text{ impervious draining to practice}$
- $A = \text{Area draining to practice}$
- $A_i = \text{Impervious area draining to practice}$
- WQ_v Calculations for area draining to POI-1:
 - $P = 1''$
 - $A = 6.68 \text{ acres}$
 - $A_i = 4.27 \text{ acres}$
 - $I = 4.27/6.68 = 0.64$
 - $R_v = 0.05 + (0.9 * 0.64) = 0.63 \text{ unitless}$
 - $WQ_v = (1'') (0.63) (6.68) = 4.18 \text{ ac-in}$
 - $WQ_v = 15,170 \text{ cf} (4.18 \text{ ac-in} * 43,560 \text{ sf/ac} * 1'/12'')$

Stormwater analysis was conducted using HydroCAD Version 10.0 to compute the post-construction conditions for the 1'', 2-year, 10-year, 25-year, 50-year, and 100-year 24-hour storm events. This program uses the TR-20 stormwater calculation method. The following table shows the results of the post-development analysis versus pre-development analysis.

Table 1 – HydroCAD Results

POI 1	2-yr Storm		10-yr Storm		25-yr Storm		50-yr Storm		100-yr Storm	
	cfs	cf	cfs	Cf	cfs	cf	cfs	cf	cfs	cf
Pre-Development	3.70	13,764	8.97	29,917	13.60	44,149	18.11	58,166	23.56	75,300
Post-Development	1.87	19,692	8.95	43,111	13.35	61,558	16.56	78,732	21.26	98,900
Δ	-1.83	5,928	-0.02	13,194	-0.25	17,409	-1.55	20,566	-2.30	23,600

Soil Erosion and Sedimentation Control

Standard erosion and sedimentation control measures will be implemented during construction of the project. Inlet protections will be installed at basin inlets. Silt fencing will be installed along downhill edges of the site work and where otherwise indicated on the plans. Stone construction

entrances will be implemented to prevent vehicles from transporting dirt and soil off the site. Once final grades are established, landscaping features will be installed for the project area.

This project will require that the developer and contractor are covered by and EPA Construction General Permit during construction activities. This includes developing and following a Stormwater Pollution Prevention Plan (SWPPP).

Utilities and Fire Protection

The development will be served by municipal water and sewer, Liberty Utilities for electric service, and private contractors for propane and communications. It is EV's understanding that all services have adequate capacity to meet the needs of the development.

An 8-inch water main will tee off the City's 12-inch main in Mt Support Rd, loop through the development via the two driveways and the central drive, and connect again to the City's main at the other end of the site. A service to each building will be provided from within the central drive, as will services to three fire hydrants within the site. All buildings will have complete sprinkler systems for fire protection.

Sewer service will be provided by gravity-flow pipes from the buildings to the newly constructed City sewer main in Mt Support Rd. One sewer main within the development will run under the center drive and each building will connect to it. The connection point to the City's main will be a manhole just south of the property's southern boundary. As-built information for the existing sewer was provided by Lebanon DPW and was used in designing this project's system.

City of Lebanon Sewer Allocation and NH DES Sewer Connection Permit are pending.

Landscaping

New landscaping will be planted around and throughout the development. Trees and shrubs will provide perimeter landscaping along Mt Support Rd and the property's northern boundary. The trees along Mt Support Rd were selected to match the road side planting scheme of Michaels Student Living project. Additional screening from Mt Support Rd will be provided along the fronts of the building closest to the road. Existing vegetated buffers along the southern and western property lines will remain unaltered. Shade trees will be planted in parking lot islands and provide the requisite shading. Additional plantings are provided around each building where space is available. This project is seeking a waiver from Section 6.2.D, which requires a 10-foot landscaping strip around the buildings. The compact nature of the site design is an effort to preserve the wetlands on the property. The landscape areas around the buildings have been maximized while maintaining that goal. Including a full 10 feet of landscaping around the building would result in significant impacts to the wetlands.

Snow Removal

Snow storage will generally occur along the sides of the driveways and in pockets around the site as indicated on the landscaping plans. The compact design of the site will necessitate the hauling of snow off site periodically.

Construction Schedule

Pending permit approvals, construction will begin in Spring 2022 and be completed in Spring 2023. At this time project phasing is still being determined.

Thank you for your time and consideration with this project. We look forward to review this project with you and the City staff. In the meantime, please do not hesitate to call or email if you have any questions or need additional information.

Sincerely,

ENGINEERING VENTURES, PC

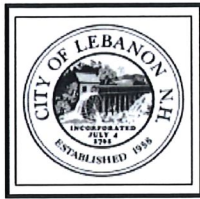


Nicholas A. Fiore, PE

Project Manager/Principal

Direct: (603) 727-7029

Enc: Application Form x 2
Fee Schedule
Certified Notification List
Application for Waivers
Technical Checklist
Lighting cut sheets (4 cut light sheets plus 1 light pole cut sheet)
Architectural Plans
Stormwater modeling report
Traffic Memo by VHB



City of Lebanon, New Hampshire APPLICATION FOR WAIVERS

Office Use Only

Date Received: _____

File No.: _____

PROJECT INFORMATION

Name of Applicant: Mt Support Development LLC

Project Name: 402 Mt Support Rd Residential Development

Project Address: 402 & 392 Mt Support Rd

WAIVER REGULATIONS

In order to grant a Waiver from a requirement of the City of Lebanon Site Plan Review or Subdivision Regulations, the Planning Board must find that the Waiver is justified under one of the following criteria (See Article VII of the Site Plan Review Regulations and Section 7.15 of the Subdivision Regulations):

Criteria A. Strict conformity would pose an unnecessary hardship to the Applicant and waiver would not be contrary to the spirit and intent of the regulations;

OR

Criteria B. Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

[You can respond in the space provided, or attach a separate statement. Please be prepared to address each request during your public hearing. You must show that you have justified granting the Waiver(s).]

1. Section 6.2.D of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because Requiring a 10 foot buffer around buildings
The compact nature of the site design is an effort to preserve the wetlands on the property. The
landscape areas around the buildings have been maximized while maintaining that goal. Including a
full 10 feet of landscaping around the building would result in significant impacts to the wetlands.
2. Section 5.1.E(16) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____
The design team did not anticipate needing this waiver at the time of the survey of the site and the
specific locations of 12-inch trees were not collected. The areas left undisturbed have a mix of vegetation
and will provide good screening.

3. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

4. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

5. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

6. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

7. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

8. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

SIGNATURE

I (we) hereby submit this application to the Planning Board and attest that to the best of my (our) knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As the applicant or as the agent of the applicant, I attest that I am duly authorized to act in this capacity.

Signature of Applicant:  Date: 11/08/2021

CITY OF LEBANON, NH SITE PLAN REVIEW REGULATIONS TECHNICAL CHECKLIST	
PROJECT NAME: 402 Mt Support Rd Residential Development	
APPLICANT: Mount Support Development, LLC	DATE: 11/08/2021
GENERAL SUBMISSION REQUIREMENTS:	

All applications to the Planning Board for Site Plan Review must be submitted by 12:00 Noon on the day of the filing cutoff. [§4.7.B] Submissions must be accompanied by the following information or review of the application may be delayed:

A properly completed and signed Application Form (*available at www.lebanonnh.gov*). [§5.1.A]

The appropriate filing fees. [§5.1.B]

A written project description. [§5.1.C]

A list of the names and mailing addresses of all persons to be notified, by certified mail, of the public hearing. [§5.1.D]

A completed and signed Application for Waivers (*available at www.lebanonnh.gov*) [§5.1.G.3]

A completed and signed Technical Checklist (*available at www.lebanonnh.gov*). [§4.7.B]
[Applicants must complete the entire checklist to ensure that all necessary information and materials have been provided with the application or that written requests for waivers have been properly provided in accordance with Article VII of the Site Plan Review Regulations, as appropriate.]

Two (2) full-size sets of the Site Plan set. [§5.1.E]

A digital copy of the Site Plan set in .PDF format. [§5.1.F]

NOTE: Applications shall contain sufficient information to enable the City Staff and the Planning Board to evaluate the proposed development for compliance with the Zoning Ordinance, the Planning Board's Regulations, and other applicable City Codes, and for the Planning Board to make an informed decision.

All required application materials shall be submitted as a single inclusive package, including any appropriate waiver requests as permitted by the Regulations. Submission of a complete application package ensures that the review process by City Staff is as efficient and effective as possible.

The purpose of the filing deadline is to provide adequate time for City review of the proposal. Submission of any altered, additional, or substitute application materials required by Article V of these Regulations, subsequent to the filing deadline, other than as directed by City Staff, shall cause the application to be deemed untimely filed, and such application shall not be heard until a subsequent month.

CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST

PLAN SUBMITTAL TECHNICAL CHECKLIST:

NOTE: Site plan drawings shall include the information described below pursuant to Article V of the Lebanon Site Plan Review Regulations. Plans shall be submitted on sheets no larger than 24" x 36". Plan sets with multiple sheets shall include sheets of uniform size and be bound on the left edge. When more than three (3) sheets are required, an additional cover sheet shall be attached including a table of contents. A scale of not smaller than one (1) inch equals 40 feet is suggested. All lettering shall be of a size and type that is legible.

In order to facilitate the use of the City's Geographic Information System (GIS) for planning purposes, all surveys and engineered plans submitted for Site Plan Review shall utilize the NH State Plane Coordinate system and shall reference the North American Vertical Datum of 1988 (NAVD 88), unless prior approval to use an alternate coordinate system and/or vertical datum is granted by the Planning & Development Department.

A written request for waiver shall be required, pursuant to Article VII of the Site Plan Review Regulations, for any submission requirement for which the information or data is not provided by the applicant. [§5.1.G(4)] NOTE: The submission requirements described in paragraphs 5.1.E(1) through 5.1.E(4) shall not be waivable under the procedures of Article VII of the Site Plan Review Regulations. [§5.1.E]

[Checklist begins on following page]

**CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST**

[illegible]

CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST

Plan Requirements (cont.)	Info. Provided	Waiver Sought
<u>5.1.E(6)</u> - Existing and proposed grades, including topographic contours with spot elevations, (referenced to USGS or FEMA Flood Insurance Rate Map datums, as appropriate) prepared by a professional engineer or land surveyor licensed in NH. (Where grades are less than 20%, contours shall be at 2 ft. intervals; otherwise they shall be at 5 ft. intervals.)	☒	☐
<u>5.1.E(7)</u> - Shape, size, height, and location of all existing structures located on site and within 200 feet of site.	☒	☐
<u>5.1.E(7)</u> - Elevation views indicating shape, size, height, and location of all proposed structures, including expansions of or additions to existing buildings. Such elevation views shall provide sufficient detail to allow for review by the Board and City staff of the adequacy of proposed access and egress points, walkways, lighting, and other site-related improvements.	☒	☐
<u>5.1.E(8)</u> - Location of existing natural features such as streams, marshes, lakes, ponds, wetlands, rock outcrops, or wooded areas, and existing man-made features such as roads and structures. Indicate those natural and man-made features that are to be removed, retained, or altered.	☒	☐
<u>5.1.E(8)</u> - Wetlands on the property, if any, shall be delineated by a NH Certified Wetlands Scientist, whose seal and signature shall appear on the plan. Documentation in the form of U.S. Army Corps of Engineers New England District Wetlands Delineation Data Sheets and/or other field notes and materials concerning the delineation shall be submitted.	☒	☐
<u>5.1.E(9)</u> - Zoning District, Tax Map and Lot number, and use of abutting properties within 200 feet of property.	☒	☐
<u>5.1.E(9)</u> - Location of streets, pedestrian paths/trails, and bicycle routes within 200 feet of the site boundary; and the location of curb cuts and vehicle accesses within 200 feet of the site boundary.	☒	☐
<u>5.1.E(10)</u> - Proposed streets, driveways, emergency vehicle accesses, parking spaces, and sidewalks, with indication of dimensions and direction of travel. Show required sight distances at curb cuts and dimensions for the inside radii of all curves.	☒	☐
<u>5.1.E(10)</u> - Vehicle and bicycle parking spaces shall be numbered.	☒	☐
<u>5.1.E(10)</u> - Loading spaces and facilities used in connection with any structures on the site shall be shown	☒	☐
<u>5.1.E(10)</u> - Total square footage and percentage of the lot covered by impervious cover shall be shown.	☒	☐
<u>5.1.E(11)</u> - Parking area safety measures including raised crosswalks/speed tables, signage, walkway lighting, striping and similar markings such as dedicated pedestrian/bicycle crossings and lanes through parking areas, fire lanes, compact and/or electric vehicle parking/charging, parking wayfinding, ADA signage and access aisles.	☒	☐
<u>5.1.E(12)</u> - Size and location of all existing and proposed public and private utilities. (Note: the applicant is encouraged to submit a Sewer Use Permit Application and obtain a Notice of Permitted Allocation, and to obtain a Water Use Permit prior to submission of the Site Plan Review application.)	☒	☐

CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST

Plan Requirements (cont.)	Info. Provided	Waiver Sought
<u>5.1.E(13)</u> - Plan for outdoor lighting showing proposed location, mounting height, fixture type, lamp type, color correlated temperature (CCT), and wattage of all exterior free-standing lighting or building-mounted fixtures.	☒	☐
<u>5.1.E(13)</u> - Analyses and illuminance-level diagrams, to include average and minimum foot-candle measurements, showing that proposed installation conforms to the lighting-level standards in Site Plan Review Regulations.	☒	☐
<u>5.1.E(13)</u> - Manufacturer's specification information for each proposed light fixture and lamp (NOTE: This information may be provided on the plan or as a separate attachment).	☒	☐
<u>5.1.E(13)</u> - Drawings of all relevant building elevations showing location and height of all building-mounted fixtures, illumination levels of walls or architectural features, and aiming points for any remote light fixtures.	☒	☐
<u>5.1.E(14)</u> - Plan for location of free-standing or building-mounted signs, including location, mounting, aiming, and shielding of any remote light fixtures for externally-lit signs.	☒	☐
<u>5.1.E(14)</u> - For internally-lit signs, relevant information concerning the method of illumination and the opacity of the sign background, showing that the proposed installation conforms to the requirements of the Regulations.	☒	☐
<u>5.1.E(15)</u> - 100-yr flood elevation, floodway, and floodplain limits, where relevant.	N/A	☐
<u>5.1.E(16)</u> - Landscaping plan showing proposed new plantings to be installed and existing natural vegetation to be retained. Plan shall show in detail the number, size (height and/or caliper), and species (botanical and common names) of all proposed shrubs and trees.	☒	☐
<u>5.1.E(16)</u> - Existing trees over 12 inches in diameter (measured 4.5 feet above ground surface) within 25 feet of the disturbed area, must be counted and shown on the plan, if included towards fulfilling landscaping requirements.	☐	☒
<u>5.1.E(16)</u> - Calculations for square footage of perimeter landscaping.	☒	☐
<u>5.1.E(16)</u> - Parking lot shading calculations shall be provided by depicting new trees and shrubs at 10-year crown size.	☒	☐
<u>5.1.E(17)</u> - Existing and proposed surface and subsurface storm drainage facilities, including City storm drainage facilities located within 200' of site.	☒	☐
<u>5.1.E(17)</u> - Plans for retention, detention, slow release, and treatment of storm water shall be provided, where necessary.	☒	☐
<u>5.1.E(17)</u> - Drainage plans prepared by a professional engineer registered in NH, whose seal and signature shall appear on plan(s).	☒	☐
<u>5.1.E(18)</u> - Section 6.6. Stormwater Management submission requirements.	See Stormwater Checklist	
<u>5.1.E(19)</u> - Plans for snow removal and storage.	☒	☐
<u>5.1.E(20)</u> - A plan for the development showing provisions for automobile, transit, bicyclist, and pedestrian access and circulation. Such plan shall show both existing and proposed means of access to the site including connections with, public streets, sidewalks, transit stops, and formal paths/trails. Plans shall include any traffic calming and traffic control devices necessary in conjunction with the site development, as well as the location of all existing transit routes and transit stops located or passing within 1/4 mile (1,320 feet) of the property.	☒	☐

CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST

Plan Requirements (cont.)	Info. Provided	Waiver Sought
5.1.E(21) - Construction detail drawings including, but not limited to, pavements, walks, steps, curbing, drainage structures, water and/or sewer utilities, ground-mounted signage (e.g., fire lanes, ADA parking, commercial), surface treatments, transit shelters, energy generation units (e.g., solar), bike rack style, electric vehicle charging, outdoor lighting, outdoor furniture, retaining walls, tree boxes and other site systems or structures. Accompanying specifications and cutsheets may be required.	☒	☐
5.1.E(21) - Where applicable, roadway, drainage, water and sewer utility profile drawings shall be provided at a scale of 1"=40 feet (horizontal) and 1"=4 feet (vertical) and typical cross-section drawings shall be provided at a scale of 1"=5 feet (horizontal and vertical), unless prior approval is granted by the City Engineer.	☒	☐
5.1.E(22) - Depict any current and proposed easements, rights-of-way, and deed restrictions including those related to sewer, electrical utility, shared access, etc.	N/A	☐
5.1.E(23) - For multi-family structures, plans for on-site recreational facilities.	☒	☐
5.1.E(24) - Plans for fire protection including emergency vehicle turn radius diagrams, if requested by the Lebanon Fire Department.	☒	☐
Supporting Documents and Information, Where Applicable	Info. Provided	Not Applicable
5.1.G(1) - An estimated timetable, to include phasing schedules, for construction and completion of buildings, parking, facilities, landscaping, and other required improvements.	☒	☐
5.1.G(2) - Any development estimated to generate a net increase of 100 peak hour trips or 1,000 average daily trips (based upon the most current edition of the ITE Trip Generation Manual) shall prepare and submit a Traffic Impact Study in accordance with standard traffic analysis conventions as set forth by the NHDOT. The Board may, at its discretion, require the submission of a Traffic Impact Study for developments estimated to generate less than 100 peak hour trips or 1,000 average daily trips if the Board has reason to believe such development could adversely affect levels of service or have other adverse impacts.	☒	☐
5.1.G(3) - Written requests for waivers from all applicable provisions of these Regulations shall be provided pursuant to Article VII - "Waiver Procedure". (note: use <i>Application for Waivers form</i>).	☒	☐
5.1.G(4) - For multi-family dwelling developments and mixed-use developments resulting in a net increase of 50 dwelling units or more, the application shall include the information and impact statements identified in Section 6.9.B.	Pending	☐

NOTE: THE APPLICANT IS RESPONSIBLE FOR PROVIDING THE REQUIRED INFORMATION PURSUANT TO ARTICLE V OF THE SITE PLAN REVIEW REGULATIONS. PLEASE BE AWARE THAT THIS CHECKLIST IS FOR INFORMATION AND GUIDANCE ONLY AND DOES NOT REPRESENT THE LAW DICTATING SUBMITTAL REQUIREMENTS NOR IS IT COMPLETE AND INCLUSIVE THEREOF.

Completed By: _____

(Last Revised 4/19/2021)

**CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST**

CITY OF LEBANON, NH STORMWATER REVIEW REGULATIONS TECHNICAL CHECKLIST	
PROJECT NAME: 402 Mt Support Rd Residential Development	
APPLICANT: Mount Support Development, LLC	DATE: 11/08/2021

NOTE: Stormwater plans shall include the information described below pursuant to Article VI of the Lebanon Site Plan Review Regulations. Plans shall be submitted on sheets no larger than 24" x 36". Plan sets with multiple sheets shall include sheets of uniform size and be bound on the left edge. When more than three (3) sheets are required, an additional cover sheet shall be attached including a table of contents. A scale of not smaller than one (1) inch equals 40 feet is suggested. All lettering shall be of a size and type that is legible.

In order to facilitate the use of the City's Geographic Information System (GIS) for planning purposes, all surveys and engineered plans submitted shall utilize the NH State Plane Coordinate system and shall reference the North American Vertical Datum of 1988 (NAVD 88), unless prior approval to use an alternate coordinate system and/or vertical datum is granted by the Planning Office.

A written request for waiver shall be required, pursuant to Article VII of the Site Plan Review Regulations, for any submission requirement for which the information or data is not provided by the applicant. [§6.6.I]

[Stormwater checklist begins on following page]

**CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST**

Plan Requirements	Info. Provided	Waiver Sought
6.6.C.1 (1) - An Existing Conditions S.M.P showing all pre-development: a. Surface water bodies and wetlands b. Drainage patterns c. Flood plains and floodways (with elevations) d. Watershed boundaries e. Buffer zones f. Topographic contours with minimum 2-foot intervals g. Buildings / structures h. Pavement i. Utilities j. Soils information with coding as HSG-A, B, C, or D (High Intensity Soil Survey (HISS) mapping may be required per request of the City Engineer).	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
1. The plan shall also include the following elements: a. scale bar b. north arrow c. title block with project name d. applicant's name e. map and parcel number f. designer's stamp g. soil and/or wetland scientist's stamp (if applicable) h. legend i. locus plan j. benchmarks k. notes with datum and other plan references l. instructions m. detail descriptions	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
6.6.C.1 (2) - A Proposed Conditions SMP showing all proposed post-development temporary and permanent stormwater management system elements, erosion and sediment control Best Management Practices (BMP), and all important hydrologic features. The Proposed Conditions S.M.P must be at the same scale as the Existing Conditions SMP, with consistent title block, plan features, and descriptors including but not limited to the following: a. Existing and proposed topographic contours (2-foot minimum contour interval; 1-foot contour intervals may be required for sites with limited relief and/or where proposed stormwater outfalls are located adjacent to buffer zones. b. Proposed areas of disturbance with total area of disturbance clearly labeled in square feet c. Existing and proposed buildings and structures d. Stormwater discharge locations labeled and matched to the drainage analyses e. Wells and sanitary protective radii, if applicable f. Septic systems, if applicable	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐

CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST

Plan Requirements (cont.)	Info. Provided	Waiver Sought
g. Plan references and notes (including sequence of soil disturbance) h. Proposed and existing public and private utilities i. Proposed project components to become property of or the responsibility of the City shall be labeled as such j. Existing and proposed impervious cover, with areas used to calculate effective impervious cover (EIC, as defined herein) clearly identified and the square footage of each type identified and labeled. k. Test Pit(s) locations and data where stormwater practices are proposed, as appropriate. l. Details of individual design elements shown on separate plan sheets following the Proposed Conditions SMP. The Existing Conditions SMP & the Proposed Conditions SMP shall be provided on sheets no larger than 24" x 36", at a scale of one (1) inch = 20 feet for urban areas, and one (1) inch = 40 feet for non-urban areas. The City Engineer will make the final determination as to the appropriate scale, ensuring that all important site and hydrologic features are easily recognized. If plan shall encompass more than two (2) sheets, at the required 1:40 or 1:20 scale, a separate large scale representation plan sheet (e.g. 1:100) is required to be provided, so as to show entirety of site, as well as off-site contributing areas.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐
6.6.C.2 - In addition to the above described SMP plan sheets, the following SMP supplemental information is required: 1. A drainage analysis that includes calculations comparing pre- and post-development stormwater runoff rates (cubic feet per minute) and volumes (cubic feet) based on a 1-inch rainstorm, and the 2-year, 25-year, 50-year, and 100-year, 24-hour frequency storms. Calculations shall include, but not be limited to, the sizing of all structures and BMPs, including sizing of emergency overflow structures based on the 50-year 24-hour frequency storm discharge rate, with 1-foot of free-board. Storm rates shall be based on current design depths from the Northeast Regional Climate Center - http://precip.eas.cornell.edu. <i>Any site that was primarily wooded in the last five years shall be considered undisturbed woods Any site from which wooded vegetation has been removed within 5 years prior to the first submission to the planning board with respect to a proposed development, or upon which, at some earlier time, clearing has occurred in anticipation of development, shall be treated as undisturbed woodland for purposes of calculating pre-development runoff volumes. For purposes of this paragraph any tree cutting which occurred without leaving stands of healthy, growing trees within areas near waters and highways, as required by RSA 227-J:9, I, shall be presumed to have occurred in anticipation of development</i>	☒	☐

CITY OF LEBANON, NH
SITE PLAN REVIEW REGULATIONS
TECHNICAL CHECKLIST & STORMWATER CHECKLIST

Plan Requirements (cont.)	Info. Provided	Waiver Sought
2. A drainage analysis results summary tabulated (pre & post) for each proposed outfall or catchment outlet point including runoff rates and volumes for each storm event analyzed above.	☒	☐
3. An Erosion and Sediment Control Plan for all proposed construction activities in accordance with the NH Stormwater Management Manual Volume 3, (December 2008 or current revision; downloadable from the website)	☒	☐
4. A comprehensive Operation and Maintenance Plan for long-term maintenance of all proposed stormwater management elements and BMPs including the proposed schedule of inspections and anticipated maintenance (see section H.2 Operations & Maintenance Plan for detailed requirements).	☒	☐
<u>6.6.D</u> - Phased Development: For phased developments, the plans and calculation requirements under this section (6.6) shall apply as though the development of the entire parcel were being proposed in one single application. The review and approval process for phased development applications is provided in section 4.9 of the Lebanon Site Plan Regulations.	☐	☐

NOTE: THE APPLICANT IS RESPONSIBLE FOR PROVIDING THE REQUIRED INFORMATION PURSUANT TO ARTICLE VI OF THE SITE PLAN REVIEW REGULATIONS. PLEASE BE AWARE THAT THIS CHECKLIST IS FOR INFORMATION AND GUIDANCE ONLY AND DOES NOT REPRESENT THE LAW DICTATING SUBMITTAL REQUIREMENTS NOR IS IT COMPLETE AND INCLUSIVE THEREOF.

Completed By: Nicholas A. Fiore

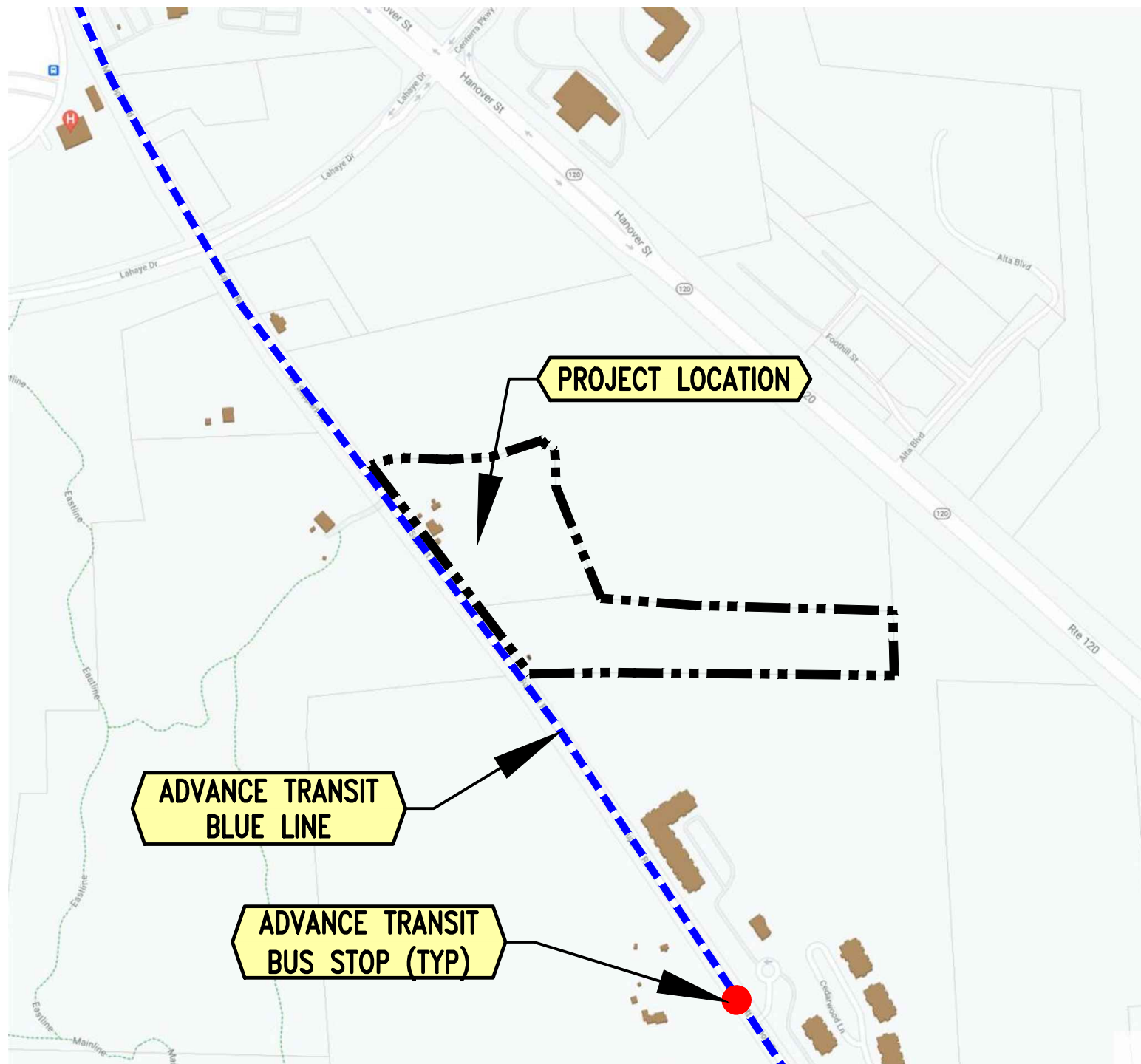
(Last Revised 04/19/2021)

Planning office Use Only:

Date Received ___/___/___ Checklist Complete YES or NO Checked by: _____

402 MT. SUPPORT ROAD - RESIDENTIAL DEVELOPMENT

SITE PLAN REVIEW



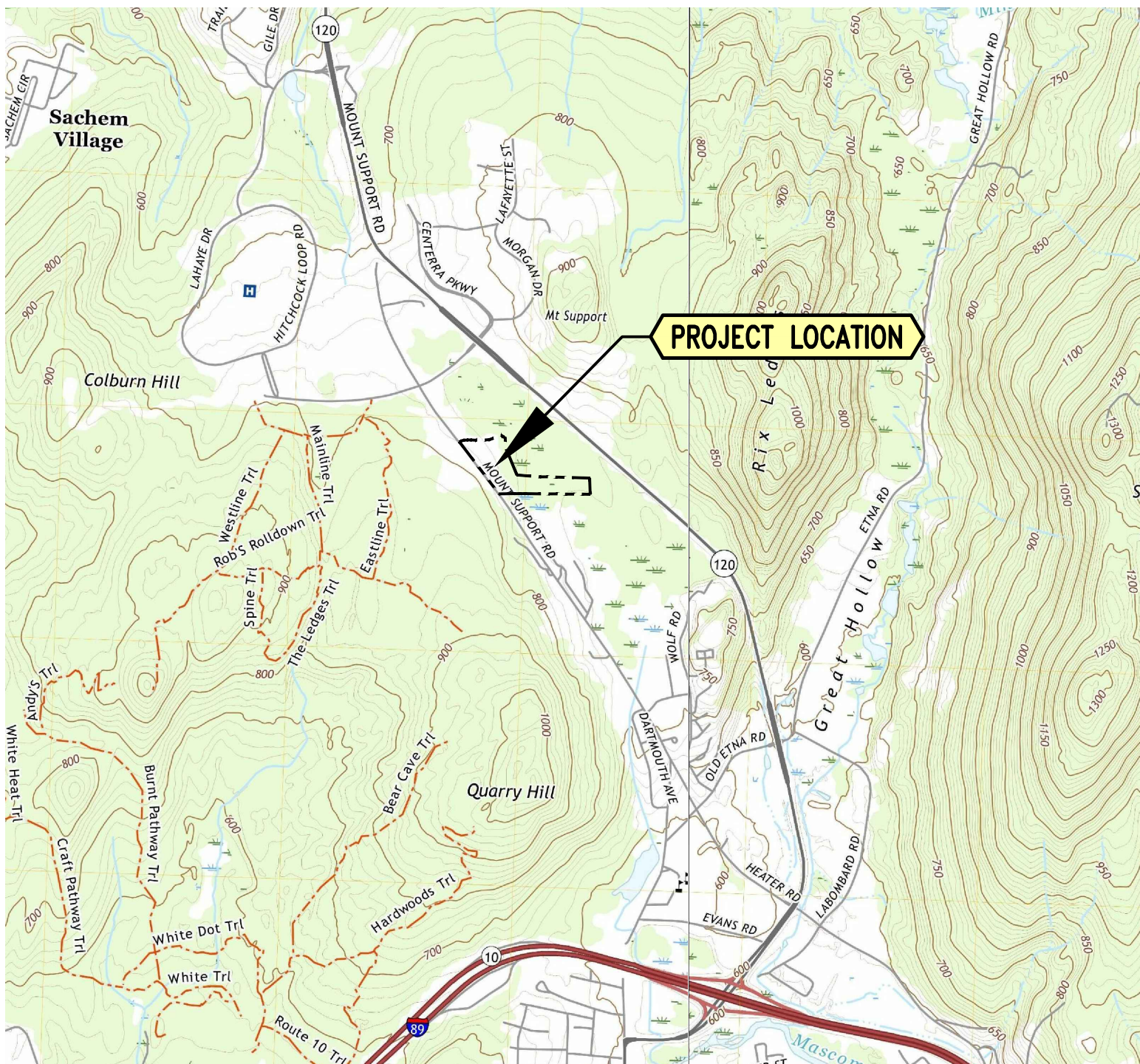
LEBANON GIS MAP

1"=500'

ZONING CHART

	Existing	Proposed	Notes
Zoning District	R1	R1	
Tax Map / Lot #	24 / 9 & 24 / 10	24 / 9	
Use	One-Family Dwelling	Multi-Family Dwelling	
Number of Dwelling Units	1 & 0	204	
Property Class	3	1	
Minimum Area of Lot	10,000 sf	14.14 acres	
Area of Lot (acres)	6.55 & 7.66	14.21	1
Building Footprints (sf)			
Building 1	1,190	20,233	
Building 2	1,402	20,233	
Building 3	225	20,233	
Building 4		20,233	
Total Footprint	2,817	80,932	2
Gross Floor Area (sf)			
Building 1 - Level 1	1,168	19,148	
- Level 2	291	19,148	
- Level 3	0	19,148	
Building 2 - Level 1	0	19,148	
- Level 2	0	19,148	
- Level 3	0	19,148	
Building 3 - Level 1	0	19,148	
- Level 2	0	19,148	
- Level 3	0	19,148	
Building 4 - Level 1	0	19,148	
- Level 2	0	19,148	
- Level 3	0	19,148	
Total Gross Floor Area	1,459	229,776	2
Building Heights	45' max.	45' max.	3
Building 1	20' +/-	44' 11"	
Building 2	22' +/-	44' 11"	
Building 3		44' 11"	
Building 4		44' 11"	2
Number of Stories	2	3	
Building Coverage Max	15%	25%	
Building Coverage	0.99%	13.07%	
Parking Spaces Required	2	306	
Parking Spaces Provided	5±	390	4
Loading Spaces	0	0	
Bicycle Spaces - Short-Term / Long Term	0	80- 100	
Impervious Area (sf)	8,670	186,111	
Impervious Area (% of lot)	3.0%	30.07%	
Setbacks - Required / Provided (ft)			
Front	25' /	20' / 20.6'	
Side	25' /	15' / 68.8'	
Rear	30' /	20' / 96.0'	
City Overlay Districts	Wetlands	Wetlands	
NHDES Shoreland Jurisdiction	NA	NA	

- Notes:
1. AREA OF LOT PER CITY OF LEBANON TAX MAPS
 2. PROPOSED BUILDING AREA AND HEIGHT PER BRUNELL ARCHITECTS.
 3. PER SETION 308.4 BUILDING HEIGHTS OF UP TO 55 ARE ALLOWED BY CONDITIONAL USE PERMIT.
 4. SEE PARKING SUMMARY TABLE FOR ADDITIONAL PARKING TALLY INFORMATION.

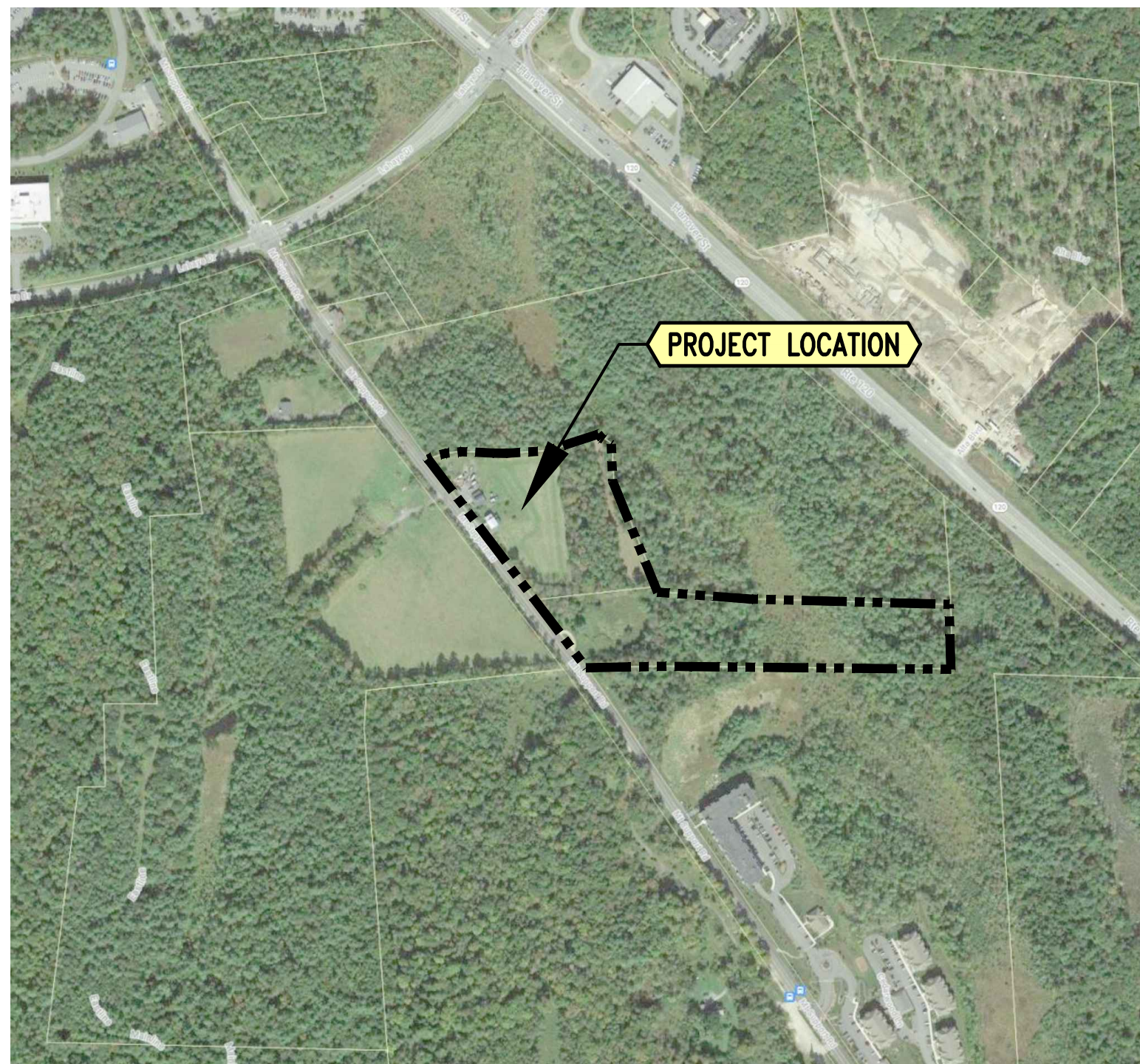


USGS MAP

1"=2,000'

DRAWING LIST

SHEET	TITLE	CONSULTANT	
C0.0	COVER SHEET	ENGINEERING VENTURES	(1 OF 33)
C0.1	SITE LEGEND AND NOTES	ENGINEERING VENTURES	(2 OF 33)
C0.2	SITE CONTEXT EXHIBIT	ENGINEERING VENTURES	(3 OF 33)
C1.0	EXISTING CONDITIONS OVERVIEW PLAN	ENGINEERING VENTURES	(4 OF 33)
C1.1	EXISTING CONDITIONS PLAN (1 OF 2)	ENGINEERING VENTURES	(5 OF 33)
C1.2	EXISTING CONDITIONS PLAN (2 OF 2)	ENGINEERING VENTURES	(6 OF 33)
C2.0	SITE OVERVIEW PLAN	ENGINEERING VENTURES	(7 OF 33)
C2.1	SITE LAYOUT PLAN (1 OF 2)	ENGINEERING VENTURES	(8 OF 33)
C2.2	SITE LAYOUT PLAN (2 OF 2)	ENGINEERING VENTURES	(9 OF 33)
C2.3	GRADING AND DRAINAGE PLAN	ENGINEERING VENTURES	(10 OF 33)
C2.4	GRADING AND DRAINAGE PLAN	ENGINEERING VENTURES	(11 OF 33)
C2.5	SITE CIRCULATION – SIGNAGE AND STRIPING	ENGINEERING VENTURES	(12 OF 33)
C2.6	SITE CIRCULATION – FIRE TRUCK TURNING MOVEMENTS	ENGINEERING VENTURES	(13 OF 33)
C2.7	UTILITIES PLAN	ENGINEERING VENTURES	(14 OF 33)
C2.8	LANDSCAPE PLAN	ENGINEERING VENTURES	(15 OF 33)
C2.9	PARKING SHADE PLAN	ENGINEERING VENTURES	(16 OF 33)
C2.10	EROSION PREVENTION AND SEDIMENT CONTROL PLAN	ENGINEERING VENTURES	(17 OF 33)
	SITE LIGHTING PLAN	VISIBLE LIGHT, INC	(18 OF 33)
C3.1	WATER PLAN AND PROFILES	ENGINEERING VENTURES	(19 OF 33)
C3.2	SEWER PLAN AND PROFILES	ENGINEERING VENTURES	(20 OF 33)
C4.1	SITE DETAILS (1 OF 2)	ENGINEERING VENTURES	(21 OF 33)
C4.2	SITE DETAILS (2 OF 2)	ENGINEERING VENTURES	(22 OF 33)
C4.3	STORMWATER DETAILS (1 OF 2)	ENGINEERING VENTURES	(23 OF 33)
C4.4	STORMWATER DETAILS (2 OF 2)	ENGINEERING VENTURES	(24 OF 33)
C4.5	WATER DETAILS	ENGINEERING VENTURES	(25 OF 33)
C4.6	SEWER DETAILS	ENGINEERING VENTURES	(26 OF 33)
C4.7	EROSION PREVENTION AND SEDIMENT CONTROL DETAILS	ENGINEERING VENTURES	(27 OF 33)
AP1.01	BUILDING RENDERINGS	BURNELL JOHNSON ARCHITECTS	(28 OF 33)
BP1.01	BUILDING RENDERINGS	BURNELL JOHNSON ARCHITECTS	(29 OF 33)
AP1.02	BUILDING 1 & 2 GARAGE PLAN	BURNELL JOHNSON ARCHITECTS	(30 OF 33)
AP1.06	BUILDING 1 & 2 ELEVATIONS	BURNELL JOHNSON ARCHITECTS	(31 OF 33)
BP1.02	BUILDING 3 & 4 GARAGE PLAN	BURNELL JOHNSON ARCHITECTS	(32 OF 33)
BP1.06	BUILDING 3 & 4 ELEVATIONS	BURNELL JOHNSON ARCHITECTS	(33 OF 33)



AERIAL PHOTOGRAPH

1"=250'

PARKING SUMMARY

Use	Independent Variable	Independent Variable Value	Min. Spaces Required	120% of Min	150% of Min	Parking Space Provided		
						In Structures	Outdoors	Total
Apartments	1.5/Unit	204	306	367.2	459	184	206	390

Notes:

SUBJECT PROPERTY:

TAX MAP 24 LOTS 9 AND 10
CITY OF LEBANON
GRAFTON COUNTY
NEW HAMPSHIRE, 03766

OWNER\APPLICANTS:

PROPERTY OWNERS:
LOT 9:
SYLVIA D. LAHAYE REV. TRUST
KEVIN F. CARR, ESQ.
29 SCHOOL STREET
LEBANON, NH 03766
(603) 448-2720

LOT 10:
PAT LUMBER JACK, INC.
JAMES P. FREDYMA
109 CARRIAGE LANE
CONTOOCOOK, NH 03229
(603) 746-4923

APPLICANT:
MOUNT SUPPORT DEVELOPMENT, LLC (CONSISTING OF):

BRAVERMAN COMPANY
214 BARNES HILL ROAD
STOWE, VT 05672

AND

AGNANOST INVESTMENTS
1662 ELM STREET
MANCHESTER, NH 03101

CONSULTANTS:

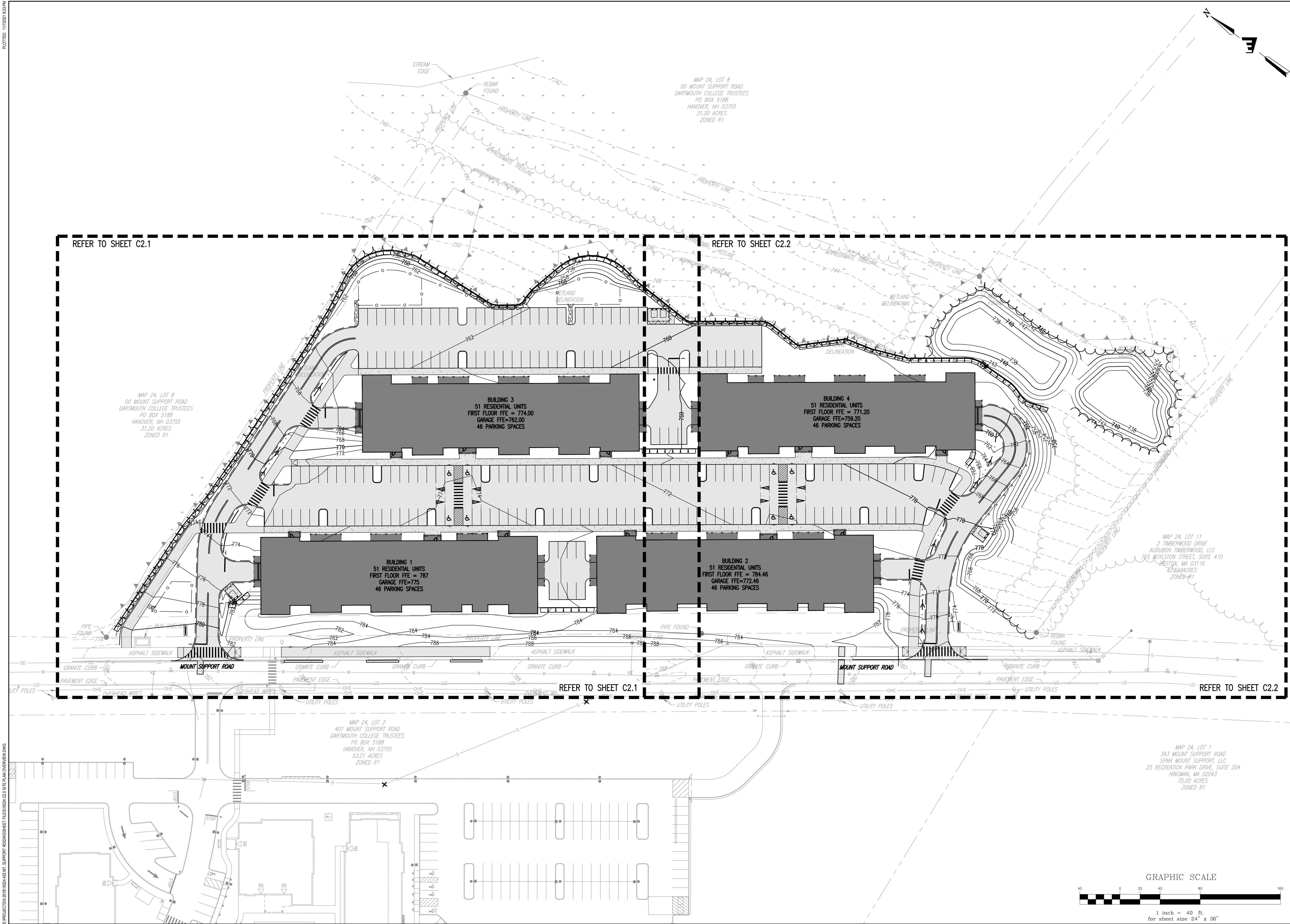
CIVIL ENGINEER:
ENGINEERING VENTURES, PC
NICHOLAS A. FIORE, PE
85 MECHANIC ST. SUITE B2-2
LEBANON, NH 03766
(603) 442-9333

ARCHITECT:
BURNELL JOHNSON ARCHITECTS
STEPHEN BURNELL, AIA
180 STARK STREET
MANCHESTER, NH 03101
(603) 625-5098

TOPOGRAPHIC SURVEY:
LATITUDES LAND SURVEYING
NATE YAGER, L.L.S.
129B SPRUCE STREET
BURLINGTON, VT 05401
(802) 825-6545

WETLAND SCIENTIST:
A&D KLUMB ENVIRONMENTAL, LLC
AUDRA L. KLUMB
34 CENTENNIAL DRIVE
WEBSTER, NH 03303

Stamp	
Date	
Description	
No.	
ENGINEERING VENTURES PC 208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-863-6225 85 Mechanic Street, Suite E2-3, Lebanon, NH 03766 • 603-442-9333 414 Union Street, Schenectady, NY 12305 • 518-630-9614 www.engineeringventures.com	
MT SUPPORT DEVELOPMENT, LLC ANAGNOST INVESTMENTS & THE BRAVERMAN COMPANY 214 BARNES HILL ROAD STOWE, VT 05672 802-343-6330	
COVER SHEET Sheet Title:	402 MT SUPPORT ROAD RESIDENTIAL DEVELOPMENT Project Title:
EV Project #	19324
Drawn By:	JWF
Checked By:	NAF
Scale:	NOT TO SCALE
Date:	11/08/2021
C0.0 (Page 1 of 33)	



STATE OF NEW HAMPSHIRE
NOTED
No. 13286
LICENSED
PROFESSIONAL ENGINEER
Stamp

Date

No.

Description

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VENTURES PC

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MT SUPPORT DEVELOPMENT, LLC
ANAGNOST INVESTMENTS
& THE BRAVERMAN COMPANY
214 BARNES HILL ROAD
STOWE, VT 05672
802-343-6330

SITE PLAN OVERVIEW

402 MT SUPPORT ROAD
RESIDENTIAL DEVELOPMENT
CITY OF LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE

EV Project #
19324

Drawn By:
JWF

Checked By:
NAF

Scale:
1" = 40'

Date:
11/08/2021

C2.0
(Page 7 of 33)

Page 26 of 112

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #3B
Public Hearing Items**

**SPNH Mount Support, LLC,
343 Mount Support Road
(Tax Map 24, Lot 1),
zoned R-1 & RL-3
PB2021-36-MIN**



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

December 13, 2021 Meeting

Staff Memorandum – PB2021-36-MIN

APPLICATION INFORMATION

Agenda Item: 3.B

Application ID:
PB2021-36-MIN

Application Type:
Minor Subdivision

Property Location & Tax Map:
343 Mount Support Road (Tax Map 24, Lot 1)

Property Owner/Applicant:
SPNH Mount Support, LLC

Zoning District:
Rural Lands One (RL-1) and Rural Lands Three (RL-3)

Property Size (existing):
+/-75 acres (per City assessing records)

Overlay District(s):
• Wetlands Conservation District

LEGAL NOTICE

SPNH Mount Support, LLC, 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3: Request for a Minor Subdivision to create two parcels. PB2021-36-MIN

APPLICATION MATERIALS

- ▶ Application form (1 page)
- ▶ Letter dated November 8, 2021, from Dave Fenstermacher, PE, of VHB (project description; 3 pages)
- ▶ Application for Waivers
- ▶ Subdivision Regulations - Technical Checklist (3 pages)
- ▶ Letter dated November 22, 2021, from Dave Fenstermacher, PE, of VHB (response to staff comments; 2 pages)
- ▶ Draft Declaration of Easements for shared driveway (5 pages)
- ▶ Plat titled, "Subdivision Plan, Map 24, Lot 1," prepared by Vanasse Hangen Brustlin, Inc. (VHB), dated August 26, 2021, last revised November 22, 2021
- ▶ Plan sheet titled, "Overall Site Plan," by Vanasse Hangen Brustlin, Inc. (VHB), dated March 9, 2020, last revised November 8, 2021, Project Number 52616.00
- ▶ Plan Plan sheet titled, "Subdivision Road Exhibit," by VHB, dated December 2021

COMPLETENESS REVIEW

This application has been reviewed in accordance with the Lebanon Subdivision Regulations. The Planning and Development Department recommends that the Board find that the application is complete enough to accept jurisdiction and to commence review.

APPLICATION OVERVIEW

The subject property is a +/-75 acre parcel owned by the applicant, located in the Rural Lands One (RL-1) and Rural Lands Three (RL-3) Districts, and is currently improved with a one-family dwelling. The applicant proposes to subdivide the property into two lots as follows:

- Lot 24-1 (improved with the existing home): +/-17.7 acres; and
- Lot 24-1-100: +/-57.8 acres.

Lot 24-1 is the site for an approved 250-unit multi-family development (PB2020-11-SPR). As a result of the subdivision, the northern driveway access will now be located on Lot 24-1-100, as shown on the attached site plan (which is also included as part of the applicant's concurrent site plan alteration request; see agenda item 4.A).

As noted in the attached letter from VHB, there are no plans for the use or development of the new 57.8 acre lot at this time (Lot 24-1-100). However, as shown on the attached "Subdivision Road Exhibit," it is anticipated the northern access drive to the development will serve as a shared driveway for access to the 57.9 acre lot if and when that lot is ever developed.

STAFF COMMENTS

ASSESSING

No comment at this time.

BUILDING INSPECTION

No comment at this time.

ENGINEERING / PUBLIC WORKS

Lot 24-1-100 appears to have several potential development issues to include steep slopes, shallow bedrock, high groundwater levels, stormwater management issues, and access issues. Any future development of Lot 1B will need to meet all applicable land use regulations that are current at the time of the proposed development.

FIRE

Planning staff has provided the plans to the Fire Department but as of the writing of this memo, has not yet received comment.

PLANNING & ZONING:

Lot 24-1, approved for a 250-unit multi-family development, will continue to comply with the minimum lot frontage and lot area requirements for Class 1 lots in the R-1 District, as set forth in Section 308.2 of the Zoning Ordinance. Lot 24-1-100 will also meet applicable lot frontage and lot area requirements.

At the request of staff, the applicant prepared the attached "Subdivision Road Exhibit" to depict where a driveway to access the rear lot (Lot 24-1-100) could potentially be located, for if and when the rear lot is ever developed. While most likely construction of a driveway is technically feasible, staff is concerned about the practicality of constructing such a driveway and whether it can be constructed in compliance with all applicable City regulations. Consequently, staff proposes that a note is added to the subdivision plat to make clear that any driveway access to the rear lot must meet all applicable City regulations in effect at the time the driveway is proposed to be constructed.

The proposed shared driveway is permissible under Section 5 of the Subdivision Regulations, pursuant to the definition of "driveway" which provides, in part, as follows: "The Planning Board may approve common driveways serving no more than two adjacent lots, and in such cases any private easement area created for purposes of the common driveway shall not be deemed a 'right-of-way' for street purposes under these regulations, and need not be excluded from the dimensions of the lot(s) over which it passes." As required by Section 9.5.C.1, the applicant has provided a draft of the driveway and utility easement that will be recorded for the benefit of Lot 24-1.

POLICE

No comment at this time.

STAFF RECOMMENDATIONS

If the Board moves to approve this application, then based on the information reviewed by City staff, the Planning and Development Department recommends that the Board approve the application with the following conditions:

Conditions to be Satisfied Prior to the Signing and Recording of the Plat

1. The applicant shall provide a revised plat depicting the following changes to the satisfaction of the Planning and Development Department:
 - a. Add a note effectively stating that if and when constructed, the driveway for Lot 24-1-100 must be constructed within the easement area*, that no other access drives or curb cuts are permissible, that prior to construction all required state and local permits are obtained, and that the driveway design and construction meet all applicable local regulations at the time of construction.
**Staff note: the easement itself is for the benefit of Lot 24-1, but should be referenced in the plan notes as to easily identify the permitted location of the Lot 24-1-100 driveway. Staff may review the note language with legal counsel to prevent any confusion as to the meaning and intent of the note.*
 - b. Add a note indicating that the plat was approved pursuant to the City of Lebanon Subdivision Regulations last revised June 28, 2021.
2. The applicant shall provide one hard copy of the revised plat and a digital record drawing (Cad .dwg format using NH State Plane Coordinate system or an alternative approved by the City's GIS Coordinator).

General Conditions

3. Future development on the new lots 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 October 12, 2021, and such fees shall be due and payable at the time of issuance of a Certificate of Occupancy. 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.
4. All future construction shall substantially conform with and shall be subject to the requirements and specifications of the recorded plat. (Section 7.9.A.2)

Attachments

cc: SPNH Mount Support, LLC (via e-mail)
David Fenstermacher, PE, VHB (via e-mail)
File

APPLICATION FOR

SPECIAL EXCEPTION	☐	☐	SITE PLAN REVIEW
VARIANCE	☐	☒	SUBDIVISION
MOTION FOR REHEARING	☐	☐	LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	☐	CONDITIONAL USE PERMIT

☒ OTHER Site Plan Amendment

PROPERTY OWNER (APPLICANT):

NAME: SPNH Mount Support, LLC

TEL.#: 781-875-3304

MAILING ADDRESS: c/o Saxon Partners, 25 Recreation Park Drive, Suite 204, Hingham, MA 02043

E-MAIL ADDRESS: dsmith@saxon-partners.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME:

TEL.#:

MAILING ADDRESS:

E-MAIL ADDRESS:

PROJECT LOCATION:

TAX MAP #: 24

LOT#: 1

PLOT #:

ZONE: R-1 and RL-3

STREET ADDRESS OF PROJECT: 343 Mt. Support Road

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☒ YES ☐ NO **HISTORIC DISTRICT** ☐ YES ☒ NO
FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

The proposed subdivision of the existing 75-acre lot into two conforming lots. The applicant is also seeking to amend the existing Site Plan Permit to reflect the change in dimensional setbacks based on the new property line.

TYPE OF OCCUPANCY:

EXISTING ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC**
USE: _____

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on December 13, 2021, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY Donald S Smith

OWNER: Manager, SPNH Mount Support, LLC DATE: October 20, 2021

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY

OWNER:

DATE:

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #
11-8-21	24/1				

November 8, 2021

Ref: 52616.00

Mr. David Brooks
51 N Park Street
City Hall, 1st Floor
Lebanon, NH 03766

Re: The Marek at Lebanon
343 Mt. Support Road
Narrative for Site Plan Review

Mr. Brooks,

In support of the Minor Subdivision and Site Plan Amendment Application, the following provides a summary for the proposed multi-family project.

Summary

The Applicant, Saxon Partners, is proposing to subdivide Tax Map 24, Lot 1, located at 343 Mt. Support Road, into two conforming lots. The site encompasses 75 acres, currently occupied by a single-family house. On September 10, 2020, the Applicant's proposal for a 250-unit multi-family complex, with associated parking, utilities, landscaping, access, and other related site improvements was approved by the Lebanon Planning Board (#PB2020-11-SPR). The intent of the subdivision to create a standalone lot for the approved development, with the remainder of the lot to remain undeveloped at this time. The site design will remain consistent with the site plans included in the approval; however, the revised property lines associated with the subdivision result in a modification of the dimensional setbacks for the proposed building. As such, the Applicant is also seeking a Site Plan Amendment.

Subdivision

As noted above, the 75.5-acre site proposed to be subdivided into two lots, consisting of Lot A (17.7 ac) and Lot B (57.8 ac).

<i>Zoning Regulation</i>	<i>Required</i>	<i>Provided Lot A</i>	<i>Provided Lot B</i>	<i>Total</i>
Minimum Lot Area	10,000 SF	17.7 ac	57.8 ac	75.5 ac

Engineers | Scientists | Planners | Designers

2 Bedford Farms Drive
Suite 200
Bedford, New Hampshire 03110
P 603.391.3900
F 603.518.7495



Lot A has been sized to provide the required area to support the 250 units provided, per the Town's regulations (Residential One – R1):

<i>Dwelling Units Density Calculation</i>	<i>Number of Units</i>	<i>Area Required</i>	<i>Area Provided</i>
10,000 SF first 2 Units	2	20,000 SF	--
3,000 SF per Additional Units	248	744,000 SF	--
Total	250	764,000 (17.5 ac)	771,022 (17.7 ac)

Site Plan Amendment

As previously discussed, the adjustment of the property lines associated with the subdivision results in a modification to the approved setbacks for the proposed improvements. Below is a summary of the modifications which demonstrates the proposed development remains in conformance:

<i>Zoning Regulation</i>	<i>Required</i>	<i>Approved Site Plan</i>	<i>Provided Lot A</i>
Minimum Lot Area	10,000 SF	75.5 ac	17.7 ac
Front Yard Setback	20 FT	112 FT	112 FT
Side Yard Setback	15 FT	652 FT	261 FT
Rear Setback	20 FT	1,026	36 FT
Max Building Coverage	25%	1.54%	6.52%

Transportation

Access to the Site will be provided via a main entrance at the center of the development. A secondary access has been provided to the north of the entrance. Under the proposed subdivision, the secondary access will be located on Lot B, in which Lot A will have shared access via an access easement. Parking, pedestrian access, and bike amenities remain as approved. Though not part of the current application, an exhibit has been prepared to demonstrate the feasibility of access Lot B from the access location shown.

Landscape

Mr. David Brooks
Ref: 52621.01
November 8, 2021
Page 3



The approved landscape plan has been updated to include the revised calculations reflecting the new Lot A area.

Site Improvements

The proposed subdivision does not result in any impacts to the any of the following items reviewed and approved as part of the initial Site Plan Permit:

- Wetlands
- Stormwater Management
- Utilities

Waivers

The intent of the Site Plan Amendment application is to submit only those sheets that have been modified related to the subdivision line. As there is no specific checklist associated with a Site Plan Amendment, the applicant is requesting waivers associated with the supporting documents not relevant to the review of the amended items.



City of Lebanon, New Hampshire APPLICATION FOR WAIVERS

Office Use Only

Date Received: _____

File No.: _____

PROJECT INFORMATION

Name of Applicant: SPNH Mount Support, LLC c/o Saxon Partners

Project Name: The Marek at Lebanon: Proposed Multi-Family Housing Project

Project Address: 343 Mt. Support Road, Lebanon, NH 03756

WAIVER REGULATIONS

In order to grant a Waiver from a requirement of the City of Lebanon Site Plan Review or Subdivision Regulations, the Planning Board must find that the Waiver is justified under one of the following criteria (See Article VII of the Site Plan Review Regulations and Section 7.15 of the Subdivision Regulations):

Criteria A. Strict conformity would pose an unnecessary hardship to the Applicant and waiver would not be contrary to the spirit and intent of the regulations;

OR

Criteria B. Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

[You can respond in the space provided, or attach a separate statement. Please be prepared to address each request during your public hearing. You must show that you have justified granting the Waiver(s).]

9.5.A(7)

1. Section ____ of the (circle one) Site Plan Review / **Subdivision Regulations**. A Waiver of this Section meets (circle one) **Criteria A** / **Criteria B** because _____

9.5.A(7)- As the Subdivision Plan encompasses nearly 75 acres and depicts the appropriate features within the development area, a partial waiver for depicting additional features beyond the scope of the project would continue to carry out the spirit of the intent of the regulations.

2. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) **Criteria A** / **Criteria B** because _____

3. Section ____ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

4. Section ____ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

5. Section ____ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

6. Section ____ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

7. Section ____ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

8. Section ____ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

SIGNATURE

I (we) hereby submit this application to the Planning Board and attest that to the best of my (our) knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As the applicant or as the agent of the applicant, I attest that I am duly authorized to act in this capacity.

Signature of Applicant:  Date: November 22, 2021
Donald S Smith, Manager, SPNH Mount Support, LLC

CITY OF LEBANON, NH
SUBDIVISION REGULATIONS – TECHNICAL CHECKLIST
MINOR SUBDIVISION

PROJECT NAME:

Proposed Multi-Family Housing Project - 343 Mt. Support Road (The Marek at Lebanon)

APPLICANT:

SPNH Mount Support, LLC c/o Saxon Partners

DATE:

November 8, 2021

GENERAL SUBMISSION REQUIREMENTS:

All applications to the Planning Board for Subdivision Review must be submitted by 12:00 Noon on the day of the filing cutoff. [§7.7.C] Submissions must be accompanied by the following information or review of the application may be delayed:

- ☒ A properly completed and signed Application Form. [§7.7.A(1)]
- ☒ The appropriate filing fees. [§7.7.A(2)]
- ☒ A written project description. [§7.7.A(3)]
- ☒ A list of the names and mailing addresses of all persons to be notified, by certified mail, of the public hearing. [§7.7.A(4)]
- ☒ A completed and signed Technical Checklist. [§7.7.B]
[Applicants must complete the entire checklist to ensure that all necessary information and materials have been provided with the application or that written requests for waivers have been properly provided in accordance with Section 7.15 of the Subdivision Regulations, as appropriate.]
- ☒ Eight (8) sets of project plans to be distributed for Staff Review. [§9.5.A]
[A Staff Review meeting is held at City Hall one (1) week following the cutoff date. Staff Review meetings begin at 2:00PM, unless otherwise noted. All revised and/or additional information or materials must be submitted within one (1) week following the Staff Review meeting.]
- ☒ A digital copy of Subdivision plan in .PDF format. [§9.5.B]

NOTE: Applications shall contain sufficient information to enable the City Staff and the Planning Board to evaluate the proposed development for compliance with the Zoning Ordinance, the Planning Board's Regulations, and other applicable City Codes, and for the Planning Board to make an informed decision.

All required application materials shall be submitted as a single inclusive package, including any appropriate waiver requests as permitted by the Regulations. Submission of a complete application package ensures that the review process by City Staff is as efficient and effective as possible.

The purpose of the filing deadline is to provide adequate time for City review of the proposal. Submission of any altered, additional, or substitute application materials required by the Regulations, subsequent to the filing deadline, other than as directed by City Staff, shall cause the application to be deemed untimely filed, and such application shall not be heard until a subsequent month.

CITY OF LEBANON, NH
SUBDIVISION REGULATIONS - TECHNICAL CHECKLIST
MINOR SUBDIVISION

PLAN SUBMITTAL TECHNICAL CHECKLIST:

NOTE: Minor Subdivision plans shall include the information described below pursuant to Section 9 of the Lebanon Subdivision Regulations. Plans shall be submitted on sheets no larger than 24" x 36". Plan sets with multiple sheets shall include sheets of uniform size and be bound on the left edge. When more than three (3) sheets are required, an additional cover sheet shall be attached including a table of contents. The scale of the plans shall be appropriate to the size of the overall development. All lettering shall be of a size and type that is legible.

In order to facilitate the use of the City's Geographic Information System (GIS) for planning purposes, all surveys and engineered plans submitted for Subdivision Review shall utilize the NH State Plane Coordinate system and shall reference the North American Vertical Datum of 1988 (NAVD 88), unless prior approval to use an alternate coordinate system and/or vertical datum is granted by the Planning Office.

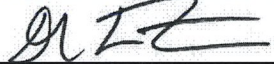
A written request for waiver shall be required, pursuant to Section 7.15 of the Subdivision Regulations, for any submission requirement for which the information or data is not provided by the applicant. [§9.5.C(5)]

Plan Requirements	Info. Provided	Waiver Sought
9.5.A(1) - - Name of the City and County in which the subdivision is proposed; - A Locus map; - North arrow; - Scale of the plat; - Date of the plat and of any revisions to the plat shall be shown on the first page or cover page, if applicable; (NOTE: The date on the plat at the time of initial submission for application review shall be included on all subsequent submissions to the City. Any subsequent change(s) to the plat shall include a revision date and description of the revision(s).)	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐
9.5.A(2) - Names and mailing addresses of Applicant(s); Owner(s) of Record of subject properties; Owners of abutting properties, including tax map and lot references; and Holders of any easements, rights-of-way, or other restrictions.	☒	☐
9.5.A(3) - Names and business addresses of the surveyor, including license number and seal, and of every engineer, architect, soil scientist, or wetlands scientist whose professional seal appears on any plan or document submitted to the Board.	☒	☐
9.5.A(4) - Zoning District in which the subdivision is located, including district boundaries if in more than one district.	☒	☐
9.5.A(5) - Boundary lines of the overall tract, and each of the proposed lots, including bearings and distances as determined by an actual field survey by a licensed land surveyor, including the date of the completion of the survey. All dimensions shall be shown in feet and decimals. Monuments shall be referenced on the plat as required under Section 13.5(A) of the Regulations.	☒	☐
9.5.A(6) - The area of all proposed lots shall be shown in square feet and acres.	☒	☐

CITY OF LEBANON, NH
SUBDIVISION REGULATIONS - TECHNICAL CHECKLIST
MINOR SUBDIVISION

Plan Requirements (cont.)	Info. Provided	Waiver Sought
9.5.A(7) - Location of all existing structures, easements, permanent and intermittent watercourses, flood plains and wetlands, rock outcrops, wooded areas, and other significant existing features on the property. Indicate those natural and man-made features to be removed, retained, or altered. Wetlands on the property, if any, shall be delineated by a NH Certified Wetlands Scientist, whose seal and signature shall appear on the plat.	☒	☐
9.5.A(8) - If the application covers only a part of the applicant's entire holding, a map of the entire tract shall be drawn at a scale of not smaller than 1" = 400', showing all existing streets and an outline of the platted area.	☒	☐
9.4 - A statement shall be placed on the plat as follows: "A parcel of land which has been reviewed and approved as part of a minor subdivision shall not be eligible for further subdivision review under the Minor Subdivision procedures for a period of three (3) years from the date of the minor subdivision approval."	☒	☐
Supporting Documents and Information, Where Applicable	Info. Provided	Not Applicable
9.5.C(1) - Proposed covenants or deed restrictions as may be intended to apply to the property in whole or in part to be recorded in the Registry of Deeds.	☒	☐
9.5.C(2) - Where private individual wastewater systems are proposed, the applicant shall perform soil tests complying with requirements of Section 13.4 of the Regulations. For all proposed lots less than 5 acres in size, the applicant shall have a soil investigation made and a report prepared to establish the existence of at least 4,000 square feet of contiguous area meeting NHDES requirements. NHDES approval of all subdivision lots less than 5 acres in size shall be obtained and provided to the Board prior to the recording of the approved plat. Soil maps and information shall be in accordance with the most current USDA Natural Resource Conservation Service County Soil Maps. Maps prepared by field investigation shall be stamped and signed by a Certified Soil Scientist.	N/A ☐	☐
9.5.C(3) - Any access driveway to a State highway shall be approved by the NHDOT and provided to the Board prior to the recording of the approved plat.	N/A ☐	☐
9.5.C(4) - Approvals, as prescribed by law, from any other City agency which may have jurisdiction, including but not limited to, wetland permits.	N/A ☐	☐

NOTE: THE APPLICANT IS RESPONSIBLE FOR PROVIDING THE REQUIRED INFORMATION PURSUANT TO SECTION 9 OF THE SUBDIVISION REGULATIONS. PLEASE BE AWARE THAT THIS CHECKLIST IS FOR INFORMATION AND GUIDANCE ONLY AND DOES NOT REPRESENT THE LAW DICTATING SUBMITTAL REQUIREMENTS NOR IS IT COMPLETE AND INCLUSIVE THEREOF.

Completed By: 

Planning office Use Only:		
Date Received ___/___/___	Checklist Complete YES or NO	Checked by: _____

(Last Revised 05/22/13)



November 22, 2021

Ref: 52616.00

Mr. Brooks
51 N. Park Street
City Hall, 1st Floor
Lebanon, NH 03766

Re: The Marek at Lebanon, NH 343 Mount Support Road – Response to Subdivision Review Comments

Mr. Brooks,

On behalf of the applicant, Saxon Partners, VHB has prepared the following responses to the initial comments received in the email entitled “343 Mount Support Rd Minor Subdivision (PB2021-36-MIN)” dated November 16, 2021. For reference, the original comments are included below in italics.

COMMENTS

1. *There appears to be a discrepancy between General Note 3 and the Certification which identify the date of the field survey (which is required Section 9.5.A.5) as October 2019 and February 2020, respectively. Please clarify.*
VHB Response: The discrepancy has been addressed accordingly. Now Note 2, owner of record was broken out as a separate block.
2. *Is Glen Johnson with VHB? If not, please provide his business address.*
VHB Response: Yes, Glen Johnson is with VHB. VHB address is on the plan.
3. *Per City Assessor, identify Lot 1A as 24-1 and Lot 1B as 24-1-100*
VHB Response: The plan has been updated accordingly.
4. *Provide seal, signature, and business address of wetlands scientist. (9.5.A.3 & 7)*
VHB Response: The plan has been updated accordingly. CWS is a VHB employee.
5. *A partial waiver of Section 9.5.A(7) is required. (“The location of all existing structures, easements, permanent and intermittent watercourses, flood plains and wetlands, rock outcrops, wooded areas, and other significant existing features on the property. The plan shall indicate those natural features that are to be removed, retained, or altered.”) Please complete and submit an [Application for Waivers](#).*

Engineers | Scientists | Planners | Designers

2 Bedford Farms Drive
Suite 200
Bedford, New Hampshire 03110
P 603.391.3900
F 603.518.7495



VHB Response: An Application for Waivers has been included related to a partial waiver request for 9.5.A(7).

6. *Please consider removing markings depicted in the Mount Support Road right-of-way.*

VHB Response: The markings have been removed as noted.

7. *Please consider removing General Note 9 – the zoning requirements aren't required to be on the plat, and the terms used aren't quite accurate (for example, there is a lot "width" requirement but not a lot "frontage" requirement).*

VHB Response: The notes have been removed as recommended.

8. *Please add a note explaining that the wildlife corridors will be protected by restrictive covenants to be recorded pursuant to the approved site plan for 343 Mount Support Rd (PB2020-11-SPR).*

VHB Response: A note has been added accordingly (#10).

9. *Clarify on the plat that the proposed access & utility easement is for the benefit of Lot 1A, and add a note indicating that such shared access & utility easement shall be recorded at the time of transfer of ownership of either parcel.*

VHB Response: A note has been added accordingly (#11).

10. *A copy of the proposed driveway and utilities easement (9.5.C.1: "[The application shall include] Such proposed covenants or deed restrictions as may be intended to apply to the property in whole or in part to be recorded in the Registry of Deeds.")*

VHB Response: A copy of the draft easement is attached.

11. *Please remember to provide the date and description of any revisions made. (9.5.A.1)*

VHB Response: Revision date and description have been added.

We trust this letter addresses the comments included as part of the City Staff reviews.

Sincerely,

Vanasse Hangen Brustlin, Inc.

A handwritten signature in blue ink, appearing to read "DFenstermacher".

David Fenstermacher, PE

Project Manager
dfenstermacher@vhb.com

cc: Don Smith, Saxon Partners

UPON RECORDING, PLEASE RETURN TO:

DRAFT 11/22/2021

DECLARATION OF EASEMENTS

THIS DECLARATION OF EASEMENTS (the "Declaration") is made as of the ____ day of _____, 20____, by **SPNH MOUNT SUPPORT, LLC**, a Delaware limited liability company, having an address of 25 Recreation Park Drive, Suite 204, Hingham, Massachusetts 02043 (the "Declarant"). The Declarant and any and all successors, legal representatives or assigns of the Declarant as the owner or owners in fee simple of title to all or any portion of the real property covered by this Declaration are sometimes referred to herein as an "Owner" or "Owners".

Reference is hereby made to the following:

A. The Declarant owns two (2) certain tracts of land, with improvements thereon, located on Mount Support Road in the City of Lebanon, Grafton County, State of New Hampshire, shown as "Lot 1A" and "Lot 1B" on a certain plan entitled "Subdivision Plan, Map 24, Lot 1 in Lebanon, Grafton County, New Hampshire," dated August 26, 2021 and recorded in the Grafton County Registry of Deeds as Plan # _____ (the "Plan"). Lot 1A and 1B are sometimes referred to herein together as the "Lots".

B. The Lots share, or will share, a common access way and utilities located on a portion of Lot 1B shown on the Plan as the "Proposed Access & Utility Easement" and more particularly described in Exhibit A attached hereto (the "Easement Area").

C. The Declarant desires to evidence certain easements and rights with respect to the Easement Area.

NOW, THEREFORE, the Declarant hereby covenants and states as follows:

1. Declaration of Easements. Lot 1B shall be subject to the following perpetual, non-exclusive rights and easements for the benefit of and appurtenant to Lot 1A:

1.1 An access easement and right of use for vehicular and pedestrian passage, ingress and egress and related purposes on, over, across and through the Easement Area, including but not limited to the right and easement to construct, install, use, operate, maintain, repair, relocate

and replace roadways, driveways, access ways, sidewalks, curbing, paved areas, other traveled surfaces, and related appurtenances within the Easement Area.

1.2 A utility easement to construct, install, use, operate, maintain, repair, relocate and replace gas and other utility lines, pipes and conduits, water mains and pipes, sewer and drain lines, lights and light poles, telephone and other communication poles, receivers, transmitters, wires and equipment, television equipment and facilities (cable or otherwise), electric wires, conduits, transformers and other equipment, appurtenances and facilities, on, over, under, across, and through the Easement Area.

1.3 The right and easement (a) to install, maintain, and replace landscaping within the Easement Area; (b) to remove all trees and other vegetation located within the Easement Area; (c) for grading and sloping within the Easement Area in connection with the Improvements (as defined below); (d) a temporary construction easement within the Easement Area for purposes of gaining access to and facilitating the installation of the Improvements; and (e) for all other uses incidental to any of the other rights and easements set forth in this Section 1.

All improvements now or hereafter located within the Easement pursuant to the foregoing are referred to herein as the "Improvements".

2. Maintenance and Repairs of Improvements.

2.1 Obligation to Maintain and Repair. The Owner of Lot 1A shall, at its cost and expense (but subject to the reimbursement obligations of the Owner of Lot 1B under Section 2.2) construct and install the Improvements and thereafter maintain, repair and keep the Improvements in good order, condition and repair (including, without limitation, the removal of snow and ice as reasonably necessary).

2.2 Reimbursement by the Owner of Lot 1B. To the extent that the Owner of Lot 1B uses any of the Improvements other than on an occasional basis and merely incidental to its use of the Lot 1B, such Owner shall reimburse the Owner of Lot 1A for one-half (1/2) of all costs and expenses of every kind and nature paid or incurred by the Owner of Lot 1A with respect to the maintenance and repair of the Improvements. Any reimbursement due under this Section shall be made within thirty (30) days after receipt by the Owner of Lot 1B of an invoice from the Owner of Lot 1A reflecting its share of the expenses.

3. Indemnification. Each Owner having rights with respect to an easement granted hereunder shall indemnify, defend and hold the other Owner (and its Permittees (as defined below)) whose Lot is subject to the easement harmless from and against all claims, liabilities and expenses (including reasonable attorneys' fees) (a) relating to accidents, injuries, loss, or damage of or to any person or property arising from the negligent acts or omissions of such Owner, its Permittees or contractors, employees, agents, or others acting on behalf of such Owner, or (b) related to any and all liens arising out of any work performed, materials furnished to or obligations incurred by such Owner (and its Permittees) in connection with any easement granted under this Declaration.

4. Grantee's Acceptance. The grantee of any property or any portion thereof, by acceptance of a deed conveying title thereto, whether from the Declarant or from a subsequent Owner of such property, shall accept such deed and subject to each and all of the easements,

covenants, conditions, restrictions and obligations contained herein. By such acceptance, any such grantee shall for itself and its successors and assigns, covenant, consent, and agree to and with the other party, to keep, observe, comply with, and perform the obligations set forth herein with respect to the property so acquired by such grantee.

5. Miscellaneous.

5.1 Permittees. The term “Permittees” shall mean the tenant(s) or occupant(s) of either Lot and the respective employees, agents, contractors, customers, invitees, licensees of any Owner, and/or such tenant(s) or occupant(s).

5.2 Title. For Declarant’s title to the Lots, see deed of Alfred P. West, Jr. and Lorelee S. West to the Declarant dated June 21, 2021 and recorded in the Grafton County Registry of Deeds at Book 4649, Page 930. The rights and easements granted in this Declaration are made subject to all easements, rights, encumbrances, covenants, restrictions and other matters of record to the extent in force and applicable.

5.3 Binding Effect. The rights and easements granted in this Declaration on each Lot shall run with the land and be binding upon and burden each Lot.

5.4 Successors. The term “Declarant” when used in this Declaration shall SPNH Mount Support, LLC, and its successors and assigns.

5.5 Captions. The captions and headings in this Declaration are for reference only and shall not be deemed to define or limit the scope or intent of any of the terms, covenants, conditions or Declarations contained herein.

5.6 Amendment. The parties agree that the provisions of this Declaration may be modified or amended, in whole or in part, or terminated, only by the written consent of all record Owners of the Lots, evidenced by a document that has been fully executed and acknowledged by all such Owners and recorded in the Grafton County Registry of Deeds.

5.7 Notices. Whenever by the terms of this Declaration notice, demand, or other communication shall or may be given either to any party, the same shall be in writing and shall be sent or delivered by registered or certified mail, postage prepaid or by a nationally recognized private express carrier which provides receipt of delivery. All such notices shall be effective upon delivery, attempted delivery or refusal (whichever first shall occur) at the address to which the same were sent. Any such notice, demand, or communication from the managing agent acting or purporting to act on behalf of either party or from an attorney acting or purporting to act on behalf of a party shall be deemed to be notice from such party provided that in the case of notice from such attorney such attorney is authorized to act on behalf of such party.

IN WITNESS WHEREOF, this Declaration has been executed as of the date first written above.

SPNH MOUNT SUPPORT, LLC

By: _____

Name:
Its:

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 20__, by _____, the/a _____ of SPNH MOUNT SUPPORT, LLC. The identity of the subscribing party was determined by (**check box that applies and complete blank line, if any**):

- ☐ My personal knowledge of the identify of said person **OR**
☐ The oath or affirmation of a credible witness, _____
(name of witness), the witness being personally known to me **OR**
☐ The following identification documents:
☐ Driver's License
☐ Passport
☐ Other: _____

Notary Public/Justice of the Peace
Name:

EXHIBIT A
Easement Area

A certain tract or parcel of land located in the City of Lebanon, Grafton County, New Hampshire, shown as “Proposed Access & Utility Easement” on the plan entitled “Subdivision Plan, Map 24, Lot 1 in Lebanon, Grafton County, New Hampshire,” dated August 26, 2021 and recorded in the Grafton County Registry of Deeds as Plan # _____ (the “Plan”), and more particularly bounded and described as follows:

Beginning at a point on the westerly sideline of Mount Support Road, being the northeasterly most corner of Lot 1A (as shown on the Plan); thence South $56^{\circ} 53' 52''$ West a distance of 165.00 feet along said Lot 1A to a point; thence North $33^{\circ} 06' 28''$ West a distance of 50.00 feet to a point; thence North $56^{\circ} 53' 52''$ East a distance of 165.00 feet to a point on the westerly sideline of Mount Support Road; thence South $32^{\circ} 55' 42''$ East a distance of 50.00 feet along Mount Support Road to the point of beginning.

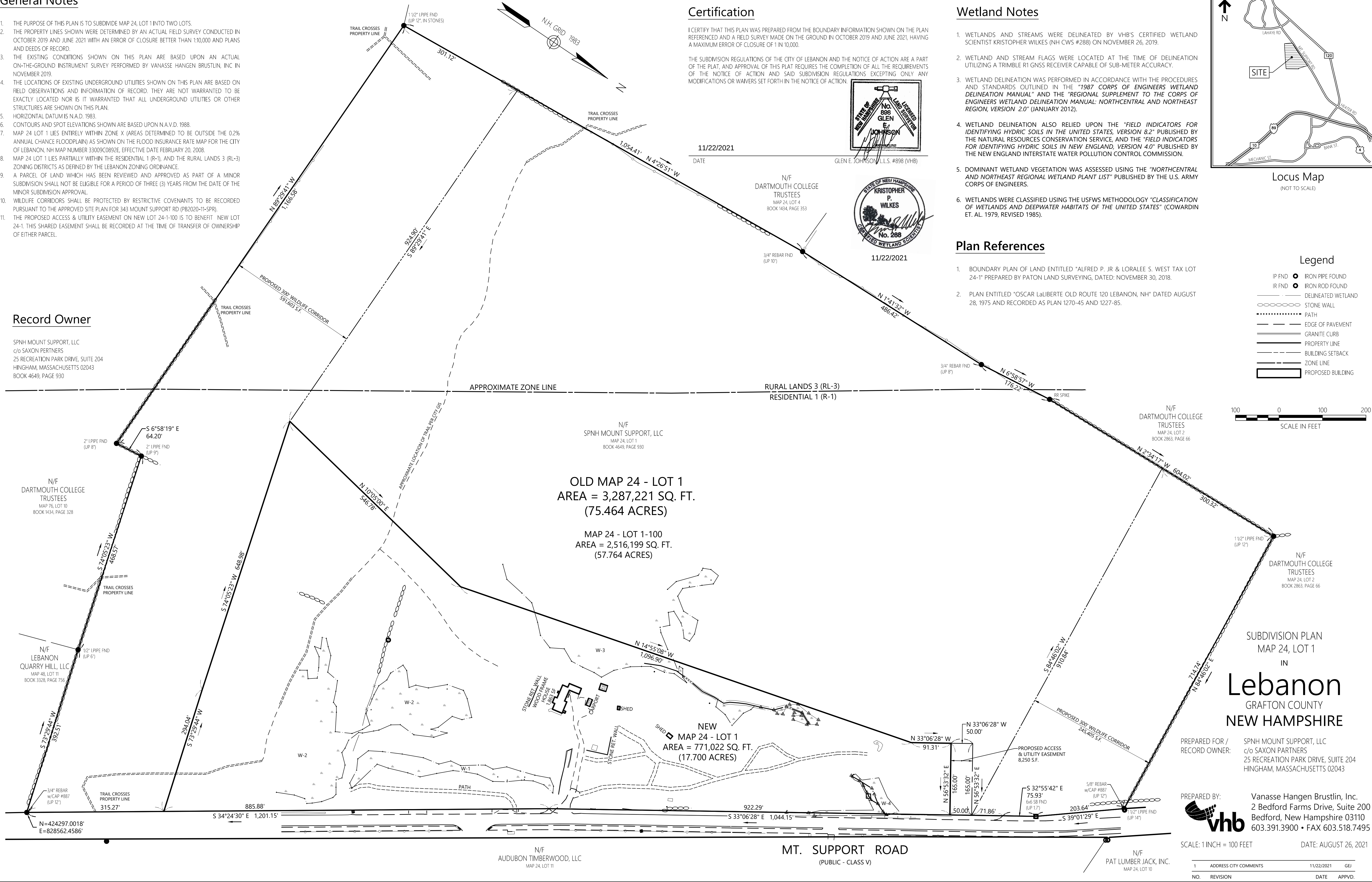
Containing 8,250 square feet, more or less.

General Notes

1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE MAP 24, LOT 1 INTO TWO LOTS.
2. THE PROPERTY LINES SHOWN WERE DETERMINED BY AN ACTUAL FIELD SURVEY CONDUCTED IN OCTOBER 2019 AND JUNE 2021 WITH AN ERROR OF CLOSURE BETTER THAN 1:10,000 AND PLANS AND DEEDS OF RECORD.
3. THE EXISTING CONDITIONS SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL ON-THE-GROUND INSTRUMENT SURVEY PERFORMED BY VANASSE HANGEN BRUSTLIN, INC IN NOVEMBER 2019.
4. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED ON FIELD OBSERVATIONS AND INFORMATION OF RECORD. THEY ARE NOT WARRANTED TO BE EXACTLY LOCATED NOR IS IT WARRANTED THAT ALL UNDERGROUND UTILITIES OR OTHER STRUCTURES ARE SHOWN ON THIS PLAN.
5. HORIZONTAL DATUM IS N.A.D. 1983.
6. CONTOURS AND SPOT ELEVATIONS SHOWN ARE BASED UPON N.A.V.D. 1988.
7. MAP 24 LOT 1 LIES ENTIRELY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF LEBANON, NH MAP NUMBER 33009C0892E, EFFECTIVE DATE FEBRUARY 20, 2008.
8. MAP 24 LOT 1 LIES PARTIALLY WITHIN THE RESIDENTIAL 1 (R-1), AND THE RURAL LANDS 3 (RL-3) ZONING DISTRICTS AS DEFINED BY THE LEBANON ZONING ORDINANCE.
9. A PARCEL OF LAND WHICH HAS BEEN REVIEWED AND APPROVED AS PART OF A MINOR SUBDIVISION SHALL NOT BE ELIGIBLE FOR A PERIOD OF THREE (3) YEARS FROM THE DATE OF THE MINOR SUBDIVISION APPROVAL.
10. WILDLIFE CORRIDORS SHALL BE PROTECTED BY RESTRICTIVE COVENANTS TO BE RECORDED PURSUANT TO THE APPROVED SITE PLAN FOR 343 MOUNT SUPPORT RD (PB2020-11-SPR).
11. THE PROPOSED ACCESS & UTILITY EASEMENT ON NEW LOT 24-1-100 IS TO BENEFIT NEW LOT 24-1. THIS SHARED EASEMENT SHALL BE RECORDED AT THE TIME OF TRANSFER OF OWNERSHIP OF EITHER PARCEL.

Record Owner

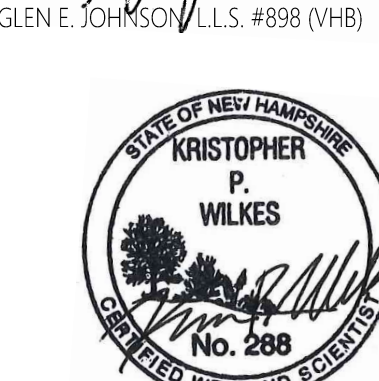
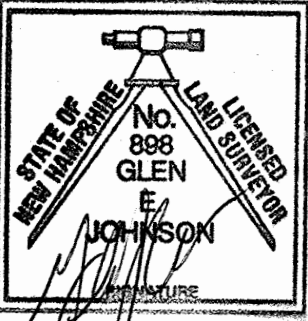
SPNH MOUNT SUPPORT, LLC
c/o SAXON PARTNERS
25 RECREATION PARK DRIVE, SUITE 204
HINGHAM, MASSACHUSETTS 02043
BOOK 4649, PAGE 930



Certification

I CERTIFY THAT THIS PLAN WAS PREPARED FROM THE BOUNDARY INFORMATION SHOWN ON THE PLAN REFERENCED AND A FIELD SURVEY MADE ON THE GROUND IN OCTOBER 2019 AND JUNE 2021, HAVING A MAXIMUM ERROR OF CLOSURE OF 1 IN 10,000.

THE SUBDIVISION REGULATIONS OF THE CITY OF LEBANON AND THE NOTICE OF ACTION ARE A PART OF THE PLAT, AND APPROVAL OF THIS PLAT REQUIRES THE COMPLETION OF ALL THE REQUIREMENTS OF THE NOTICE OF ACTION AND SAID SUBDIVISION REGULATIONS EXCEPTING ONLY ANY MODIFICATIONS OR WAIVERS SET FORTH IN THE NOTICE OF ACTION.



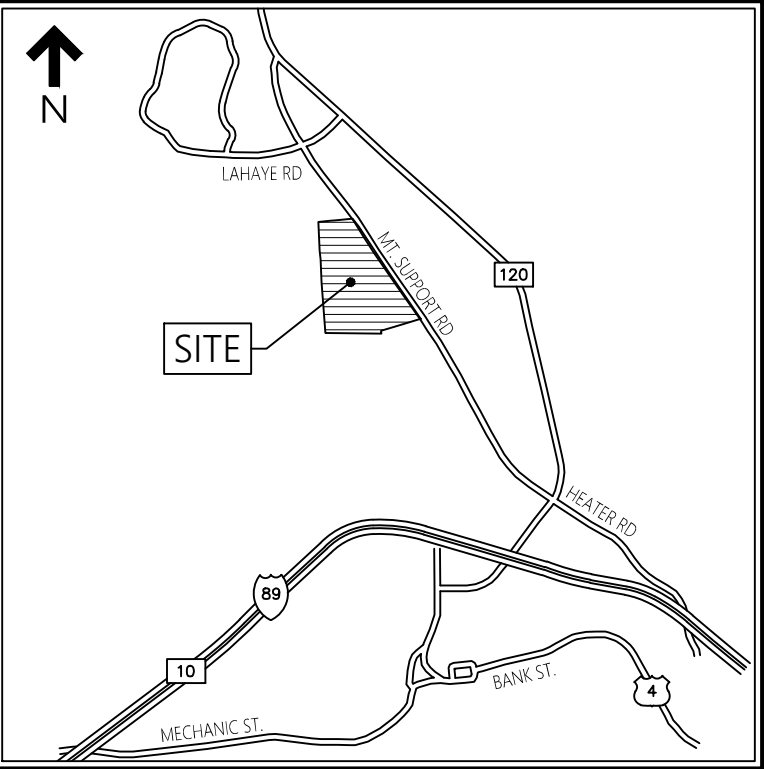
11/22/2021
DATE

Wetland Notes

1. WETLANDS AND STREAMS WERE DELINEATED BY VHB'S CERTIFIED WETLAND SCIENTIST KRISTOPHER WILKES (NH CWS #288) ON NOVEMBER 26, 2019.
2. WETLAND AND STREAM FLAGS WERE LOCATED AT THE TIME OF DELINEATION UTILIZING A TRIMBLE R1 GNSS RECEIVER CAPABLE OF SUB-METER ACCURACY.
3. WETLAND DELINEATION WAS PERFORMED IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OUTLINED IN THE "1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL" AND THE "REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0" (JANUARY 2012).
4. WETLAND DELINEATION ALSO RELIED UPON THE "FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN THE UNITED STATES, VERSION 8.2" PUBLISHED BY THE NATURAL RESOURCES CONSERVATION SERVICE, AND THE "FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4.0" PUBLISHED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION.
5. DOMINANT WETLAND VEGETATION WAS ASSESSED USING THE "NORTHCENTRAL AND NORTHEAST REGIONAL WETLAND PLANT LIST" PUBLISHED BY THE U.S. ARMY CORPS OF ENGINEERS.
6. WETLANDS WERE CLASSIFIED USING THE USFWS METHODOLOGY "CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES" (COWARDIN ET. AL. 1979, REVISED 1985).

Plan References

1. BOUNDARY PLAN OF LAND ENTITLED "ALFRED P. JR & LORALEE S. WEST TAX LOT 24-1" PREPARED BY PATON LAND SURVEYING, DATED: NOVEMBER 30, 2018.
2. PLAN ENTITLED "OSCAR LaLIBERTE OLD ROUTE 120 LEBANON, NH" DATED AUGUST 28, 1975 AND RECORDED AS PLAN 1270-45 AND 1227-85.



Locus Map
(NOT TO SCALE)

Legend

- IP FND ● IRON PIPE FOUND
- IR FND ● IRON ROD FOUND
- DELINEATED WETLAND
- ○ ○ ○ ○ STONE WALL
- PATH
- EDGE OF PAVEMENT
- GRANITE CURB
- PROPERTY LINE
- BUILDING SETBACK
- ZONE LINE
- ▭ PROPOSED BUILDING

100 0 100 200
SCALE IN FEET

SUBDIVISION PLAN
MAP 24, LOT 1
IN
Lebanon
GRAFTON COUNTY
NEW HAMPSHIRE

PREPARED FOR /
RECORD OWNER: SPNH MOUNT SUPPORT, LLC
c/o SAXON PARTNERS
25 RECREATION PARK DRIVE, SUITE 204
HINGHAM, MASSACHUSETTS 02043

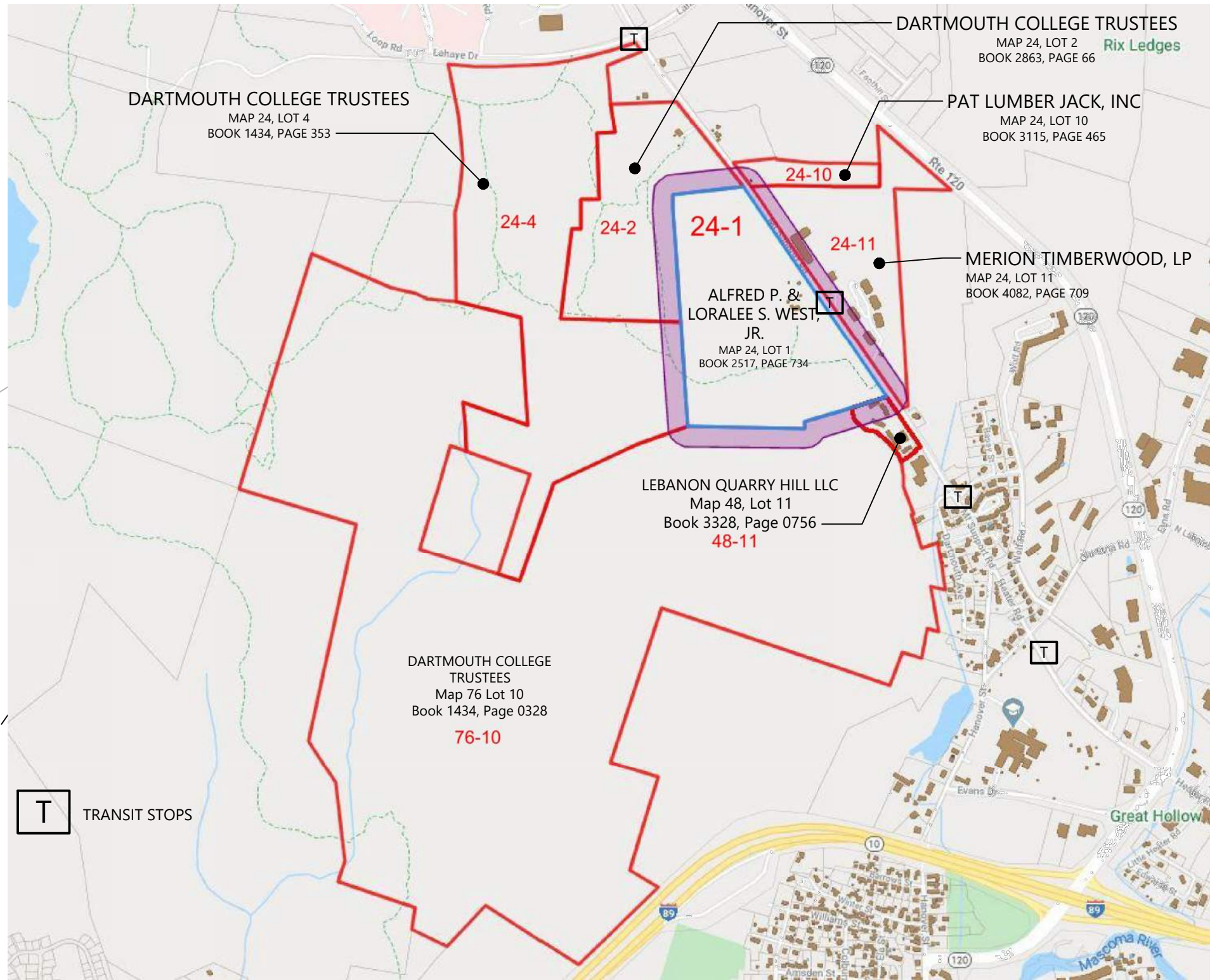
PREPARED BY: **vhb** Vanasse Hangen Brustlin, Inc.
2 Bedford Farms Drive, Suite 200
Bedford, New Hampshire 03110
603.391.3900 • FAX 603.518.7495

SCALE: 1 INCH = 100 FEET DATE: AUGUST 26, 2021

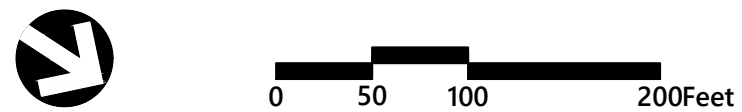
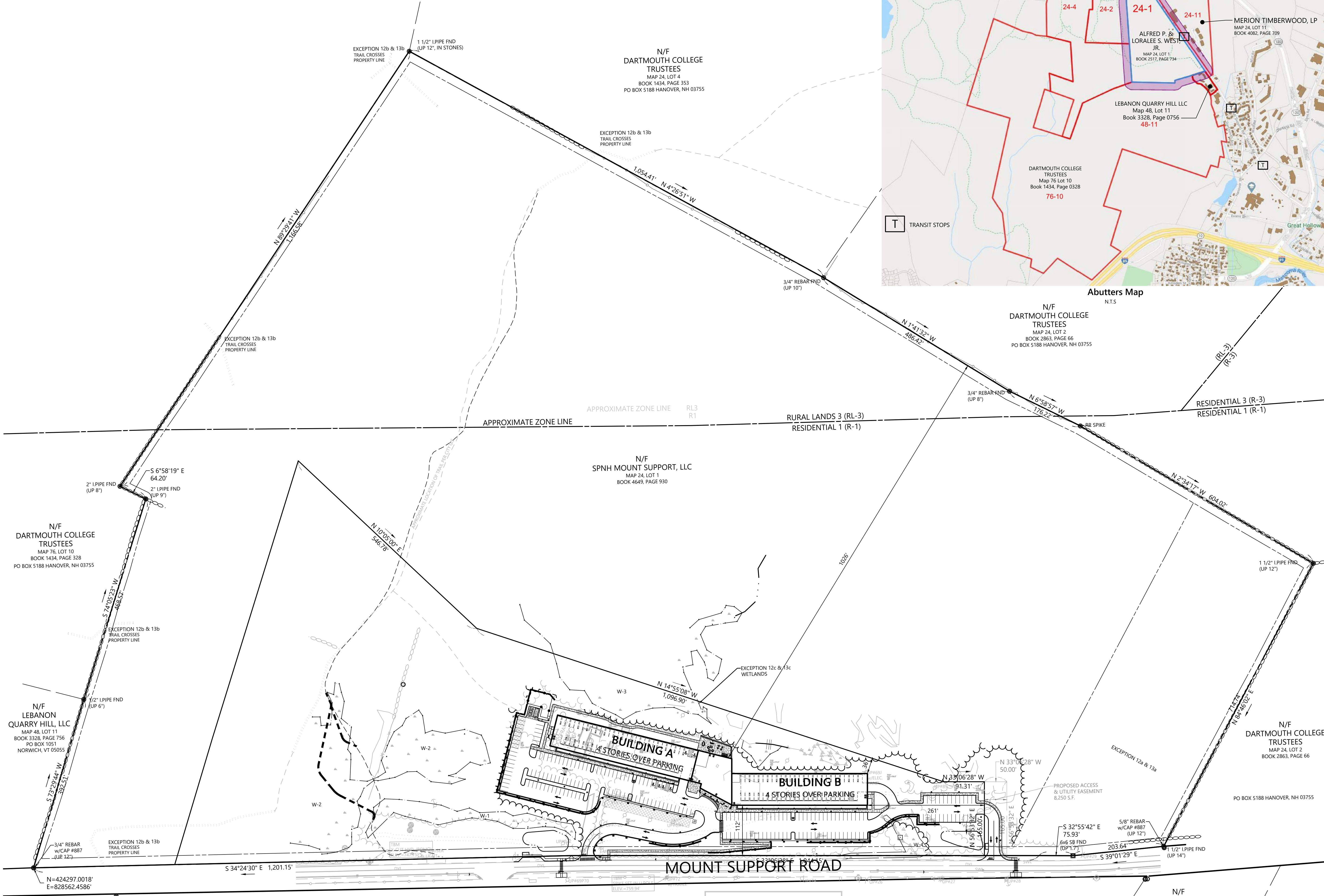
1	ADDRESS CITY COMMENTS	11/22/2021	GEJ
NO.	REVISION	DATE	APPVD.



2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900



Abutters Map
N.T.S



**The Marek
at Lebanon, NH**
343 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Appr'd
2	RESPONSE TO COMMENTS	4/16/2020	
6	ALTERATION OF TERRAIN	6/19/2020	
8	NHDES WETLAND RESUBMITTAL	9/2/2020	
16	CONDITIONS OF APPROVAL	4/7/2021	
17	CONDITIONS OF APPROVAL REV 1	11/8/2021	

Designed by EKG	Checked by DHF
Issued for	Date March 9, 2020

Permitting

Not Approved for Construction

Drawing Title
Overall Site Plan

Drawing Number

C-2

Sheet 3 of 29

Project Number
52616.00

Page 48 of 112

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #3D
Public Hearing Items**

**Brady Sullivan Prospect Hills,
LLC, 0 Prospect Street
(Tax Map 108, Lot 2),
zoned R-3
PB2021-37-FMAJA**



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

December 13, 2021 Meeting

Staff Memorandum – PB2021-37-FMAJA

APPLICATION INFORMATION

Agenda Item: 3.D

Application ID#:
PB2021-37-FMAJA

Application Type:
Request to amend the approved plan for Phase II of the Prospect Hills planned unit residential development, to allow construction to proceed in phases

Property Location:
Prospect Street

Property Owner/Applicant:
Brady Sullivan Prospect Hill, LLC

Property Size:
+/-39.48 Ac.

Zoning District(s):
Residential Three (R-3)

Overlay District:
Wetlands Conservation District

Staff Attachments:

- E-mail from Gerald Gatz sent December 1, 2021
- E-mail from Kate Furbush sent December 1, 2021

HEARING NOTICE

Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3: A request to amend the approved plan for Phase II of the Prospect Hills planned unit residential development, to allow construction to proceed in phases per Section 7.13 of the Subdivision Regulations. PB2021-37-FMAJA

APPLICATION AND OTHER MATERIALS

- ▶ Application form
- ▶ Document titled, "Prospect Hills Phase 2 – Construction Schedule for Phasing Plan 2021"
- ▶ Plan sheet titled, "Overall Development Phasing Plan, Prospect Hill – Phase 2," dated October 5, 2011, last revised December 1, 2021, prepared by Rokeh Consulting, LLC, Job No. 2010.0023

COMPLETENESS REVIEW

This application has been reviewed in accordance with the Lebanon Subdivision Regulations. The Planning and Development Department recommends that the Board find that the application is complete enough to accept jurisdiction and to commence review.

APPLICATION OVERVIEW

In connection with the applicant's extension request (PB2021-02-EXT), and following the Planning Board's discussion of the extension request on November 22, 2021, the applicant has filed an application requesting an amendment to the approved plan for Phase II of the Prospect Hills PURD to allow construction to proceed in phases per Section 7.13 of the Subdivision Regulations. Staff recommends that this phasing application be heard at the December 13, 2021 Planning Board meeting concurrently with the extension request application (continued from November 22, 2021). The applicant's proposed phasing schedule and plan are attached.

The purpose of phasing is to allow a development to be constructed over a longer period of time than what is otherwise permitted under the requirements of the Subdivision Regulations. These include the various timing requirements (i.e. 2 years from the date of approval to record the plat (Sec. 7.12.B), 2 years from the recording of the plat to achieve active and substantial development (Sec. 14.1.B.1), and 5 years from the recording of the plat to achieve substantial completion (Sec.14.1.B.2)), the performance security required for the recording of the plat (Sec. 7.10), and the requirements relative to the issuance of building permits and certificates of occupancy (Sec. 14.4).

ORDINANCE REQUIREMENTS

Pursuant to Section 7.13 of the Subdivision Regulations, an applicant may request permission for construction of a proposed subdivision in phases. Per Section 7.13.C, a phasing request by an applicant must include the following information for each phase:

- “1. A specification of all improvements, on-site or off-site, to be installed as part of that phase;
2. A deadline for the posting of any required security for that phase;
3. A deadline for the completion of such improvements subsequent to the posting of such security; and
4. A date by which the Final Plat for that phase must be recorded to prevent the approval for that phase from being considered void pursuant to Section 7.12 of these Regulations.”

Section 7.13.C further provides that, “The phasing schedule may also specify threshold levels of work and time lines which must be completed, in order for the project, as a whole, or particular phase(s) of the project, to be considered “vested” pursuant to RSA 674:39, and the New Hampshire common law of vested rights.”

Per Section 7.13.D, “In determining whether to grant an applicant’s request for phased development, or to approve a proposed phasing schedule, the Board may consider the totality of the circumstances, including but not limited to the following factors:

1. The extent to which review of the development in its totality is logical and reasonable due to the degree to which the proposed phases are well-integrated, both as to their use and development scheme, and as to common infrastructure and other improvements, by contrast with a series of superficially-related projects which could just as effectively be reviewed individually;
2. The degree to which the integration of the phases, as described above, would make private investment in such improvements unlikely without the predictability of a phased approval.
3. The extent to which phasing will benefit the City by mitigating and making more predictable the impacts of the complete development upon community facilities, services, utilities and other City goals as set forth in the Master Plan.
4. The extent to which the proposed phasing schedule represents a realistic timeline for active and substantial development progressing at a steady pace, in light of the type and complexity of the project as a whole, rather than an attempt to maintain “vesting” during significant periods of non-development;
5. The total length of time proposed, and the degree of unpredictability or Board uncertainty involved, with respect to whether a later phase or phases will continue to meet current regulations at the time of construction, and in light of potential changed conditions which might occur in the meantime within the neighborhood or the City as a whole.”

STAFF RECOMMENDATIONS

Staff will present proposed conditions of approval for the Board’s consideration at the hearing on December 13, 2021.

CITY OF LEBANON APPLICATION FOR

SPECIAL EXCEPTION	☐	☐	SITE PLAN REVIEW
VARIANCE	☐	☐	SUBDIVISION
MOTION FOR REHEARING	☐	☐	LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	☒	OTHER (Phasing)

PROPERTY OWNER (APPLICANT):

NAME: BRADY SULLIVAN PROSPECT HILLS, LLC TEL.#: 603-622-6223

MAILING ADDRESS: 670 N. COMMERCIAL STREET, SUITE 303, MANCHESTER, NH 03101

E-MAIL ADDRESS: MPINARD@BRADYSULLIVAN.COM

CO-APPLICANT, AGENT, OR LESSEE:

NAME: ROKEH CONSULTING, LLC TEL.#: 603-387-8688

MAILING ADDRESS: 89 KING ROAD, CHICHESTER, NH 03258

E-MAIL ADDRESS: JON@ROKEHCONSULTING.COM

PROJECT LOCATION:

TAX MAP #: 108 LOT#: 2 PLOT #: ZONE: R3

STREET ADDRESS OF PROJECT: PROSPECT STREET

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☐ YES ☒ NO **HISTORIC DISTRICT** ☐ YES ☒ NO

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

A request to amend the approved plan for Phase II of the Prospect Hills planned unit residential development, to allow construction to proceed in phases per Section 7.13 of the Subdivision Regulations. PB2021-37-FMAJA

TYPE OF OCCUPANCY:

EXISTING ☒ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

PROPOSED ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC USE**:

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on December 13, 2021, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: [Signature], manager DATE: 12/1/2021

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY OWNER: _____ DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #

Prospect Hill Phase 2 – Construction schedule for Phasing Plan 2021

Phase 2A Improvements – Starting in Spring 2022 and completion by Fall 2023.

Sewer connection across Prospect Street into the existing system in Phase 1.

Water connection in Prospect Street.

Construction of main entrance and roadway improvements for sycamore street up to and including the intersection of Sycamore/Stardust/Hemlock

Construction of Hemlock Ridge Drive to include tie in to Hillcrest.

Sewer / water / electrical improvements along Sycamore and Hemlock Ridge Drive.

Pump Station at lower end of Hemlock Ridge Drive.

All drainage improvements along Sycamore and Hemlock Ridge Drive including detention ponds.

Phase 2B Improvements – Starting Spring 2024 and completed by Fall 2025

Roadway improvements for the balance of Stardust Lane for the full loop.

Sewer / water / electrical improvements for Stardust Lane

Drainage improvements for Stardust Lane including detention ponds

Sewer Pump Station near the lowest point of Stardust Lane.

Phase 2 C, E and F - These phases are not critical to vesting of the project. Phase 2C and 2E could be constructed immediately after Phase 2A infrastructure is completed. Phase 2F could be constructed immediately after Phase 2B infrastructure is completed.

Completion of private roadways into multifamily pod areas.

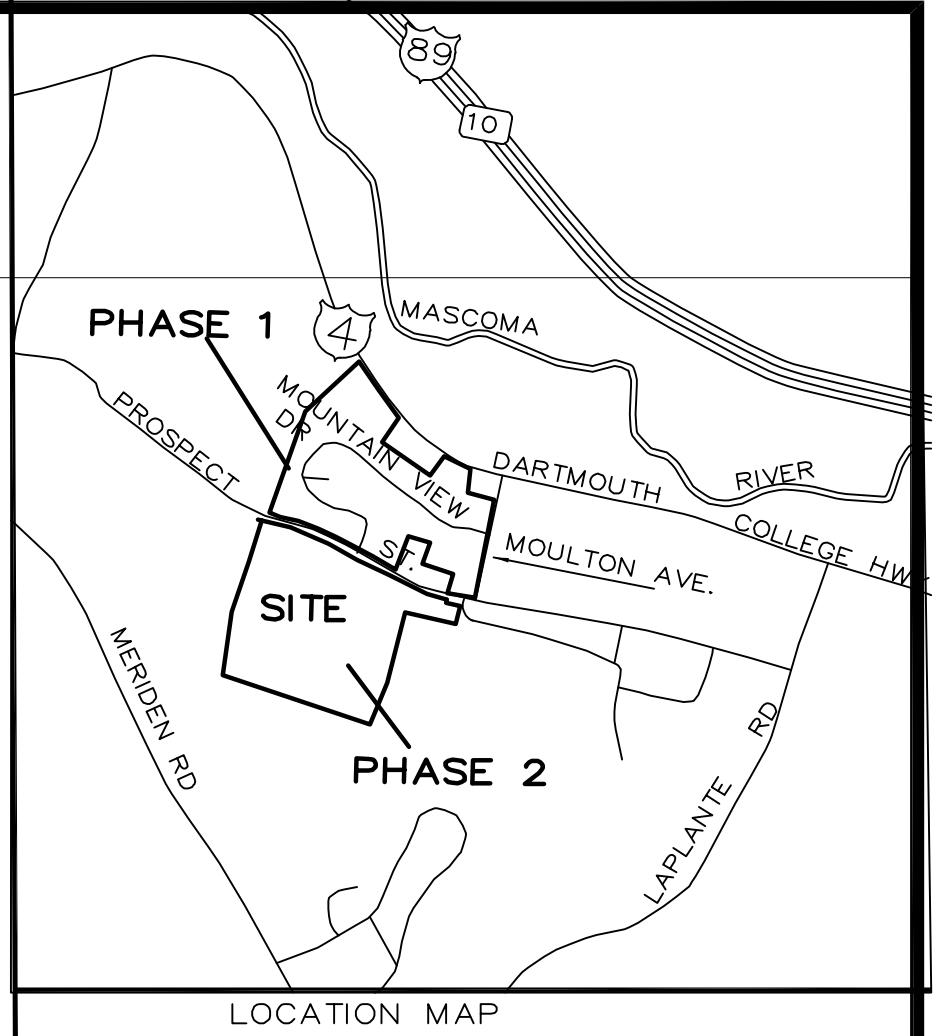
All sewer / water / electrical improvements for each multifamily pod areas

All drainage improvements to connect to existing detention ponds from Phase 2A and 2B construction.

PHASE 2 DEVELOPMENT MAP

SCALE: 1"=100'

PHASE 1 DEVELOPMENT MAP
COMPLETED



LOT 122-10 VALERIE I AND DENNIS A HARPER
183 MERIDIAN ROAD
LEBANON, NH 03766

LOT 122-19 WALTER & BETTY PATERSON
82 PROSPECT STREET
LEBANON, NH 03766

LOT 108-13 NELSON C. BARDEN
14 ARMORY ROAD,
UNIT 3
WALTHAM, MA 02453

LOT 108-22 CITY OF LEBANON
51 NORTH PARK DRIVE
LEBANON NH 03766

EDGAR ALFONSO ROMERO
535 BROOKWOOD POINT PL #914
SIMPSONVILLE, SC 29681

LOT 93-125 CITY OF LEBANON
51 NORTH PARK STREET
LEBANON, NH 03766

LOT 108-20 CARLOS B. & NANCY FLEMING JR
180 DARTMOUTH COLLEGE HIGHWAY
LEBANON NH 03766

LOT 108-19 MARJORIE HAYWARD
184 DARTMOUTH COLLEGE HIGHWAY
LEBANON NH 03766

LOT 108-17 UPPER VALLEY EDUCATORS INSTITUTE
194 DARTMOUTH COLLEGE HIGHWAY
LEBANON, NH 03766

LOT 109-30 LEBANON SCHOOL DISTRICT
20 SEMINARY HILL
WEST LEBANON, NH 03784

LOT 109-25 JEFFREY & KAREN ROBBINS
13 MOULTON AVENUE
LEBANON, NH 03766

LOT 109-26 HW SULLIVAN TRUST AND EJ SULLIVAN TRUST
23 ALICE PECK DAY DRIVE APT. 239 LEBANON,
NH 03766

LOT 108-16 RORY C. GAWLER
PO BOX 447
HANOVER, NH 03755

LOT 108-15 RORY C. GAWLER
PO BOX 447
HANOVER, NH 03755

LOT 108 WARREN KLECAN
98 PROSPECT STREET
LEBANON, NH 03766

LOT 122-37 RICHARD & MELISSA ROBINSON
7 HILLCREST DRIVE
LEBANON, NH 03766

LOT 108-29 SUSAN LEWIS REV. TRUST
116 PROSPECT STREET
LEBANON, NH 03766

LOT 122-19 PETER & ANNE JOHNSON
2 WOODLAND DRIVE
LEBANON, NH 03766

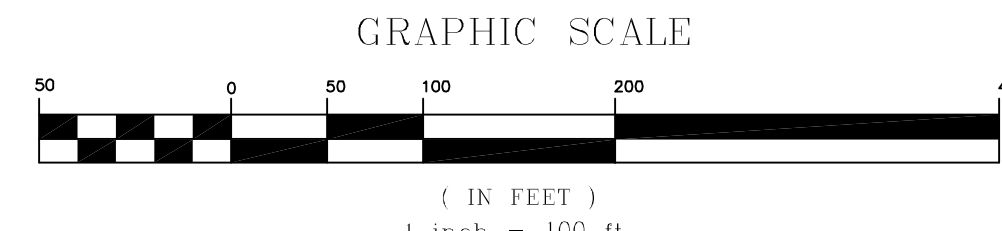
LOT 122-11 DORIS MORSE REVOCABLE TRUST
PO BOX 53 LEBANON, NH 03766

LOT 122-19-2 JENNIFER JOHNSON
11 GARNET STREET
LEBANON, NH 03766

2021 PHASING PLAN

- PHASE 2 A - 2022-2023
- PHASE 2 B - 2024-2025
- PHASE 2 C-F

Phase 2A- BSPH shall complete site work which includes excavation, blasting, grading, utility installations and completion of the road to the appropriate road standards, excepting finish paving which shall be done after construction of all phases are complete. The phase was designed to allow circulation of construction vehicles and public safety equipment. The intent of phasing is to reduce costs, minimize disturbance during construction, manage bond premiums and provide a smaller scope of work that will attract a wider range of contractors, including local site contractors.



DEVELOPER:
BRADY SULLIVAN PROSPECT HILL, LLC
670 N. COMMERCIAL STREET, SUITE 303
MANCHESTER, NH 03101

OVERALL DEVELOPMENT PHASING PLAN
PROSPECT HILL - PHASE 2
LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE
DATE: 10-5-11

REVISIONS			
DATE	DESCRIPTION	DWN BY	CK BY
2-21-14	REVISIONS TO COVER SHEET PER COMMENTS	JR	JR
3-16-15	EDITS PER ENGINEERING COMMENTS	JR	JR
9-16-15	EDITS PER ENGINEERING COMMENTS	JR	JR
12-1-21	EDITS PER PLANNING BOARD PHASING DISCUSSION	JR	JR

Rokeh Consulting, LLC
89 KING ROAD, CHICHESTER, NH 03258
PH: 603-387-8688 FAX: 603-513-6242

SCALE: 1" = 100'
DR. BY: JR CK. BY: JR
JOB NO. 2010.0023
SHEET NO. 2 OF 53

From: noreply@civicplus.com
To: [webmaster](#); [Beth Beraldi](#); [City of Lebanon-Planning](#)
Subject: [EXTERNAL] Online Form Submission #5559 for Boards and Committees Contact Form
Date: Wednesday, December 1, 2021 12:33:06 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Boards and Committees Contact Form

Please complete this form to contact a City of Lebanon board or committee. Your submission will be received by a city staff member who will forward your communication to members of the board or committee you choose below. Please be aware that your submission will become part of the public record.

Visit our [Boards and Committees page](#) to find rosters, agendas, meeting details, and more. Please [contact the City Manager's office](#) if you have questions about this form.

(Section Break)

Your First Name	kate
Your Last Name	furbush
Contact Email Address	katefurbush@gmail.com
Contact Phone Number	Field not completed.

(Section Break)

Which board or committee do you wish to contact?	Planning Board
--	----------------

Please enter your comments:	My name is Kate Furbush, I'm a nurse at DHMC and I live next to the proposed Brady Sullivan development.
-----------------------------	--

Reconsider the future of the woods on prospect street!
Here is a voice for keeping the woods as it is- welcoming, whimsical, inviting, undeveloped, abundant, and diverse. Surrounded by houses, the woods offers a refuge for local humans to explore, play, exercise, and reconnect with the natural world.
Neighbors and community members find themselves meeting on the loop trail on early morning dog walks, lunch breaks, and after work strolls. It is a place that draws people in to explore, find solace, and to learn about the intricacies, beauty, and

complexities of the natural world. Venture out in the winter and you'll find tracks of red and gray squirrel, chipmunk, porcupine, grouse, turkey, skunk, fox, coyote, and whitetail deer intersecting with snowshoe and cross country ski tracks. Diverse plants, old hemlock, edible and medicinal fungi, and mixed flocks of birds, all call those woods home.

What better playground to protect for the local children who deeply need a natural place to bring their energy and curiosity? Is there a better place to find comfort when you are grieving or lonely during a pandemic? Is there anything more precious or worth protecting than natural spaces unfolding in the way only nature is able? Could we steward the land in the way we are capable of, to keep it available to community, and preserving its natural beauty and abundance?

Keep the woods as woods!! Please protect it for all the creatures who depend on it for their lives and happiness, and for the future people who will discover it and reap enormous benefits from the magic that lies there!

It would be a senseless disgrace to allow another Mountain View drive development to zap the life out of that precious piece of land. Expanding the ugly cookie cutter houses would be an insult to the land itself and to the surrounding community.

Let's make a considerate, mindful decision that is not coming from a place of profit or greed. Consider the enormous meaning and impact an oasis like that patch of woods has and can continue to have on all life who love it and need it, and for the life of future generations. Walk out there yourself and see!

Protect the woods! See you out there

Do you need to attach
a file?

No

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [webmaster](#); [Beth Beraldi](#); [City of Lebanon-Planning](#)
Subject: [EXTERNAL] Online Form Submission #5557 for Boards and Committees Contact Form
Date: Wednesday, December 1, 2021 9:17:44 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Boards and Committees Contact Form

Please complete this form to contact a City of Lebanon board or committee. Your submission will be received by a city staff member who will forward your communication to members of the board or committee you choose below. Please be aware that your submission will become part of the public record.

Visit our [Boards and Committees page](#) to find rosters, agendas, meeting details, and more. Please [contact the City Manager's office](#) if you have questions about this form.

(Section Break)

Your First Name	Gerald
Your Last Name	Gatz
Contact Email Address	gerry.gatz@gmail.com
Contact Phone Number	8023431058

(Section Break)

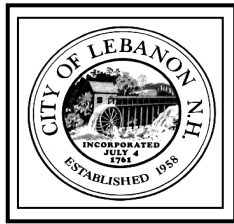
Which board or committee do you wish to contact?	Planning Board
--	----------------

Please enter your comments:	I am writing you to encourage denial of the Brady Sullivan project Prospect Hills. I have lived on Hillcrest Drive for seven years now so I am relatively new to Lebanon. The need for housing is clear. The project on Prospect Street, however, is suspect at best. From what I know about Brady Sullivan's involvement in housing development in my neighborhood is suspicious. They are not to be trusted and we need to protect ourselves from their less than honest dealings. Neighbors in the Brady Sullivan development in the Mountain View Drive area are still upset with the company. Their evident dishonesty in the planning process deadlines is enough to raise a serious warning flag. Deny them any more permits. The market will find another more reputable developer. Thank you.
-----------------------------	---

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #4A
Other Business**

**SPNH Mount Support, LLC,
343 Mount Support Road
(Tax Map 24, Lot 1),
zoned R-1 & RL-3
PB2020-11-SPR**



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Planning Board

FROM: Planning and Development Department Staff

RE: Multi-Family Development, 343 Mount Support Road (Tax Map 24, Lot 1)
Minor Alteration to Approved Site Plan (PB2020-11-SPR)
December 13, 2021 Planning Board Meeting – *Agenda Item 4.A*

DATE: December 7, 2021

This memorandum serves to inform the Planning Board of minor changes to the site plan for the multi-family development at 343 Mount Support Road (Tax Map 24, Lot 1) associated with the proposed minor subdivision of the property (PB2021-36-MIN, agenda item 3B). The site plan was originally approved by the Board on October 13, 2020 (PB2020-11-SPR).

There are no changes proposed to any of the physical improvements. Rather, as set forth in the attached letter dated November 8, 2021, from David Fenstermacher, PE, of VHB, if the minor subdivision is approved, the site plan for the multi-family development will need to be updated to reflect changes to the setbacks, density calculations, and landscaping calculations as a result of the adjusted lot size and lot lines. Also as a result of the subdivision, the northern access drive to the development is proposed to be located on the new lot (although it's physical location on the ground will remain as originally approved).

In accordance with Section 9.2 of the Site Plan Review Regulations, the Planning and Development Department is of the opinion that this change can be considered a Minor Alteration and does not require further Planning Board review. In accordance with Section 9.2.C, any Board member, or any person aggrieved may make a written request for an approval under this section to be reviewed by the full Board.

By way of further background, Section 9.2.A of the Site Plan Review Regulations allows the Planning Director to approve a "minor alteration" subsequent to final site plan approval, but prior to the issuance of a Certificate of Occupancy, provided that:

- (a) The alteration is not deemed to be a "material change". The term "material change" is defined in Article II as, "Any proposed alteration to a previously approved Site Plan and/or previously developed property, which necessitates or results in significant changes to access, parking, circulation, drainage, lighting, or required landscaping on the site." and
- (b) The alteration either (i) is "necessitated by unforeseen or unanticipated circumstances", or (ii) "constitutes a deviation from the plan which was constructed or installed as a result of a good-faith error, rather than negligence."

Section 9.2.B further provides that a change shall be deemed to be a minor alteration only if all of the following apply:

- 1. It is relatively minor, in light of the overall scope of the approval;
- 2. It does not result in a violation of any express condition of the approval, or of any zoning or other local, state, or federal regulatory provision; and,
- 3. The Planning Director concludes that no reasonable Board (or, as applicable, Minor Site Plan Committee) member could consider the change as grounds for reconsidering or altering any aspect of the Notice of Action.

Attachment

cc: SPNH Mount Support, LLC (via e-mail)
David Fenstermacher, PE, VHB (via e-mail)

November 8, 2021

Ref: 52616.00

Mr. David Brooks
51 N Park Street
City Hall, 1st Floor
Lebanon, NH 03766

Re: The Marek at Lebanon
343 Mt. Support Road
Narrative for Site Plan Review

Mr. Brooks,

In support of the Minor Subdivision and Site Plan Amendment Application, the following provides a summary for the proposed multi-family project.

Summary

The Applicant, Saxon Partners, is proposing to subdivide Tax Map 24, Lot 1, located at 343 Mt. Support Road, into two conforming lots. The site encompasses 75 acres, currently occupied by a single-family house. On September 10, 2020, the Applicant's proposal for a 250-unit multi-family complex, with associated parking, utilities, landscaping, access, and other related site improvements was approved by the Lebanon Planning Board (#PB2020-11-SPR). The intent of the subdivision to create a standalone lot for the approved development, with the remainder of the lot to remain undeveloped at this time. The site design will remain consistent with the site plans included in the approval; however, the revised property lines associated with the subdivision result in a modification of the dimensional setbacks for the proposed building. As such, the Applicant is also seeking a Site Plan Amendment.

Subdivision

As noted above, the 75.5-acre site proposed to be subdivided into two lots, consisting of Lot A (17.7 ac) and Lot B (57.8 ac).

<i>Zoning Regulation</i>	<i>Required</i>	<i>Provided Lot A</i>	<i>Provided Lot B</i>	<i>Total</i>
Minimum Lot Area	10,000 SF	17.7 ac	57.8 ac	75.5 ac

Engineers | Scientists | Planners | Designers

2 Bedford Farms Drive
Suite 200
Bedford, New Hampshire 03110
P 603.391.3900
F 603.518.7495



Lot A has been sized to provide the required area to support the 250 units provided, per the Town's regulations (Residential One – R1):

<i>Dwelling Units Density Calculation</i>	<i>Number of Units</i>	<i>Area Required</i>	<i>Area Provided</i>
10,000 SF first 2 Units	2	20,000 SF	--
3,000 SF per Additional Units	248	744,000 SF	--
Total	250	764,000 (17.5 ac)	771,022 (17.7 ac)

Site Plan Amendment

As previously discussed, the adjustment of the property lines associated with the subdivision results in a modification to the approved setbacks for the proposed improvements. Below is a summary of the modifications which demonstrates the proposed development remains in conformance:

<i>Zoning Regulation</i>	<i>Required</i>	<i>Approved Site Plan</i>	<i>Provided Lot A</i>
Minimum Lot Area	10,000 SF	75.5 ac	17.7 ac
Front Yard Setback	20 FT	112 FT	112 FT
Side Yard Setback	15 FT	652 FT	261 FT
Rear Setback	20 FT	1,026	36 FT
Max Building Coverage	25%	1.54%	6.52%

Transportation

Access to the Site will be provided via a main entrance at the center of the development. A secondary access has been provided to the north of the entrance. Under the proposed subdivision, the secondary access will be located on Lot B, in which Lot A will have shared access via an access easement. Parking, pedestrian access, and bike amenities remain as approved. Though not part of the current application, an exhibit has been prepared to demonstrate the feasibility of access Lot B from the access location shown.

Landscape

Mr. David Brooks
Ref: 52621.01
November 8, 2021
Page 3



The approved landscape plan has been updated to include the revised calculations reflecting the new Lot A area.

Site Improvements

The proposed subdivision does not result in any impacts to the any of the following items reviewed and approved as part of the initial Site Plan Permit:

- Wetlands
- Stormwater Management
- Utilities

Waivers

The intent of the Site Plan Amendment application is to submit only those sheets that have been modified related to the subdivision line. As there is no specific checklist associated with a Site Plan Amendment, the applicant is requesting waivers associated with the supporting documents not relevant to the review of the amended items.

Site Plans

Issued for	Permitting
Date Issued	March 9, 2020
Latest Issue	November 8, 2021

The Marek at Lebanon, NH

343 Mt. Support Road
Lebanon, Grafton County,
New Hampshire

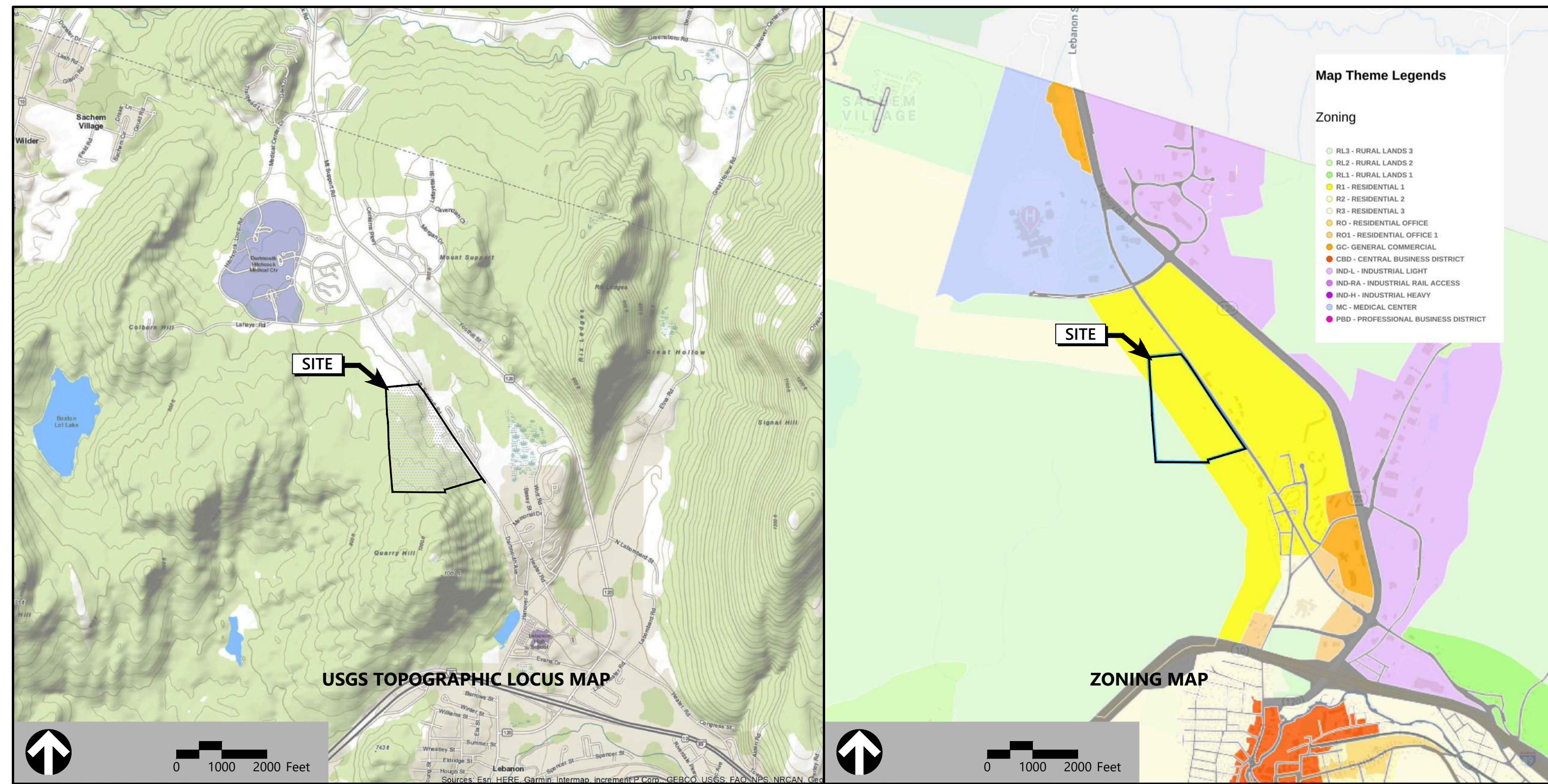
Owner

SPNH Mount Support, LLC
c/o Saxon Partners
25 Recreation Park Drive, Suite 204
Hingham, MA 02043

Applicant

Saxon Partners
25 Recreation Park Drive, Suite 204
Hingham, MA 02043

Assessor's Map: 24
Lot: 1



2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Topographic Survey

Glen Johnson, L.L.S
2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Architect

Market Square Architects, PLLC
104 Congress Street
Suite 203
Portsmouth, NH 03801
603.501.0202

Civil Engineer

David Fenstermacher, P.E.
2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Landscape Architect

Erik Bednarek, RLA
101 Walnut Street
PO Box 9151
Watertown, MA 02471
617.924.1770

Wetland Scientist

Kristopher Wilkes, CWS, CPESC
2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Table of Contents				
Sheet No.	No.	Drawing Title	Latest Issue	
1	C-0	Cover Sheet	November 8, 2021	
2	C-1	Legend and General Notes	April 7, 2021	
3	C-2	Overall Site Plan	November 8, 2021	
4	C-3	Layout and Materials Plan	November 8, 2021	
5	C-4.0	Grading and Drainage Plan	November 8, 2021	
6	C-4.1	Grading and Drainage Plan	November 8, 2021	
7	C-4.2	Grading and Drainage Plan	November 8, 2021	
8	C-5	Utility Plan	April 7, 2021	
9	C-6	Erosion and Sediment Control Plan	September 2, 2020	
10	C-7.1	Plan and Profile - Drainage	April 16, 2020	
11	C-7.2	Plan and Profile - Sewer	November 30, 2020	
12	C-7.3	Plan and Profile - Water	April 16, 2020	
13	C-8	Stream Relocation	October 30, 2020	
14	C-9	Site Details 1	April 7, 2021	
15	C-10	Site Details 2	April 7, 2021	
16	C-11	Site Details 3	April 7, 2021	
17	C-12	Site Details 4	April 7, 2021	
18	C-13	Site Details 5	April 7, 2021	
19	C-14	Site Details 6	April 7, 2021	
20	C-15	Site Details 7	April 7, 2021	
21	L-1	Planting Plan	November 8, 2021	
22	L-2	Tree Shading Plan	November 8, 2021	
23	L-3	Planting Details	April 7, 2021	

Table of Contents				
Sheet No.	No.	Drawing Title	Latest Issue	
24	PL-1	VHB - Property Line Plan	April 7, 2021	
25	SV-1	VHB - Existing Conditions Plan of Land	April 7, 2021	
26	SL-1	Site Lighting Plan	April 7, 2021	
27	A2.00	Building Elevations	April 16, 2020	
28		Architectural Rendering	April 16, 2020	
29	WP-1	Wetland Impact Plan	October 30, 2020	
		Boundary Plan of Land	November 30, 2018	

Parking Summary Chart

Description		Spaces	
	Required	Provided	
TOTAL SPACES	314	315*	
* INCLUDES 5 VISITOR SPACES			
Parking Requirements (Per Building):			
DWELLING - APARTMENT - STUDIO	123	x 1.0 Spaces / 1	123
DWELLING - APARTMENT - ONE BEDROOM	127	x 1.5 Spaces / 1 =	191
TOTAL PARKING REQUIRED		=	314 SPACES
DWELLING UNITS DENSITY CALCULATION			
REQUIREMENT:			
10,000 SF FIRST 2 UNITS			
3,000 SF PER ADDITIONAL UNITS			
10,000 SF X 2 UNITS = 20,000 SF			
3,000 SF X 248 UNITS = 744,000 SF			
TOTAL AREA REQUIRED = 764,000 SF (17.53 AC)			
TOTAL PROVIDED = 771,005 SF (17.7 AC)			

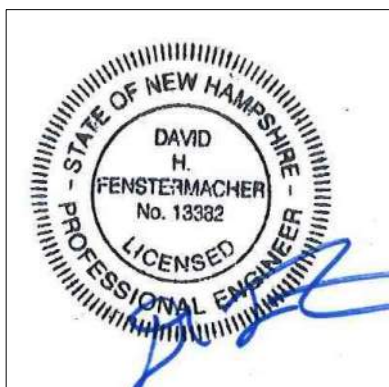
Accessible Parking Summary Chart (Overall)

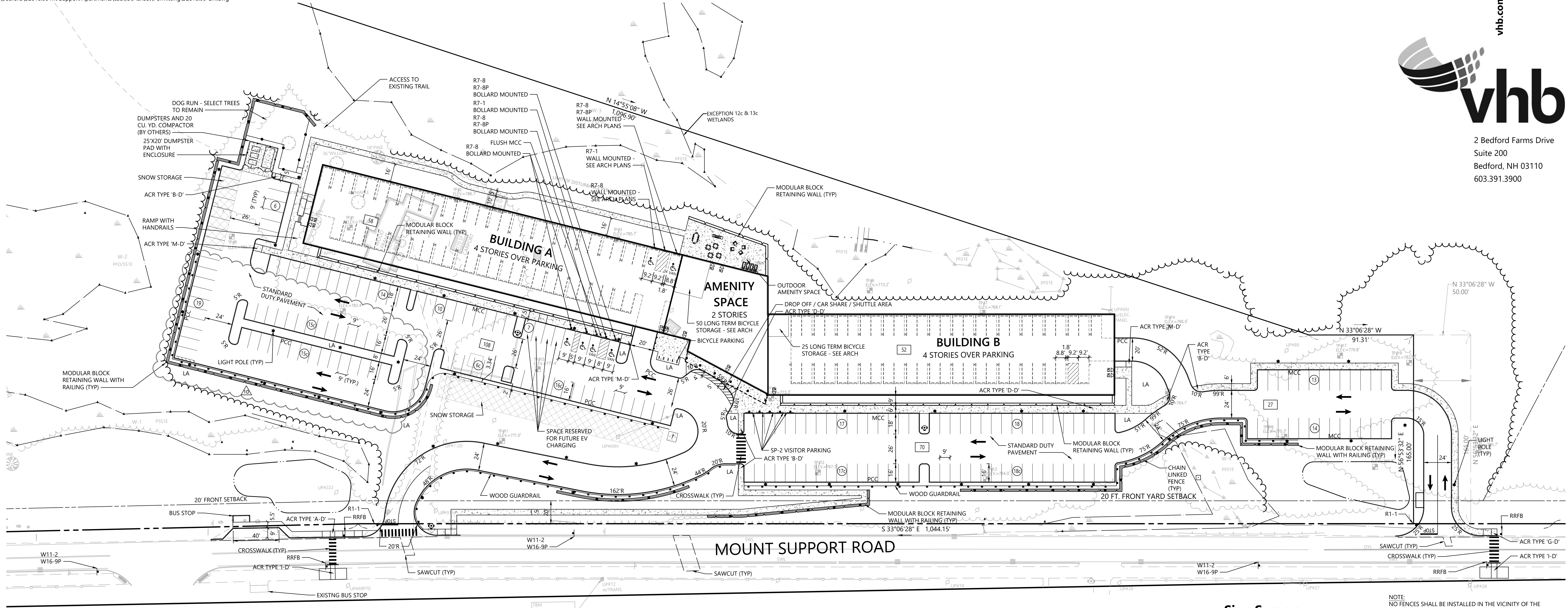
Description		Spaces			
		Required	Total	Bldg A	Bldg B
STANDARD ACCESSIBLE SPACES		6	8	3	3
VAN ACCESSIBLE SPACES		2	4	1	1
TOTAL SPACES		8	12	4	4

Zoning Summary Chart

Zoning District(S):		Lot A : Residential One (R-1)		
		Lot B : Residential One (R-1) and Residential Three (R-3)		
Overlay District(S):		None*		
Zoning Regulation Requirements	Required**	Provided Lot A	Provided Lot B	Existing
MINIMUM LOT AREA	10,000 SF	17.7 ± Acres	57.8 ± Acres	75.50 ± Acres
FRONTAGE	N/A	1,808 Feet	667 Feet	1,863 Feet
FRONT YARD SETBACK	20 Feet	112 Feet	N/A	220 Feet
SIDE YARD SETBACK	15 Feet	261 Feet	N/A	1,074 Feet
REAR YARD SETBACK	20 Feet	36 Feet	N/A	1,127 Feet
MINIMUM LOT WIDTH	75 Feet	165 Feet	645 Feet	645 Feet
MAXIMUM BUILDING HEIGHT	45 Feet	<45 Feet	N/A	<45 Feet
MAXIMUM BUILDING COVERAGE	25%	6.52%	N/A	0.07%
BUILDING COVERAGE**	N/A	50,277 SF	0 SF	2,436 SF
GROSS FLOOR AREA	N/A	190,154 SF	0 SF	1,863 Feet SF
IMPERVIOUS COVERAGE	N/A	161,312 SF (20.9%)	0 SF (0.0%)	8,379 SF (0.25%)
USE	N/A	Residential Housing	N/A	Residential Housing

* A PORTION OF LOT IS IN R-3. ENTIRETY OF PROPOSED PROJECT FALLS WITHIN THE R-1
** ZONING REGULATION REQUIREMENTS AS SPECIFIED IN CITY OF LEBANON ZONING ORDINANCE
ADOPTED 1/16/13 REVISED 1/22/20
*** EXISTING LOT COVERAGE IS 0.07%





N/F
MERION TIMBERWOOD, LP
MAP 24, LOT 11

Sign Summary

M.U.T.C.D. Number	Specification Width	Height	Desc.
R1-1	30"	30"	
R5-1	30"	30"	
R7-1	12"	18"	
R7-8	12"	18"	
R7-8P	12"	6"	
R10-25	9"	12"	
SP-2	12"	18"	
W11-2 WITH SOLAR FLASHING LED BEACON	30"	30"	
W11-2 WITH RECTANGULAR RAPID FLASH BEACON	30"	30"	
W16-7P	24"	12"	
W16-9P	24"	12"	

Parking Summary Chart

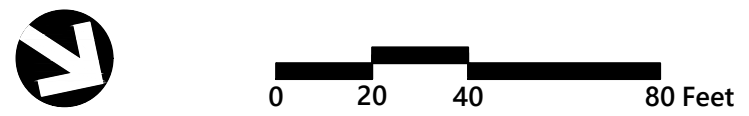
Description	Spaces	
	Required	Provided
TOTAL SPACES	314	315*
* INCLUDES 5 VISITOR SPACES		

Parking Requirements (Per Building):

DWELLING - APARTMENT - STUDIO	123	x	1.0 Spaces	/	1	=	123
DWELLING - APARTMENT - ONE BEDROOM	127	x	1.5 Spaces	/	1	=	191
TOTAL PARKING REQUIRED							= 314 SPACES

NOTES:
PEDESTRIAN DETECTION CROSSWALK SYSTEM SHOULD BE "TAPCO RECTANGULAR RAPID FLASH BEACON W11-2 WITH PUSH BUTTON ACTIVATION" OR APPROVED EQUIVALENT.
SOLAR FLASHING LED BEACON SHALL BE "TAPCO BLINKERBEACON SOLAR FLASHING LED BEACON" OR APPROVED EQUIVALENT. BEACON WILL HAVE WIRELESS COMMUNICATION WITH PEDESTRIAN DETECTION CROSSWALK SYSTEM.

NOTE:
NO FENCES SHALL BE INSTALLED IN THE VICINITY OF THE DOCUMENTED WILDLIFE CORRIDOR



The Marek
at Lebanon, NH
343 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Appr.
6	ALTERATION OF TERRAIN	6/19/2020	
7	RESPONSE TO COMMENTS	9/1/2020	
8	NHDES WETLAND RESUBMITTAL	9/2/2020	
10	NHDES RESPONSE TO COMMENTS	10/30/2020	
16	CONDITIONS OF APPROVAL	4/7/2021	
17	CONDITIONS OF APPROVAL REV 1	11/8/2021	

Designed by EKG
Issued for
Permitting
March 9, 2020

Not Approved for Construction

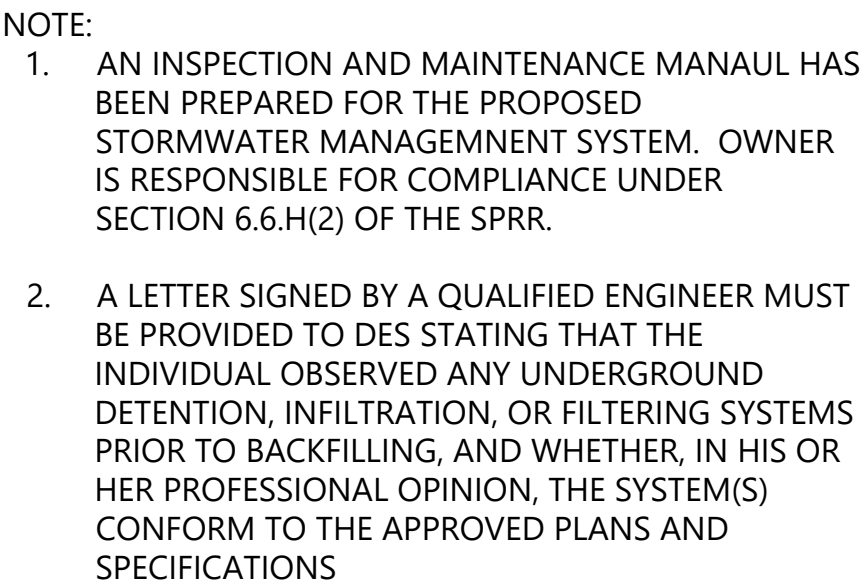
Layout and
Materials Plan

C-3

Sheet 4 of 29

Project Number 52616.00

Page 65 of 112



**The Marek
at Lebanon, NH**
343 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Apprd.
8	NHDES WETLAND RESUBMITTAL	9/2/2020	
10	NHDES RESPONSE TO COMMENTS	10/30/2020	
12	NHDES AoT ADDITIONAL RESPONSE	12/14/2020	
14	NHDES AoT ADDITIONAL RESPONSE	2/1/2021	
16	CONDITIONS OF APPROVAL	4/7/2021	
17	CONDITIONS OF APPROVAL REV 1	11/8/2021	

Designed by EKG	Checked by DHF
Issued for	Date
Permitting	March 9, 2020

Not Approved for Construction

Drawing Title

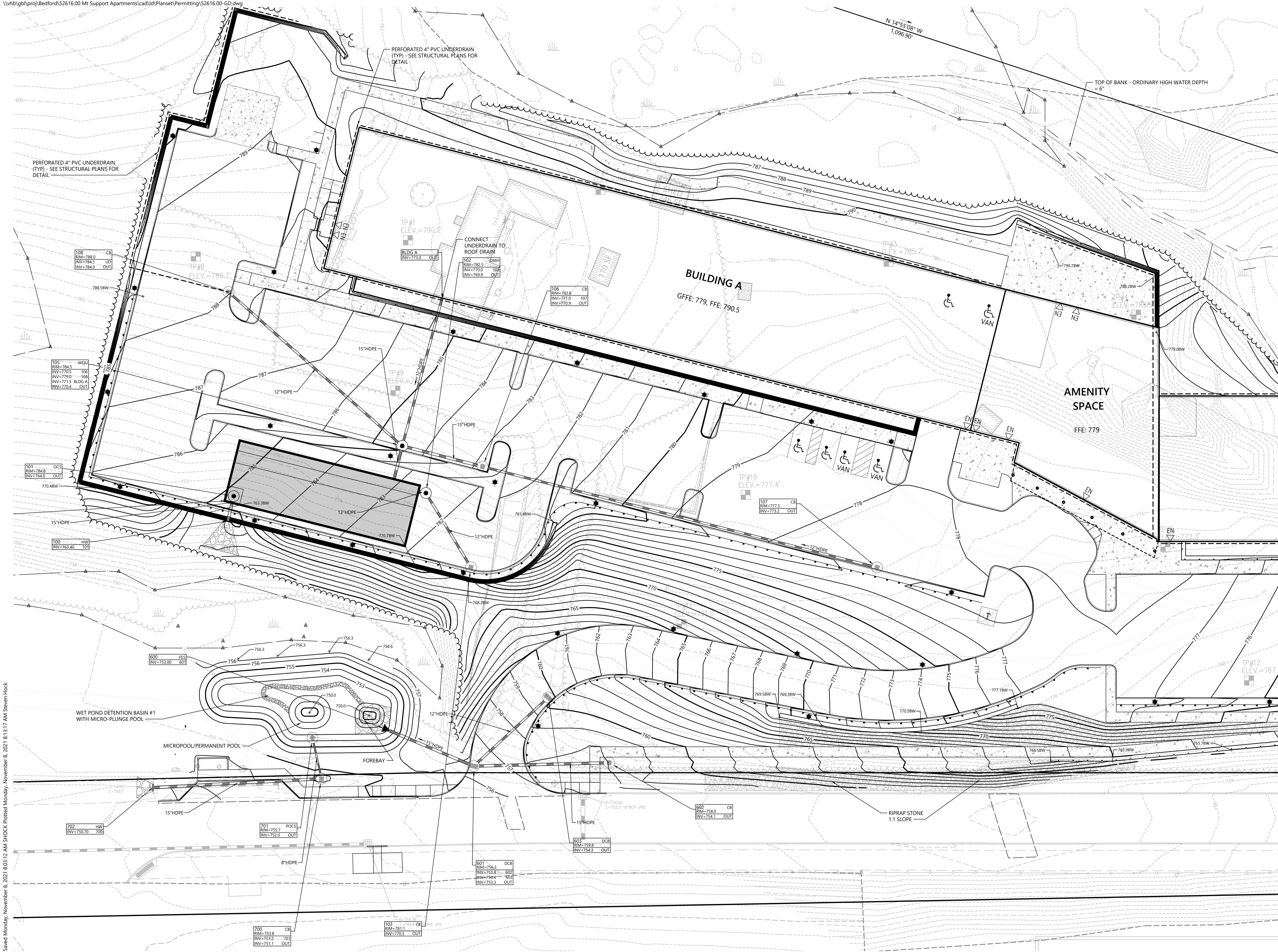
**Overall Grading and
Drainage Plan**

Drawing Number

C-4.0

Sheet 5 of 29

Project Number
52616.00



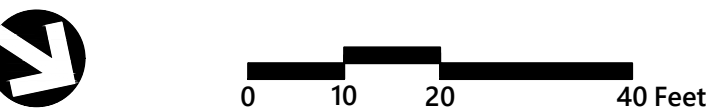
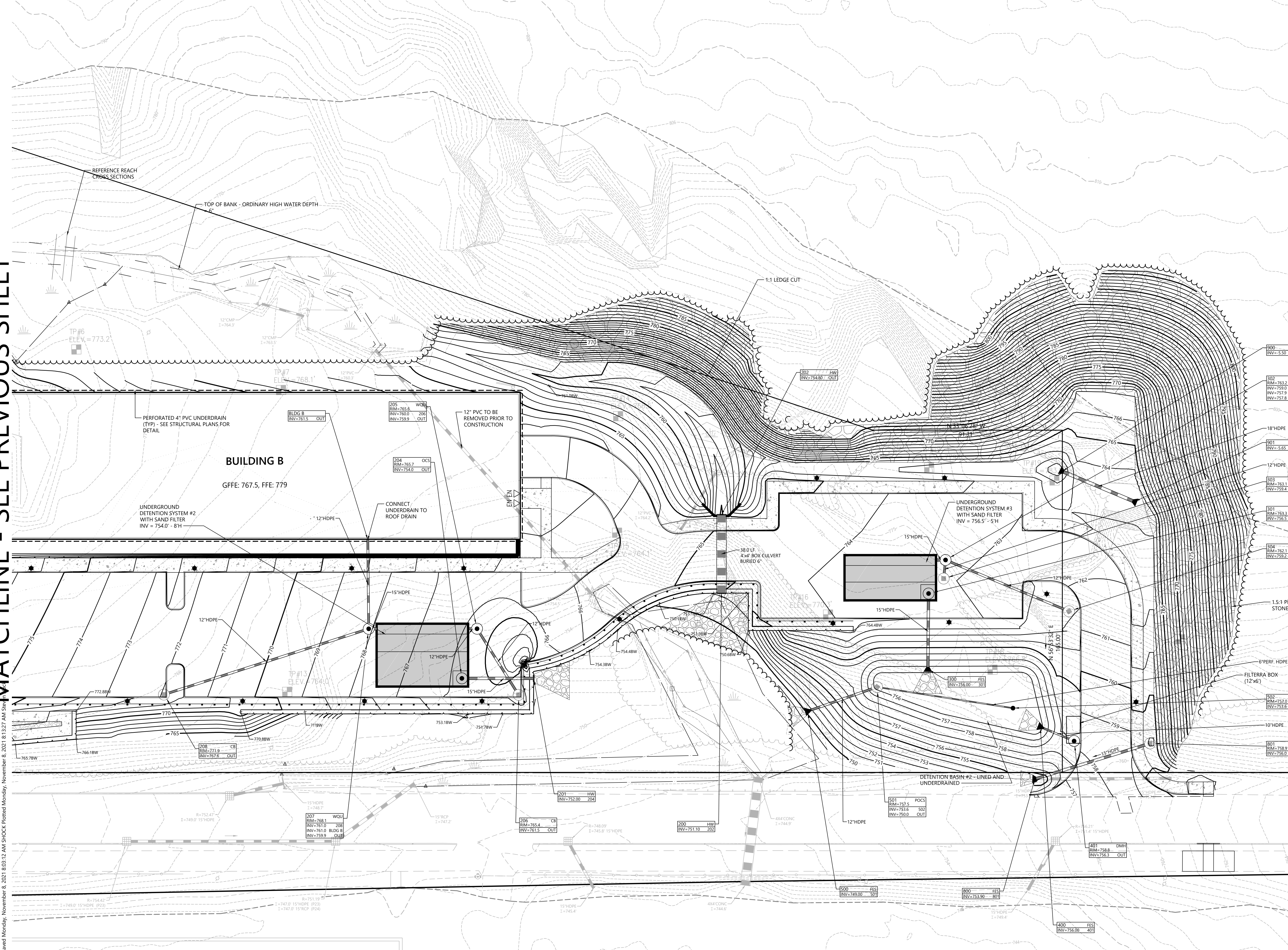
MATCHLINE - SEE
NEXT SHEET

**The Marek
at Lebanon, NH**
343 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Appr'd.
10	NHDES RESPONSE TO COMMENTS	10/30/2020	
12	NHDES Aot ADDITIONAL RESPONSE	12/14/2020	
13	NHDES Aot ADDITIONAL RESPONSE	1/15/2020	
14	NHDES Aot ADDITIONAL RESPONSE	2/1/2021	
16	CONDITIONS OF APPROVAL	4/7/2021	
17	CONDITIONS OF APPROVAL REV 1	11/8/2021	
Designed by EKG		Checked by DHF	
Issued for Permitting		Date March 9, 2020	

Not Approved for Construction
Drawing Title
**Grading and
Drainage Plan 1**

MATCHLINE - SEE PREVIOUS SHEET



**The Marek
at Lebanon, NH**
343 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Appr'd
8	NHDES WETLAND RESUBMITTAL	9/2/2020	
10	NHDES RESPONSE TO COMMENTS	10/30/2020	
12	NHDES Aot ADDITIONAL RESPONSE	12/14/2020	
14	NHDES Aot ADDITIONAL RESPONSE	2/1/2021	
16	CONDITIONS OF APPROVAL	4/7/2021	
17	CONDITIONS OF APPROVAL REV 1	11/8/2021	

Designed by
EKG

Issued for
Permitting

Checked by
DHF

Date
March 9, 2020

Not Approved for Construction

Drawing Title
**Grading and
Drainage Plan 2**



DAVID
H.
FENSTERMACHER
No. 13302
PROFESSIONAL ENGINEER
STATE OF NEW HAMPSHIRE

C-4.2

Sheet 7 of 29

Project Number
52616.00

Page 68 of 112

FRONT PERIMETER LANDSCAPING CALCULATIONS

Length of Property Line
along Mt. Support Road = 1,184 lf

Length of existing tree
massing along frontage = 55 lf

Remaining frontage
requiring landscaping = 1,129 lf

1,129 lf x 15 = 16,935 sf
16,935 sf / 600 = 28.2

29 Shade Trees Required
29 Shade Trees, 18 Flowering Trees, 7 Evergreen Trees provided

54 total trees provided in frontage

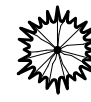
5 shrubs per tree required (5x54) = 270 shrubs
323 shrubs to be provided in Frontage Area

13% Evergreen Trees Provided in frontage

PLANT SCHEDULE FRONTAGE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE
AR	11	Acer rubrum 'October Glory'	October Glory Maple	2 1/2 - 3" CAL.
NS	5	Nyssa sylvatica	Black Tupelo	2 1/2 - 3" CAL.
QP	7	Quercus palustris	Pin Oak	2 1/2 - 3" CAL.
QR	6	Quercus rubra	Red Oak	2 1/2 - 3" CAL.
EVERGREEN TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE
AB	4	Abies balsamea	Balsam Fir	6 - 7' HT.
PG	3	Picea glauca	White Spruce	6 - 7' HT.
FLOWERING TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE
AC	11	Amelanchier canadensis	Shadblow Serviceberry	8 - 10' HT./Multi-Stem
MS	7	Malus hybrid 'Spring Snow'	Spring Snow Crab Apple	2 1/2 - 3" CAL.
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE
CAH	85	Clethra alnifolia 'Hummingbird'	'Hummingbird' Summersweet	24 - 30" HT.
CS	60	Cornus alba 'Elegantissima'	Variegated RedTwig Dogwood	24 - 30" HT.
CR	18	Cornus racemosa	Redosier Dogwood	24 - 30" HT.
IG	66	Ilex glabra 'Shamrock'	Shamrock Inkberry	24 - 30" HT.
IVR	34	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	24 - 30" HT.
RC	28	Rhododendron x 'Cunningham's Blush'	Cunningham's Blush Rhododendron	24 - 30" HT.
VN	27	Viburnum nudum 'Winterthur'	Smooth Witherod	24 - 30" HT.
GROUND COVER SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE
JB	60	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Creeping Juniper	18 - 24" SPD
RA	66	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	18 - 24" SPD
VA	74	Vaccinium angustifolium	Lowbush Blueberry	18 - 24" SPD
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	SIZE
HSO	26	Hemerocallis x 'Stella de Oro'	Stella de Oro Daylily	#1 POT

PLANT SCHEDULE

<u>DECIDUOUS TREES</u>	<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
	AR	32	Acer rubrum 'October Glory'	October Glory Maple	2 1/2 - 3" CAL.
	BN	6	Betula nigra 'Heritage'	Heritage River Birch	2 1/2 - 3" CAL.
	NS	5	Nyssa sylvatica	Black Tupelo	2 1/2 - 3" CAL.
	QP	16	Quercus palustris	Pin Oak	2 1/2 - 3" CAL.
	QR	15	Quercus rubra	Red Oak	2 1/2 - 3" CAL.
	TC	7	Tilia cordata 'Greenspire'	Greenspire Littleleaf Linden	2 1/2 - 3" CAL.
	ZS	9	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2 1/2 - 3" CAL.
<u>EVERGREEN TREES</u>	<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
	AB	4	Abies balsamea	Balsam Fir	6 - 7' HT.
	PG	3	Picea glauca	White Spruce	6 - 7' HT.
<u>FLOWERING TREES</u>	<u>CODE</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
	AC	11	Amelanchier canadensis	Shadblow Serviceberry	8 - 10' HT./Multi-Stem
	MS	15	Malus hybrid 'Spring Snow'	Spring Snow Crab Apple	2 1/2 - 3" CAL.
<u>SHRUBS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	
CAH	140	Clethra alnifolia 'Hummingbird'	'Hummingbird' Summersweet	24 - 30" HT.	
CS	60	Cornus alba 'Elegantissima'	Variegated RedTwig Dogwood	24 - 30" HT.	
CR	142	Cornus racemosa	Redosier Dogwood	24 - 30" HT.	
IG	209	Ilex glabra 'Shamrock'	Shamrock Inkberry	24 - 30" HT.	
IVR	184	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	24 - 30" HT.	
RC	71	Rhododendron x 'Cunningham's Blush'	Cunningham's Blush Rhododendron	24 - 30" HT.	
VN	56	Viburnum nudum 'Winterthur'	Smooth Witherod	24 - 30" HT.	
<u>GROUND COVER SHRUBS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	
FG	23	Fothergilla gardenii	Dwarf Fothergilla	18 - 24" HT.	
JB	197	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Creeping Juniper	18 - 24" SPD	
JW	170	Juniperus horizontalis 'Wiltonii'	Blue Rug Juniper	18 - 24" SPD	
RA	108	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	18 - 24" SPD	
VA	74	Vaccinium angustifolium	Lowbush Blueberry	18 - 24" SPD	
<u>PERENNIALS</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	
AWB	126	Aster dumosus 'Wood's Blue'	Wood's Aster	#1 POT	
ANE	271	Aster novae-angliae	New England Aster	#1 POT	
EP	91	Echinacea purpurea	Coneflower	#1 POT	
HSO	220	Hemerocallis x 'Stella de Oro'	Stella de Oro Daylily	#1 POT	

Plant Maintenance Notes

- CONTRACTOR SHALL PROVIDE COMPLETE MAINTENANCE OF THE LAWNS AND PLANTINGS. NO IRRIGATION IS PROPOSED FOR THIS SITE. THE CONTRACTOR SHALL SUPPLY SUPPLEMENTAL WATERING FOR NEW LAWNS AND PLANTINGS DURING THE ONE YEAR PLANT GUARANTEE PERIOD.
- CONTRACTOR SHALL PROVIDE ALL MATERIALS, LABOR, AND EQUIPMENT FOR THE COMPLETE LANDSCAPE MAINTENANCE WORK. WATER SHALL BE PROVIDED BY THE CONTRACTOR.
- WATERING SHALL BE REQUIRED DURING THE GROWING SEASON, WHEN NATURAL RAINFALL IS BELOW ONE INCH PER WEEK.
- WATER SHALL BE APPLIED IN SUFFICIENT QUANTITY TO THOROUGHLY SATURATE THE SOIL IN THE ROOT ZONE OF EACH PLANT.
- CONTRACTOR SHALL REPLACE DEAD OR DYING PLANTS AT THE END OF THE ONE YEAR GUARANTEE PERIOD. CONTRACTOR SHALL TURN OVER MAINTENANCE TO THE FACILITY MAINTENANCE STAFF AT THAT TIME.

vhb

2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

LEBAGON SITE PLAN REVIEW REGULATIONS NOTES:

SECTION 6.2.B.3 - WITHIN THE LANDSCAPED AREAS, THE APPLICANT SHALL PROPOSE A MIX OF SHADE TREES, UNDERSTORY TREES, SHRUBS, WELL-KEPT GRASSED AREAS, AND GROUND COVER THAT IS APPROPRIATE FOR THE SITE, ITS ENVIRONMENT, AND ITS SURROUNDINGS. ALL NEW PLANT MATERIAL SHALL BE NURSERY-GROWN STOCK. DURING SITE PLAN REVIEW, THE PLANNING BOARD MAY REQUIRE A DIFFERENT MIX AND/OR DIFFERENT TREATMENTS, INCLUDING ADDITIONAL TREES, IF IT DETERMINES THAT SUCH CHANGES FURTHER THE OBJECTIVES OF THESE REGULATIONS

SECTION 6.2.B.4 - AT THE TIME OF PLANTING, ALL DECIDUOUS TREES SHALL BE A MINIMUM 2.5 TO 3 INCHES IN CALIPER, MEASURED 6 INCHES ABOVE THE FINISH GRADE LEVEL; ALL EVERGREEN TREES SHALL BE A MINIMUM OF 6 TO 7 FEET IN HEIGHT.

SECTION 6.2.B.5 - SHRUBS SHALL BE PLANTED AS A MIX, RANGING FROM 50% TO 70% FLOWERING, WITH THE REMAINDER BEING EVERGREEN. AT THE TIME OF PLANTING, ALL SHRUBS, WHETHER DECIDUOUS OR EVERGREEN, SHALL BE 24 TO 30 INCHES IN HEIGHT AND/OR 18 TO 24 INCHES IN SPREAD.

SECTION 6.2.H.1 - THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ALL LANDSCAPING, TO INCLUDE GRASS AND MULCH, IN GOOD, HEALTHY CONDITION SO AS TO PRESENT A NEAT AND ORDERLY APPEARANCE. THE PROPERTY OWNER SHALL REPLACE ANY CITY OF LEBANON - SITE PLAN REVIEW REGULATIONS PAGE 32 OF 66 UNHEALTHY OR DEAD PLANT MATERIALS IN CONFORMANCE WITH THE LANDSCAPE PLAN APPROVED BY THE BOARD AS PART OF THE SITE PLAN.

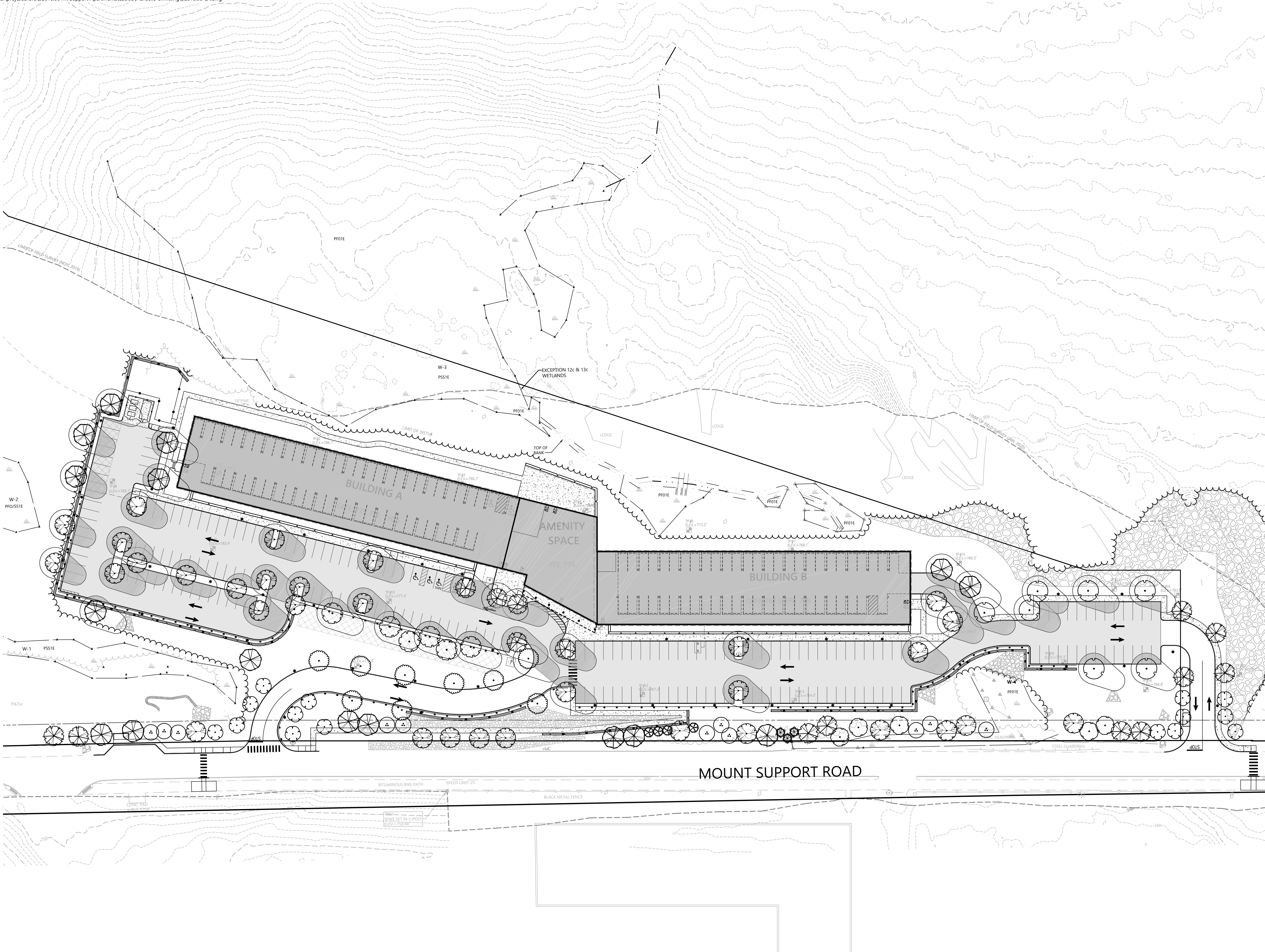
SECTION 6.2.K - AFTER THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE STORAGE, DISPLAY, OR PARKING OF MOTOR VEHICLES, BOATS, MOBILE HOMES, TRAILERS, OR CONSTRUCTION EQUIPMENT WITHIN LANDSCAPED AREAS, BUFFERS, OR SCREENS, SHOWN AS SUCH ON THE APPROVED LANDSCAPE PLAN, IS EXPRESSLY PROHIBITED AND A VIOLATION OF THE NOTICE OF ACTION.

The Marek at Lebanon, NH
343 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Appr'd.
1	RESPONSE TO COMMENTS	4/16/2020	
2	RESPONSE TO COMMENTS	8/4/2020	
16	CONDITIONS OF APPROVAL	4/7/2021	
17	CONDITIONS OF APPROVAL REV 1	11/8/2021	

Designed by EJB	Checked by DHF
Issued for Permitting	Date March 9, 2020

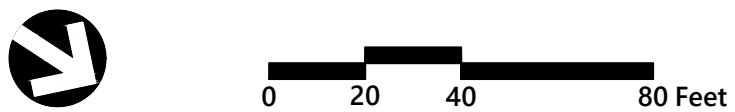
Not Approved for Construction
Drawing Title
Planting Plan



SHADE CALCULATIONS

PARKING AREA	PARKING AREA SHADED	% SHADE (30% MIN.)
71,044 SF	21,496 SF	30.25%

AVERAGE CANOPY WIDTH: 25' - 50'



**The Marek
at Lebanon, NH**
343 Mount Support Road
Lebanon, New Hampshire

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Designed by EJB	Checked by DHF
Issued for Permitting	Date March 9, 2020

Not Approved for Construction

Drawing Title
Tree Shading Plan

Drawing Number

L-2

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #4B
Other Business**

**Execusuite, LLC,
2 Mascoma Street
(Tax Map 91, Lot 254),
zoned LD
PB2021-38-CON**

2 Mascoma Street Redevelopment Project Narrative

11.24.2021

INTRODUCTION

2 Mascoma Street is home to the former Village Market, smaller commercial enterprises and the Sunrise Buffet restaurant. The existing site is steeply sloped—approximately 20' from the high point on the northeast corner of lot to the southwest corner at the intersection of Water and Mascoma Streets. The existing 24,000 SF, 2-story former market and commercial building straddles that slope.

We are proposing a major redevelopment of the site to occur in three phases:

Phase I, which would occur immediately, consists of a 6-story, 48,000 SF, 72-unit apartment building atop a partially buried 17-car parking garage. Built on the eastern corner of the site, the building and its main entry is oriented similarly to the Village Market—facing the upper level parking lot and Colburn Park beyond. The parking level would be accessed from the west/lower level of the site. Construction of these apartments would be the driver behind the redevelopment of the rest of the site, adding much needed density to spur the retail and restaurant redevelopment of the existing Village Market building.

It will provide 72 small, but high quality studio and one-bedroom apartments primarily for singles or couples, a familial demographic that is increasing rapidly in the Upper Valley. The building will be one of only a few steel and concrete structured, non-combustible, multi-family housing complexes in the area. It will cater to those individuals wanting a more urban, socially interactive environment, with pedestrian access to restaurants, bars, shopping and other public amenities with a minimum of dwelling upkeep.

The 6-story height and the smaller units will add density to the urban core, bringing more consumers to downtown retail and restaurants--adding life and activity, especially in the evenings. Utilizing a vacant, derelict portion of this downtown property instead of a large tract of undeveloped land outside the core, the project helps reduce sprawl and environmental degradation and build a sustainable, livable, and walkable community.

Phase II, which would occur soon after construction of Phase I, consists of a 6-1/2 story, 55,000 SF, 75-unit residential building of similar construction and unit mix to Building 1. Again, the building is oriented toward Colburn Park; its two entries are approached from the north, on the high side of the building pad. Parking lost to its construction would be more than replaced with the demolition of the Sunrise Buffet building. Its location along Water and Mascoma Streets reinforces the corner and the visual corridor as you enter the downtown from the south, while its top floor front setback reduces its visual height.

Phase III, a more long term redevelopment plan, it envisions replacing the existing market building with a 6-story edifice, consisting of 21,000 SF of retail/restaurant space accessed from the south and the lower level of the site and approximately 71,000 SF of residences on 5 stories above, accessed from Mascoma St and from the east side of the site. Two parking lots would be created: one on the lower level of the site forming a courtyard with the three new buildings and punctuated with a fountain near its access from Mascoma Street; the second to the east of Building 3 and accessed off Church Street by a proposed easement on the fire station property. A landscaped plaza is located at the inside corner of the "L" will provide visual relief and opportunities for outdoor gathering and recreation.

Building Descriptions

The buildings are still very much in schematic design, however there are some basic design characteristics we would like to achieve. The predominate materials will be brick, metal panel and glass, reflecting Lebanon's rich architectural history as seen in the 19th and early 20th century buildings on the south side of Colburn Park, while reinterpreting these buildings in a contemporary style for modern loft style living:

- The brick on the façades are visually similar in style, character and color to those found in downtown buildings off Colburn Park, with rowlock and soldier course details at windows.
- Metal panels are used on these facades for their appearance, durability, longevity, fire and water resistance and sustainability. The panels, primarily located on the towers and upper floors, add variety and life to the facades, while helping the higher upper levels recede from view. The possible types include:
 - Light grey - used primarily to visually recess upper levels and massing
 - Dark grey – Running bond pattern to break up the building mass
 - Simulated Wood – Typically used around and on the undersides of the balconies to soften the façades and give them a more residential character.
- The bases of the buildings are stone veneer to help ground the building and add a sense of permanence.
- Aluminum clad, tilt-turn windows with transom bars, reflect in proportion, size and appearance, the double hung windows of the older brick buildings, while providing the light, operability and energy efficiency demanded of the modern age.
- Balconies and terraces protected with transparent glass and stainless steel railings provide opportunities for building occupant-street interaction, while on the upper levels allow residents to connect with the views to the park and the hills beyond.
- Heavy timber supported steel canopies are located over the housing lobby entries.

Varied roof parapets will add interest and break up the building roof lines. Color and material variation and changes in depth at the storefront, the balconies, towers, and bays break up the building massing, helping to integrate the building with the generally smaller scaled buildings in the neighborhood.

Structural System

A steel frame will support concrete and steel decks. Walls will be framed in metal to create a non-combustible superstructure of Type IIB construction.

Energy and Light

Buildings will be insulated to high-performance standards, will have localized in-room heating and air-conditioning systems (PTAC or similar) and a heat-recovery ventilation system. Lighting will be LED exclusively.

Trash/Recycling

Trash and recycling from all building tenants will be brought to a centralized room inside the buildings. It will be picked up directly from this room, so there will be no exterior dumpsters on site.

Bike Parking

Secure, weather-protected bike parking will be provided in the interiors of the buildings.

City of Lebanon,
New Hampshire



Building/Zoning Permit
Application Form

Property Owner (Owner of Record): Execusuite, LLC Tel.#: 603-322-3260
Mailing Address of Owner: 77 Bank St., Lebanon 03766 Fax #: _____
Email: tim@ledgeworks.com (Tim Sidore)
CONTACT PERSON FOR PROJECT: Jim Wasser Tel.#: 802-275-5110
Mailing Address: P.O. Box 275, WRJ, VT 05001 Fax #: _____
Email: jim.w@studio-nexusarch.com (Studio Nexus Architects)

1. Project Location:

City Tax Map: <u>91</u>	Lot: <u>254</u>	Plot: _____	Zoning District: <u>LD</u>
Location (Physical Address of Project): <u>2 Mascoma St. (former Village Market)</u>			

2. Project Description:

Describe the nature of work proposed, in detail: Phased redevelopment of 2-acre parcel
Phase I (immediate) - Construction of a 6 story, 72 unit apt. bldg + 17 car
garage below. Phase II (near future) - Construction of 6 story 75 unit apt. bldg.
Existing Market to be renovated for restaurant/retail. Phase III (long term)
Cost of Project Construction: \$ unknown Demo of existing market & replaced w/

3. Type of Occupancy: (check as appropriate)

Existing	☐ Vacant Lot	☐ One Family	☐ Two Family	☐ Multi Family	☒ Commercial	☐ Industrial	<u>restaurant</u>
Proposed	☐	☐ One Family	☐ Two Family	☒ Multi Family	☒ Commercial	☐ Industrial	

For Commercial or Industrial:

Specific Type of Use (for example: retail, office, industrial, etc.): <u>Restaurant & Retail</u>
Name of Commercial/Industrial Tenant (if known): <u>—</u>

THE UNDERSIGNED OWNER HEREBY REQUESTS A BUILDING/ZONING PERMIT FOR THE ABOVE USE, TO BE ISSUED ON THE BASIS OF THE REPRESENTATIONS CONTAINED HEREIN, INCLUDING ALL NECESSARY SUPPORT STATEMENTS. PERMIT IS VOID IN THE EVENT OF MISREPRESENTATION AND/OR NOT BEING IN COMPLIANCE WITH THE BUILDING CODE, ZONING ORDINANCE, SITE PLAN REVIEW/SUBDIVISION REGULATIONS (IF APPLICABLE) AND OTHER APPLICABLE STATE AND CITY LAWS AND REGULATIONS. CONSTRUCTION IS NOT AUTHORIZED UNTIL PERMIT IS ISSUED.

Property Owner Signature: X Tim Sidore Date: 23 NOV 2021

IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING STATEMENT AND SIGN BELOW. I hereby designate the individual listed as *contact person for project* as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

Property Owner Signature: X Tim Sidore Date: 23 NOV 2021

FOR OFFICE USE ONLY

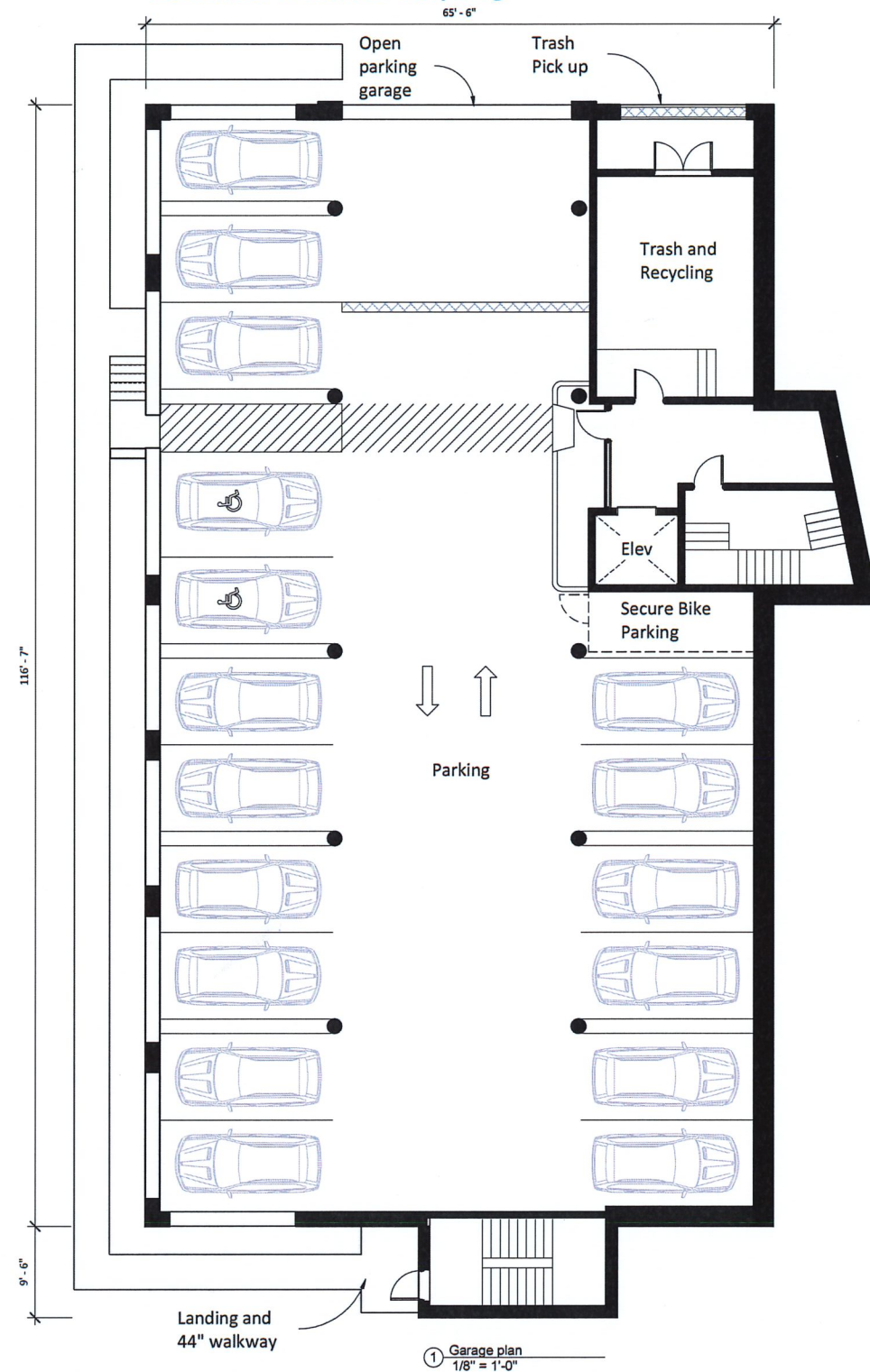
APPROVED - ZONING ADMINISTRATOR: _____ DATE: _____

APPROVED - BUILDING OFFICIAL: _____ DATE: _____

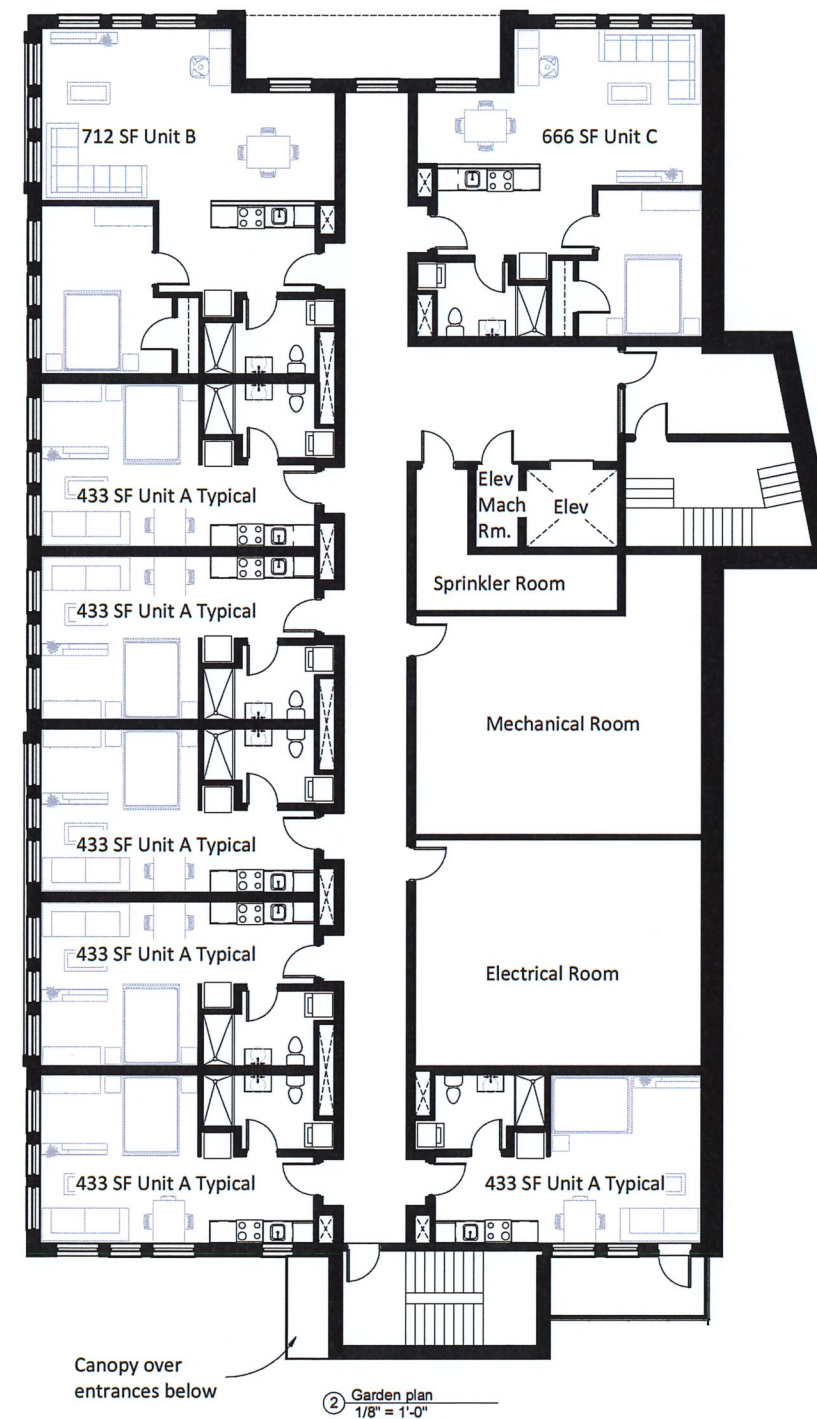
Received <u>11/24/2021</u>	File# _____	Permit# _____	Issued _____
Const. Cost \$ _____	Permit Fee \$ _____	Voucher# _____	Date Paid _____

(Copy provided to Assessing Dept. on _____)

Garage - 8,015 SF
 Parking
 (17) cars
 Secure Bike Parking
 Remainder Trash and Recycling



Garden - 7,850 SF
 8 Units
 (6) Studios
 (2) 1 Bedroom Apartments
 Remainder Mechanical



STUDIO NEXUS
 ARCHITECTS + PLANNERS
 PO Box 275, White River Junction VT 05001
 802 275 5110 | www.studionexusarch.com

Village Market Redevelopment Phased Development



Phase 1 Plans
SD5

November 23, 2021

1/8" = 1'-0"

(11) Studios

(1) 1 Bedroom Apartment
Lobby entry at grade

433 SF Unit A Typical

778 SF Unit D

Plaza

Planter / Retaining wall

Mail

Lobby

Package

Elev

433 SF Unit A Typical

Patio

Fenced in patio with gate, typical of (4)

Planter typical of (4)

433 SF Unit A Typical

Patio

433 SF Unit A Typical

Patio

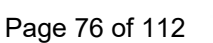
433 SF Unit A Typical

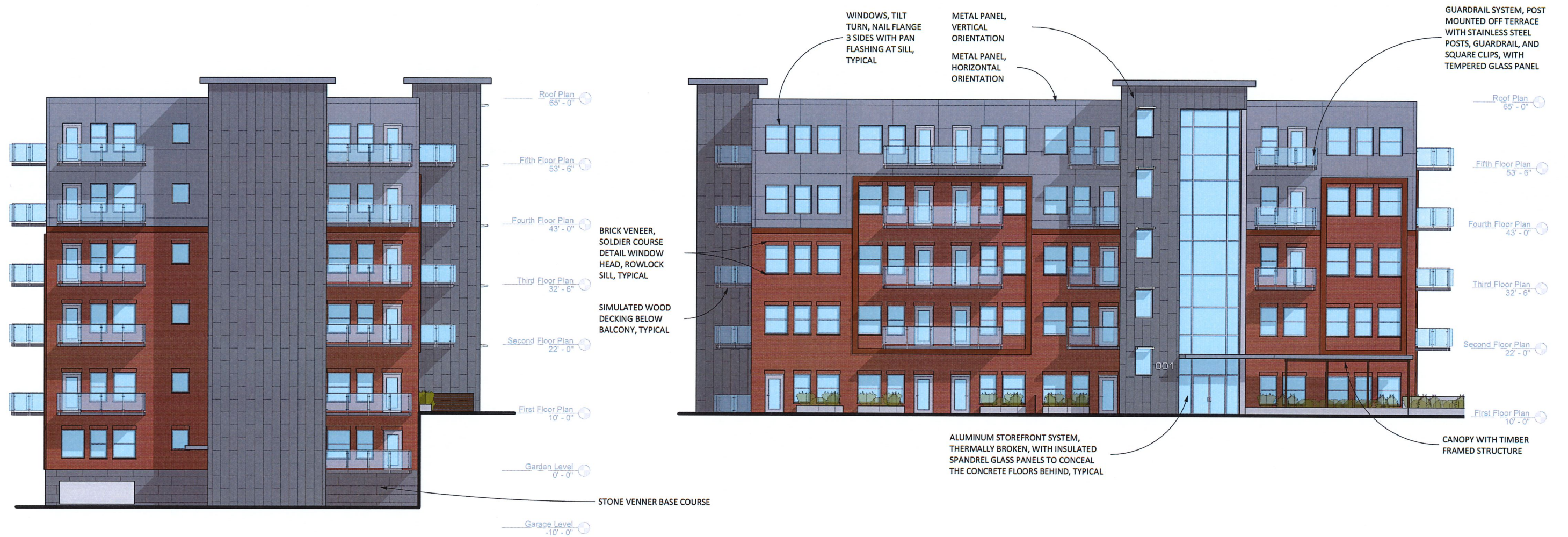
Retaining wall

① First floor plan
1/8" = 1'-0"

The architectural drawing shows a detailed floor plan of a building's second floor. The plan is symmetrical around a central vertical axis. On the left side, there are eight identical units, each labeled "433 SF Unit A Typical". These units are arranged in two columns of four. Each unit contains a living area with a sofa and coffee table, a dining area with a table and chairs, a kitchen with a stove and sink, and a bathroom with a toilet and shower. There is also a bedroom area. On the right side, there are seven units. The top two are labeled "433 SF Unit A Typical". Below them is a larger unit labeled "548 SF Unit E", which includes a staircase leading up and down. This is followed by three more "433 SF Unit A Typical" units at the bottom right. In the center-right area, there is an elevator shaft labeled "Elev" with stairs leading up and down. To the far right, there is a large rectangular area labeled "Balconies at floors above second floor" and a smaller area labeled "Canopy over entrance below". The entire plan is enclosed in a thick black border representing the building's footprint.

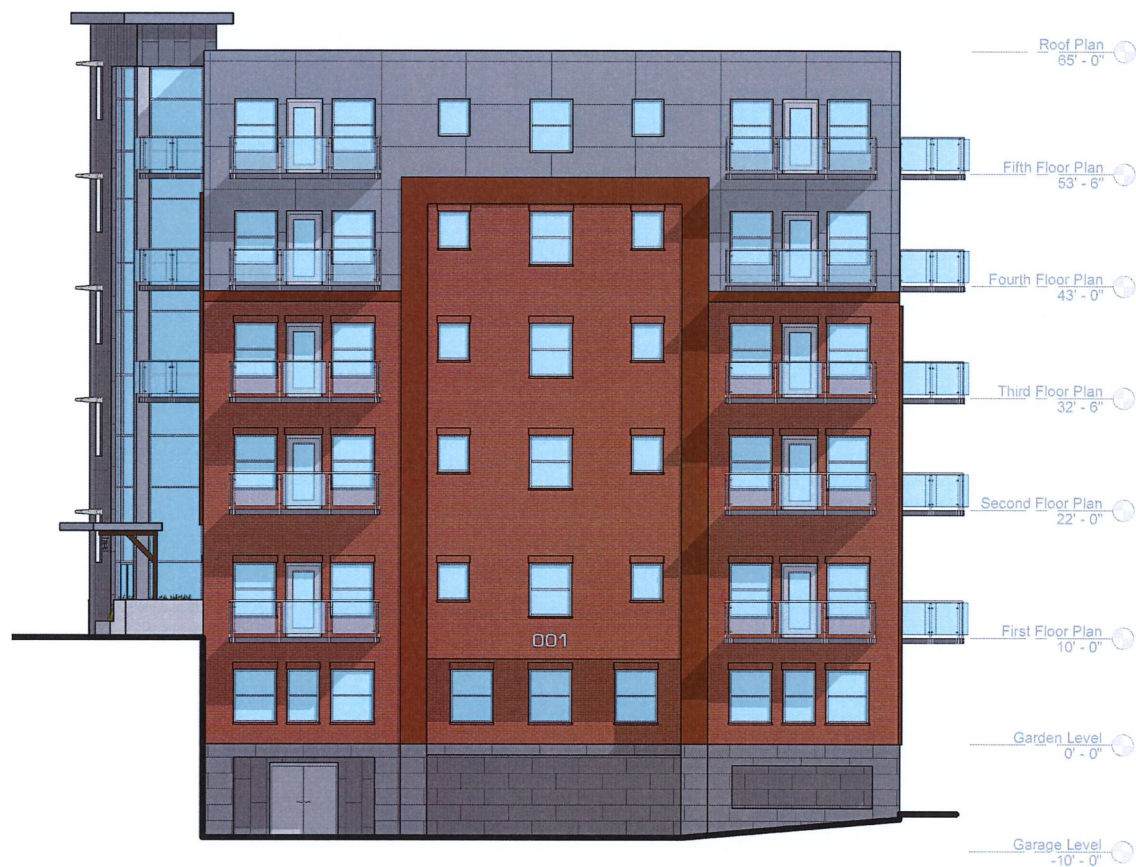
② Second - Sixth floor plans
1/8" = 1'-0"





① East elevation
1/8" = 1'-0"

② North elevation
1/8" = 1'-0"



① West elevation
1/8" = 1'-0"



② South elevation
1/8" = 1'-0"



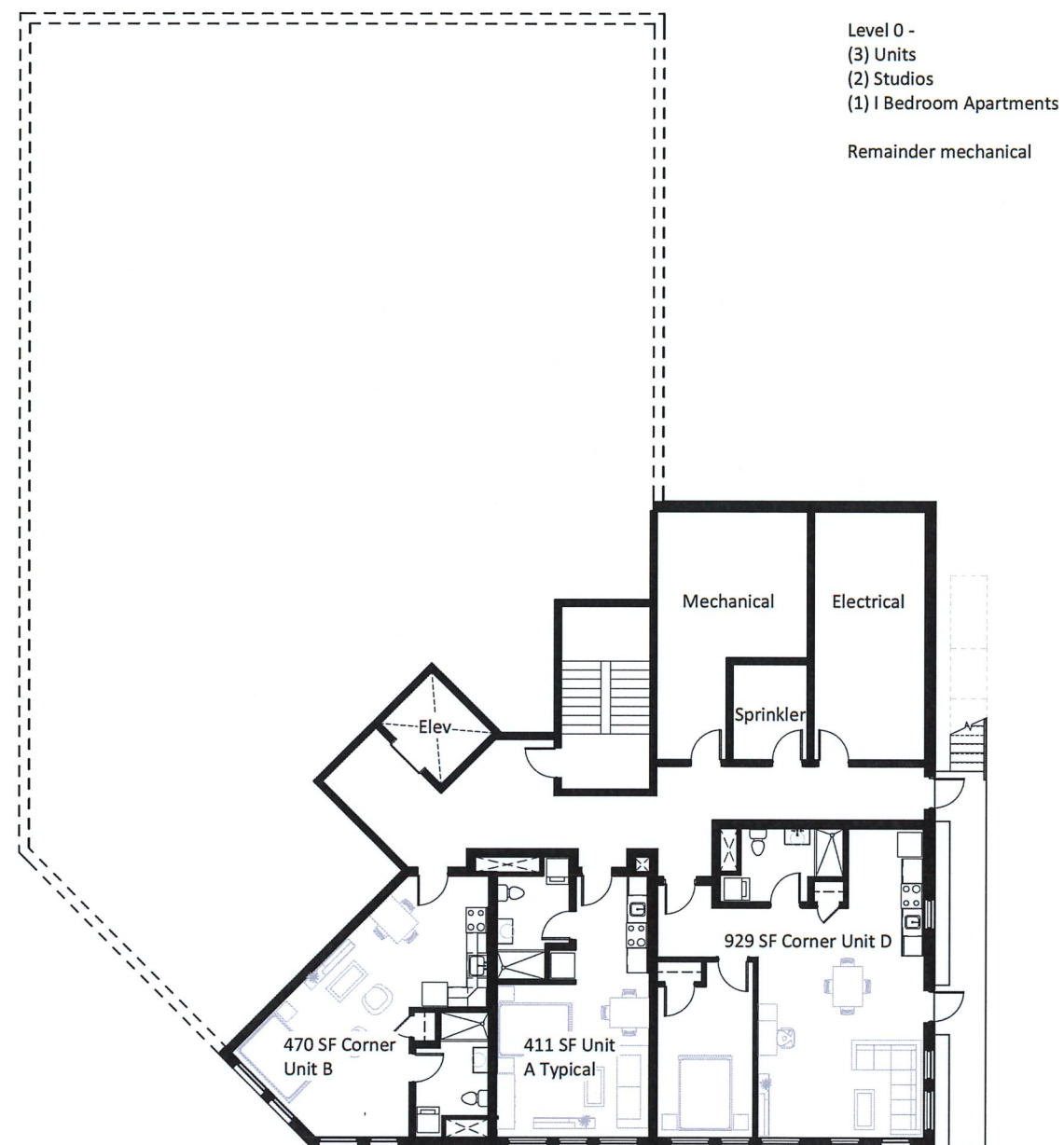
STUDIO NEXUS
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PO Box 275, White River Junction VT 05001
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Village Market Redevelopment Phased Development

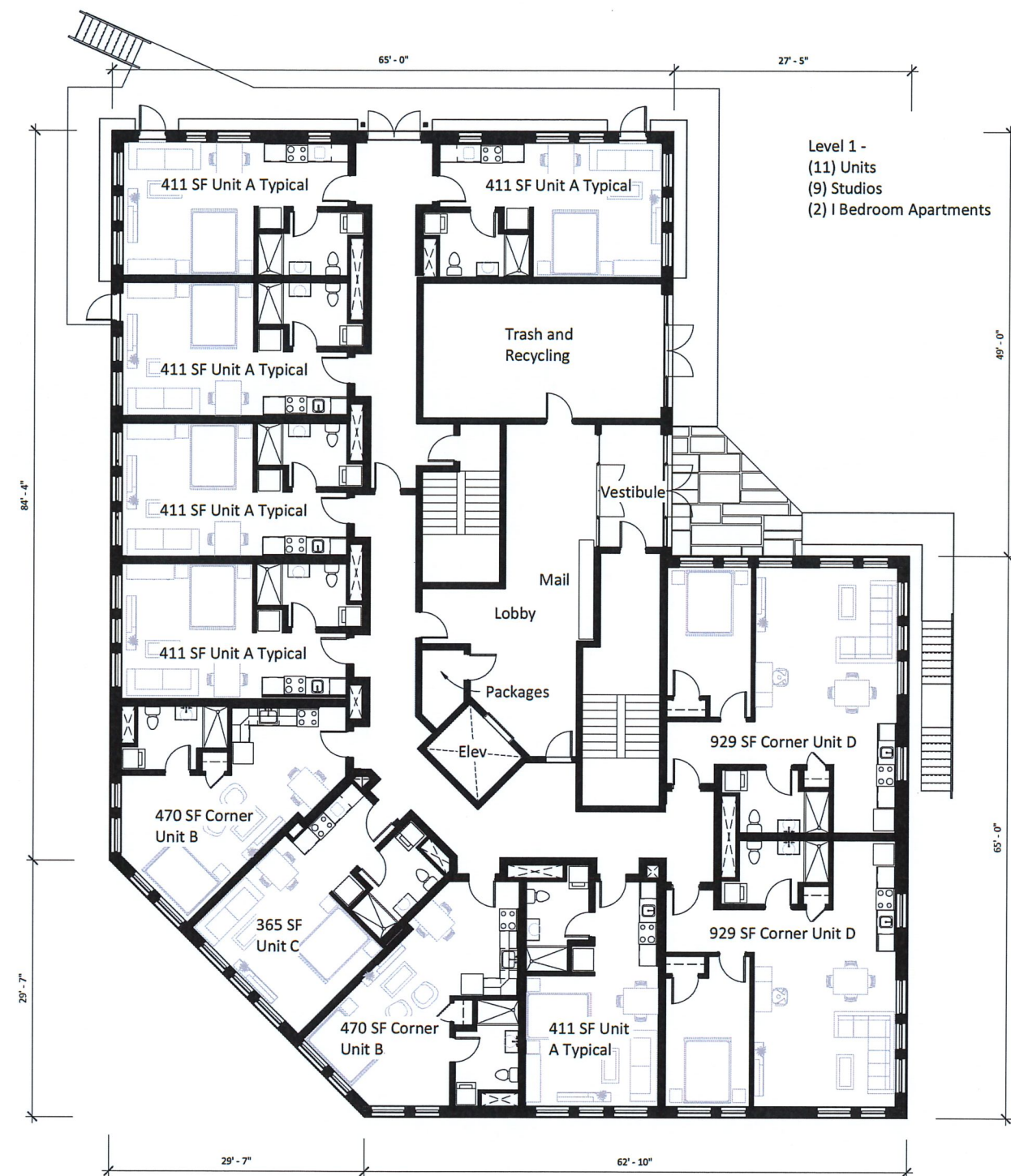
West and South Elevations
SD8

November 23, 2021

1/8" = 1'-0"



① Basement Plan
1/8" = 1'-0"



② Ground floor plan
1/8" = 1'-0"



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Village Market Redevelopment Phased Development

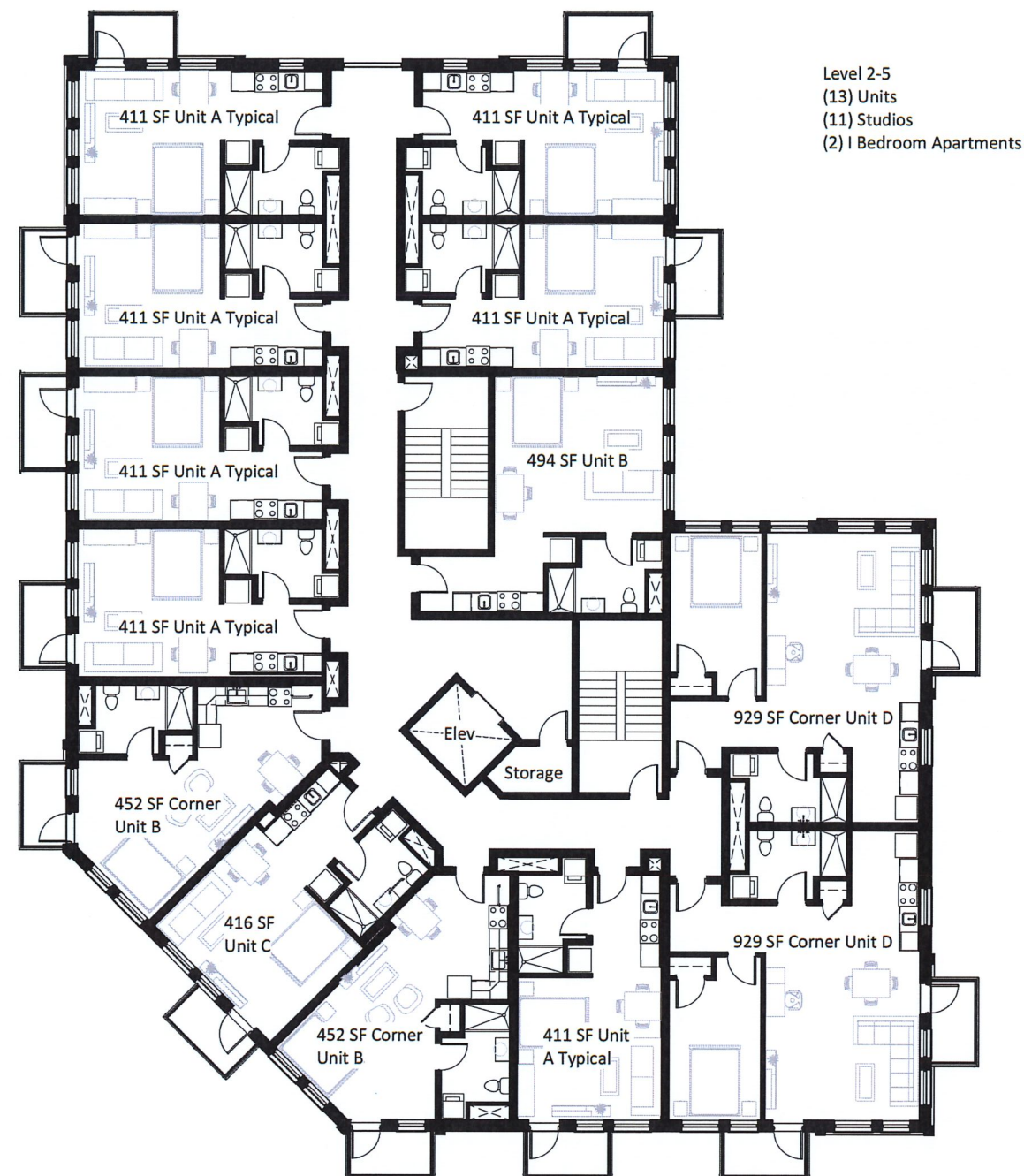


Phase 2 Floor Plans

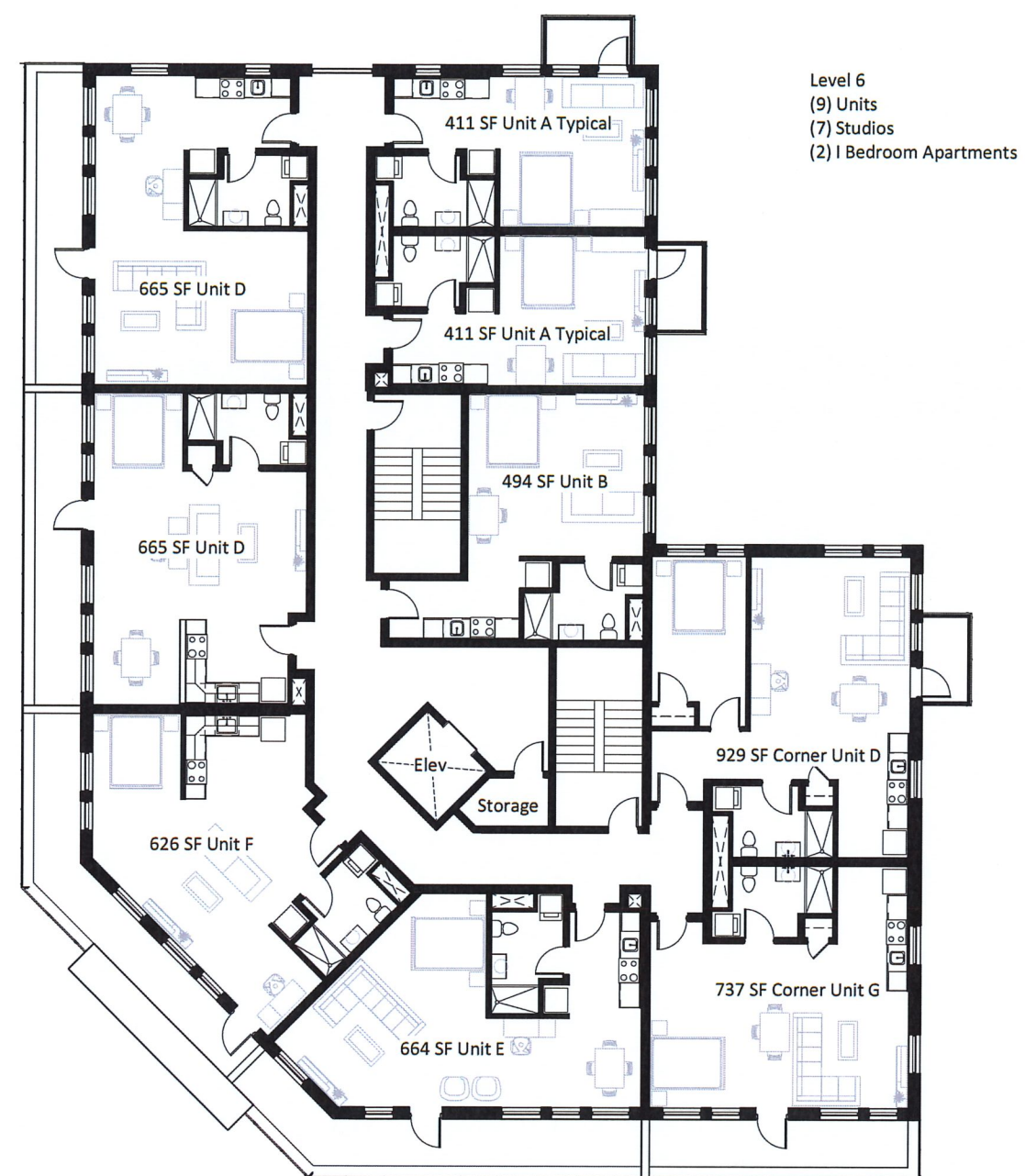
SD9

November 22, 2021

$$1/8'' = 1'-0''$$



① First floor plan
1/8" = 1'-0"



② Sixth Floor Plan
1/8" = 1'-0"



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Village Market Redevelopment Phased Development

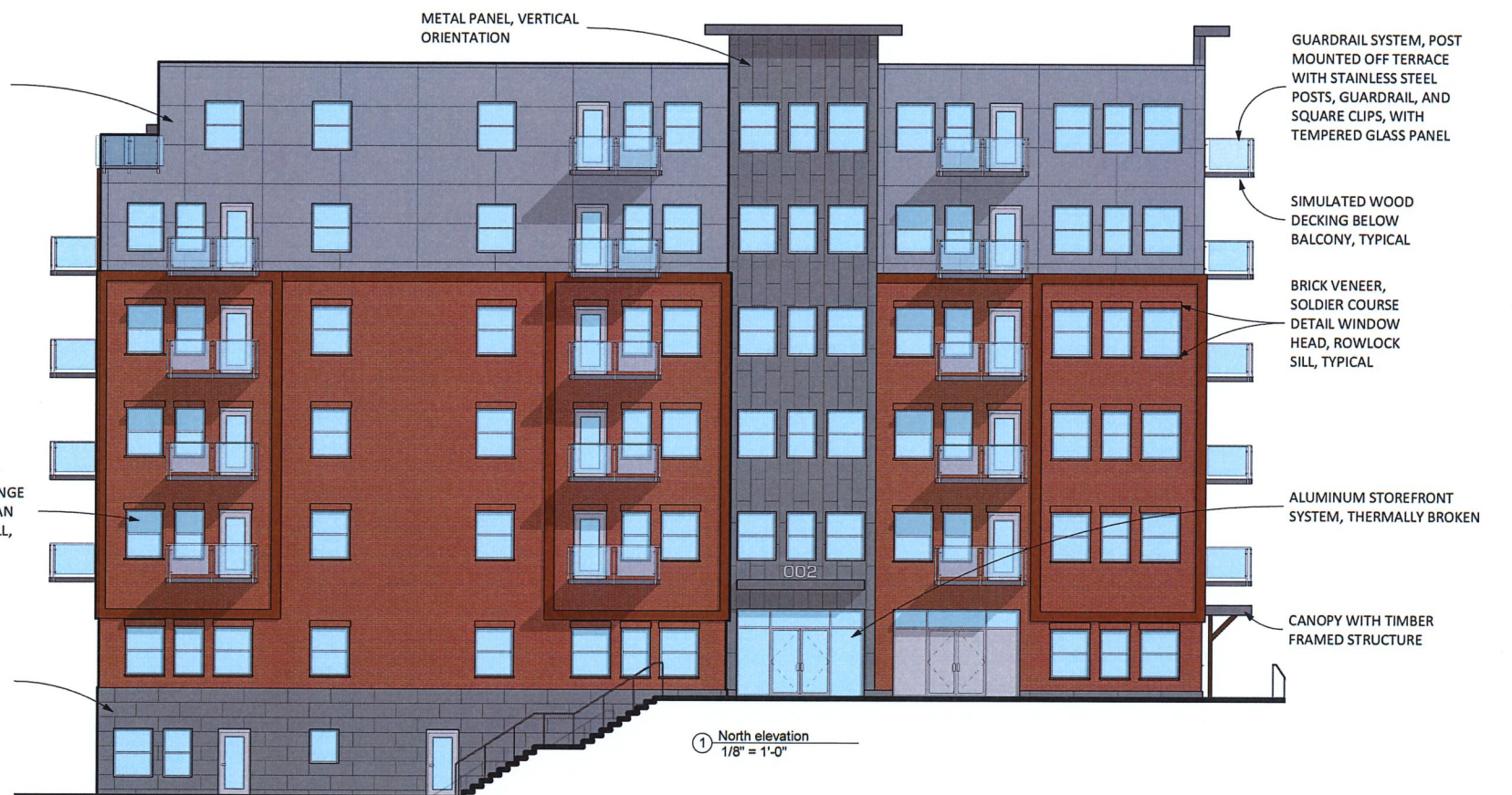


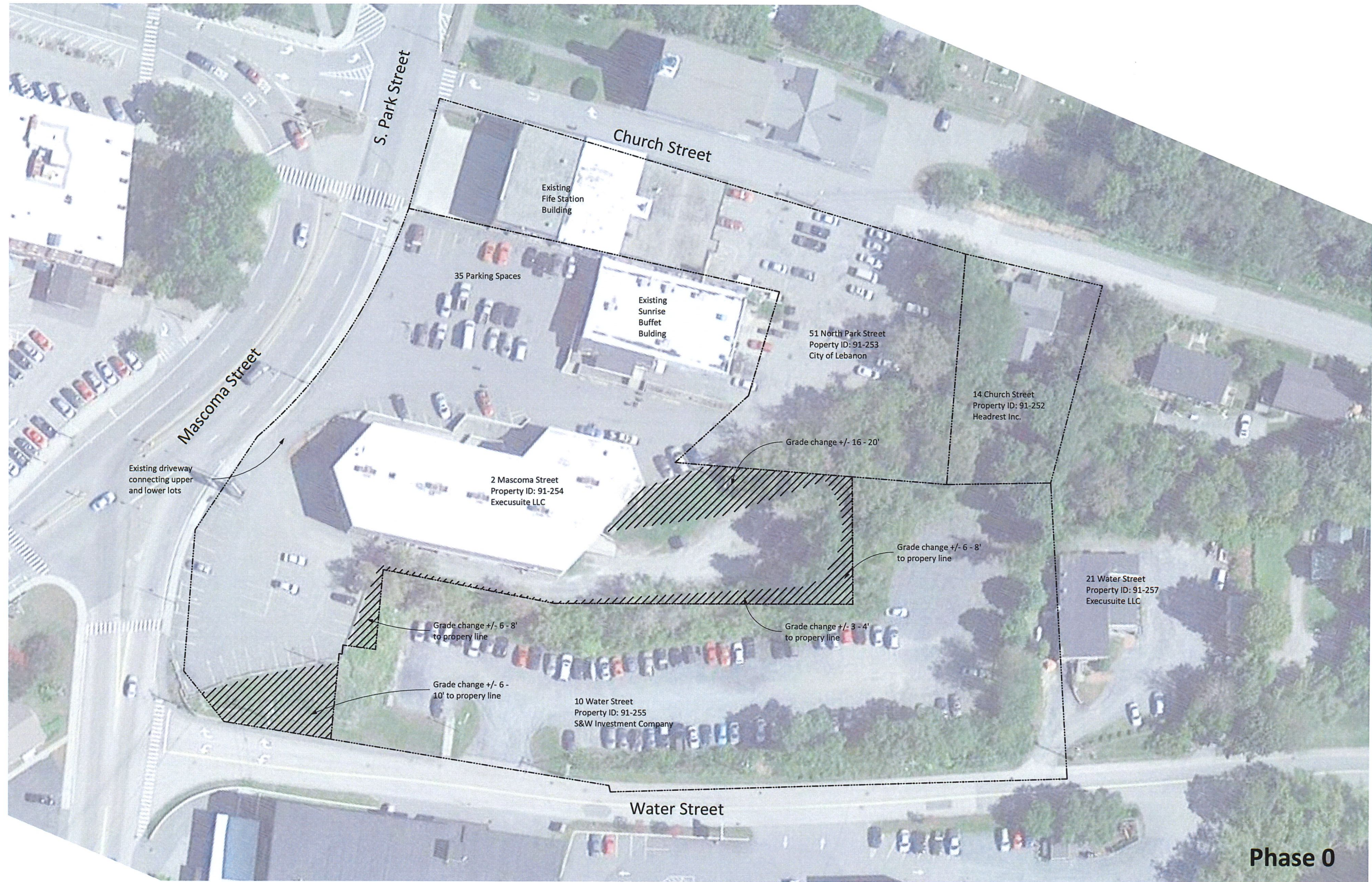
Phase 2 Floor Plans

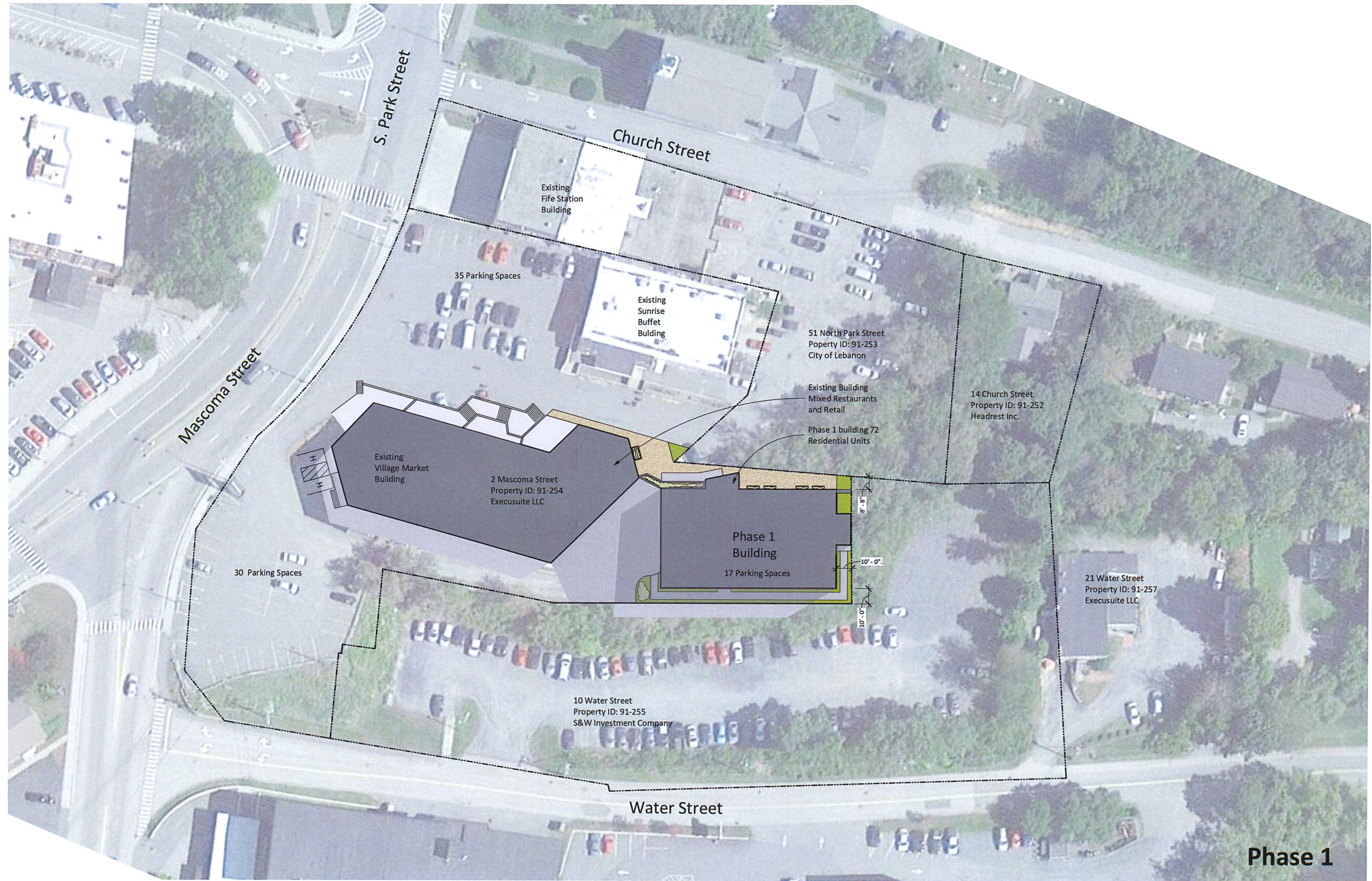
SD10

November 22, 2021

$$1/8'' = 1'-0''$$





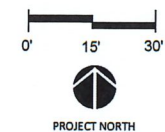


Phase 1



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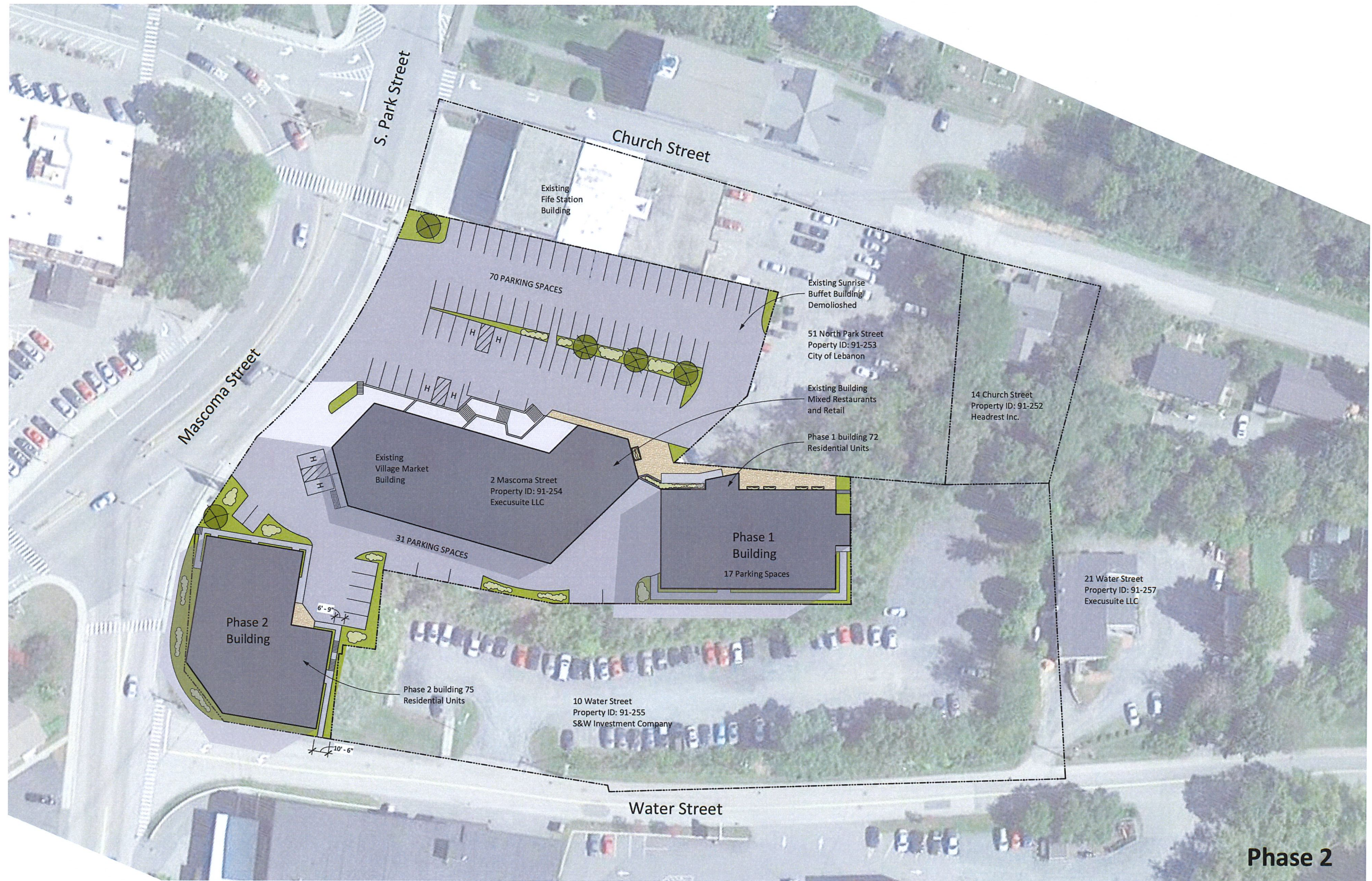
Village Market Redevelopment Phased Development



**Architectural Site Plan
SD1**

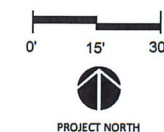
November 23, 2021

1" = 30'-0"



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Village Market Redevelopment Phased Development



**Architectural Site Plan
 SD2**

November 23, 2021

1" = 30'-0"

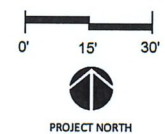


PROJECT NORTH



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Village Market Redevelopment Phased Development



Architectural Site Plan
SD3

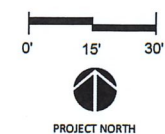
November 23, 2021

1" = 30'-0"



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Village Market Redevelopment Phased Development



Architectural Site Plan
SD4

November 23, 2021

1" = 30'-0"



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Village Market Redevelopment Phased Development

Aerial View
SD12
 November 23, 2021







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Village Market Redevelopment Phased Development

Entry Facade Looking South
SD15

November 23, 2021





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Village Market Redevelopment Phased Development

Mascoma & Water Street Looking North
SD17

November 23, 2021

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #4C
Other Business**

**Edwards Properties, LLC,
9 Pershing Street
(Tax Map 78, Lot 48),
zoned IND-L
PB2021-39-CON**



16 November 2021

Tim Corwin, Planning Office
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Conceptual Site Plan Lot 78-48
9 Pershing Street

Dear Mr. Corwin:

Edwards Properties recently purchased Lots 78-48 and 78-47. Lot 78-48 was previously owned by Hess Maintenance and used as a Contractors yard. Lot 78-47 was a residential site. The new owner demolished the residential structure, merged the lot with 78-48, and extended paving. The owner was not aware that replacing the residential structure with paving required site plan review.

City staff has informed the owner that site plan approval will be required. The site plan application will require a boundary and topographical survey. Both are in progress, and expected in a couple weeks.

The proposed use will be a car wash. This use is allowed by a conditional use permit, done concurrent with site plan review. This proposal does not require zoning board review.

While awaiting the surveys so a formal site plan application, we request that the Planning Board perform a conceptual review to assist us in the process. Please let us know if you need any additional materials to support this request.

Sincerely,

Daniel A. Nash, PE
Principal

Attachments:

- 1-Sketch Plan dated 20Oct21
- 2-Application dated 16Nov21

CC: Edwards Properties, LLC
M:\2021_projects\21-017\plannig_board\concept_16nov21\col_pershing_16Nov2021.docx

City of Lebanon,
New Hampshire



Building/Zoning Permit
Application Form

Property Owner (Owner of Record): Edwards Properties, LLC Tel.#: 603-448-6363
Mailing Address of Owner: PO Box 600, Lebanon, NH 03766 Fax #: _____
Email: jcicotte1@aol.com
CONTACT PERSON FOR PROJECT: Dan Nash Tel.#: 802-356-4928
Mailing Address: 105 Bank St, Lebanon, NH 03766 Fax #: _____
Email: AdvancedGeomatics@comcast.net

1. Project Location:

City Tax Map: <u>78</u>	Lot: <u>48</u>	Plot: _____	Zoning District: <u>IND-L</u>
Location (Physical Address of Project): <u>9 Pershing Street</u>			

2. Project Description:

Describe the nature of work proposed, in detail:

Conversion of existing contractors yard to a car wash, and addition of paved area

Cost of Project Construction: \$ _____

3. Type of Occupancy: (check as appropriate)

Existing	☐ Vacant Lot	☐ One Family	☐ Two Family	☐ Multi Family	☐ Commercial	☒ Industrial
Proposed	☐ Vacant Lot	☐ One Family	☐ Two Family	☐ Multi Family	☐ Commercial	☒ Industrial

For Commercial or Industrial:

Specific Type of Use (for example: retail, office, industrial, etc.): Car wash

Name of Commercial/Industrial Tenant (if known): Volvo Cars of Lebanon

THE UNDERSIGNED OWNER HEREBY REQUESTS A BUILDING/ZONING PERMIT FOR THE ABOVE USE, TO BE ISSUED ON THE BASIS OF THE REPRESENTATIONS CONTAINED HEREIN, INCLUDING ALL NECESSARY SUPPORT STATEMENTS. PERMIT IS VOID IN THE EVENT OF MISREPRESENTATION AND/OR NOT BEING IN COMPLIANCE WITH THE BUILDING CODE, ZONING ORDINANCE, SITE PLAN REVIEW/SUBDIVISION REGULATIONS (IF APPLICABLE) AND OTHER APPLICABLE STATE AND CITY LAWS AND REGULATIONS. CONSTRUCTION IS NOT AUTHORIZED UNTIL PERMIT IS ISSUED.

Property Owner Signature: [Signature] Date: 11/16/21

IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING STATEMENT AND SIGN BELOW. I hereby designate the individual listed as *contact person for project* as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

Property Owner Signature: [Signature] Date: 11/16/21

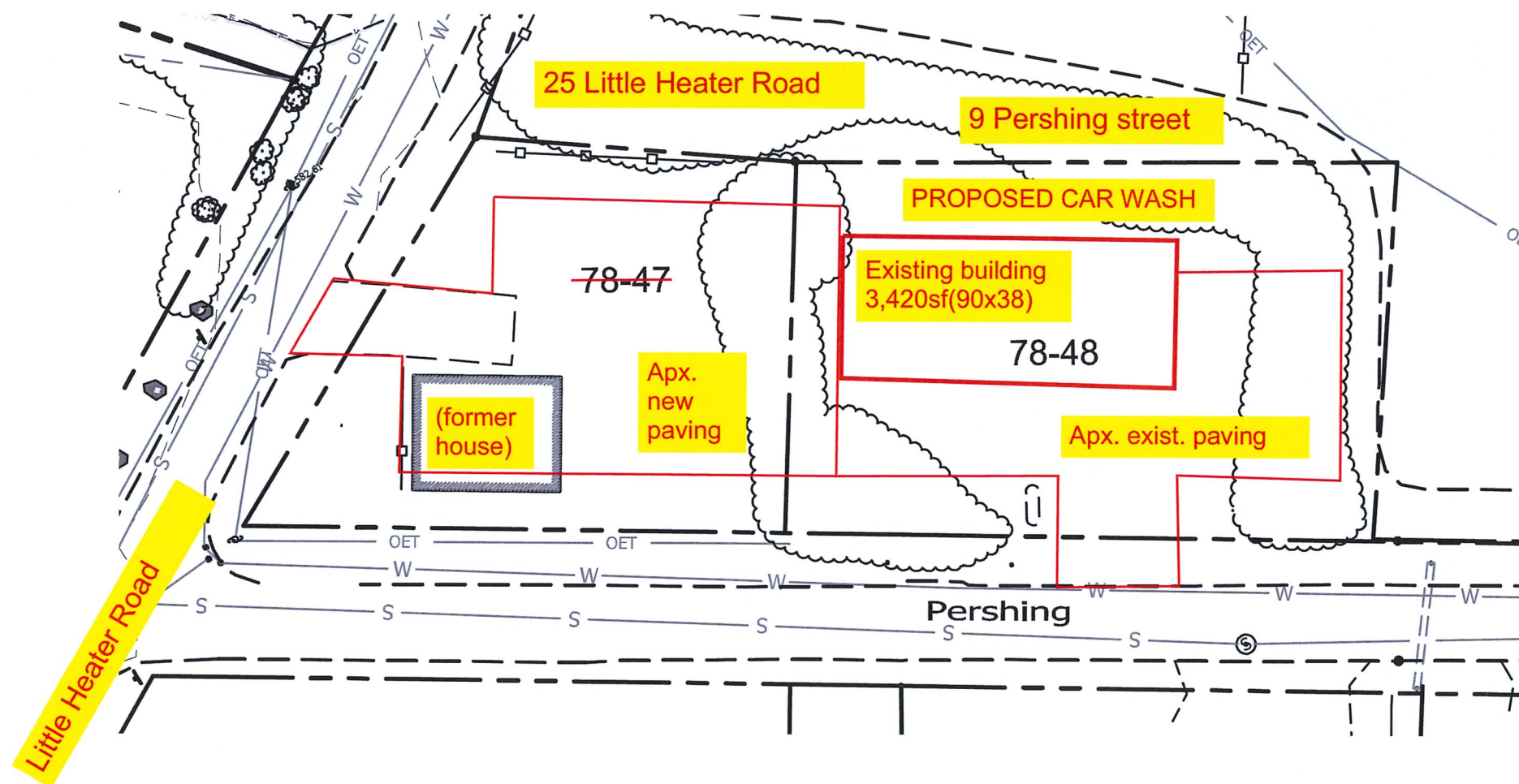
FOR OFFICE USE ONLY

APPROVED - ZONING ADMINISTRATOR: _____ DATE: _____

APPROVED - BUILDING OFFICIAL: _____ DATE: _____

Received <u>11/19/2021</u>	File# _____	Permit# _____	Issued _____
Const. Cost \$ _____	Permit Fee \$ _____	Voucher# _____	Date Paid _____

(Copy provided to Assessing Dept. on _____)



SITE SKETCH
 25 Little Heater Road/9 Pershing street
 AGD/DAN
 20Oct2021
 Scale: 1"=40' (11x17)

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #5A
Approval of Minutes**

November 8, 2021

DRAFT

LEBANON PLANNING BOARD
Regular Meeting
Monday, November 8, 2021, 6:30 PM
City Council Chambers, City Hall
or Remote Via Webex
LebanonNH.gov/Live

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice Chair), Karen Zook (Council Representative), Gregorio Amaro, Kim Chewning, Joan Monroe, Jeremy Rutter, Kathie Romano, Laurel Stavis, Michael Smith (Alt.)

MEMBERS ABSENT:

STAFF PRESENT: David Brooks (Planning Director), Tim Corwin (Senior Planner), Brian Vincent (City Engineer)

1. Call to Order

Chair Garland called the meeting to order at 6:34 PM.

2. Notice of Regional Impact

The following applications were received by the Planning and Development Department on or before November 8, 2021:

Mount Support Development, LLC (applicant) and Sylvia D. Lahaye Revocable Trust & Pat Lumber Jack, Inc. (property owners), 402 & 392 Mount Support Road (Tax Map 24, Lots 9 & 10), zoned R-1: Request for Site Plan Review to construct a proposed 4-building multi-family development consisting of 204 dwelling units, together with parking, utilities, landscaping, access, and other related site improvements. PB2021-33-SPR

SPNH Mount Support, LLC, 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3: Request to amend the approved Site Plan for a 250-unit multi-family development (PB2020-11-SPR) to make changes related to a proposed two-lot subdivision of the property. PB2021-34-SPA

SPNH Mount Support, LLC, 343 Mount Support Road (Tax Map 24, Lot 1), zoned R-1 & RL-3: Request for a Minor Subdivision to create two parcels. PB2021-36-MIN

Mr. Brooks stated that Planning Staff recommends that only the Mount Support Development, LLC application has the potential for regional impact with notification for the Town of Hanover and the Regional Planning Commission.

A MOTION by Matthew Hall that the application of Mount Support Development, LLC (applicant) and Sylvia D. Lahaye Revocable Trust & Pat Lumber Jack, Inc. (property owners), 402 & 392 Mount Support Road (Tax Map 24, Lots 9 & 10), zoned R-1 has the potential for regional impact and the other two applications do not.

The motion was seconded by Jeremy Rutter.

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

2
3 **3. Public Hearing Items**

- 4
5 A. **Jaqueline H. Minard, 78 & 82 Mascoma Street (Tax Map 106, Lot 67 & Tax Map**
6 **106, Lot 67, Plot 70100), zoned R-3: Request for a Minor Subdivision to create two**
7 **parcels. PB2021-31-MIN**

8
9 Mr. Corwin stated that Planning Staff reviewed the application and recommended it was complete enough
10 for the Planning Board to accept jurisdiction and commence review.

11
12 ***A MOTION by Matthew Hall that the application of Jaqueline H. Minard, 78 & 82 Mascoma Street***
13 ***(Tax Map 106, Lot 67 & Tax Map 106, Lot 67, Plot 70100), zoned R-3 is complete enough for the***
14 ***Planning Board to accept jurisdiction and commence review.***
15 ***The motion was seconded by Jeremy Rutter.***

16
17 ****The MOTION was approved (9-0).***

18
19 Christopher Rollins, Surveyor, representing the landowner, Jackie Menard, appeared on behalf of the
20 application. Mr. Rollins gave a history of the ownership of the property. The owner wishes to divide the
21 property to allow the sale of the additional lot.

22
23 Mr. Corwin stated that it is a very straightforward application and is similar to a boundary line
24 adjustment.

25
26 Chair Garland invited public comment. There was none. The public hearing was closed. Several minor
27 issues were clarified.

28
29 ***A MOTION by Matthew Hall*** that the Lebanon Planning Board **APPROVE** the application of Jaqueline
30 H. Minard, for a proposed two (2)-lot Minor Subdivision of 78 & 82 Mascoma Street (Tax Map 106, Lot
31 67 & Tax Map 106, Lot 67, Plot 70100), PB2021-31-MIN, as shown on a plat titled “Subdivision of Land
32 of Jaqueline H. Minard, Trustee,” prepared by Rollins Land Survey, dated September 29, 2021, last revised
33 October 19, 2021, Project 1740-4, including any and all supplemental submissions and testimony provided
34 during the public hearing, with the following conditions to be satisfied prior to the signing and recording
35 of the plat:

- 36
37 1. The applicant shall provide a revised plat depicting the following changes to the satisfaction of
38 the Planning and Development Department:
39
40 a. Change the “Parcel ID” for 82 Mascoma Street to “106-67-100”.
41
42 2. The applicant shall provide a digital record drawing (Cad .dwg format using NH State Plane
43 Coordinate system or an alternative approved by the City’s GIS Coordinator).
44

45 ***The motion was seconded by Laurel Stavis.***

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

47
48 ***A MOTION by Matthew Hall*** that the Lebanon Planning Board authorizes the Chair to sign the Minor
49 Subdivision plat for Jaqueline H. Minard, PB2021-31-MIN, titled “Subdivision of Land of Jaqueline H.
50 Minard, Trustee,” prepared by Rollins Land Survey, dated September 29, 2021, last revised October 19,
51 2021, Project 1740-4, as such plat may be amended in accordance with the Planning Board’s approval.

1 ***The motion was seconded by Laurel Stavis.***

2
3 ****The MOTION was approved (9-0).***

4
5 B. WM C. Solari Jr, Trustee & WM C. Solari Jr. Rev Trust, 60 & 0 Slayton Hill Road
6 (Tax Map 119, Lot 1, Plots 200 & 300), zoned R-3: Request for a Boundary Line
7 Adjustment. PB2021-32-BLA
8

9 Mr. Corwin stated that Planning Staff reviewed the application and recommended it is complete enough
10 for the Planning Board to accept jurisdiction and commence review.
11

12 ***A MOTION by Jeremy Rutter that the Lebanon Planning Board finds the application of William C.***
13 ***Solari Jr, Trustee & William C. Solari Jr. Rev Trust, for a proposed Boundary Line Adjustment between***
14 ***lands located at 60 Slayton Hill Road (Tax Map 119, Lot 1, Plot 200) and 0 Slayton Hill Road (Tax Map***
15 ***119, Lot 1, Plot 300), PB2021-32-BLA, is complete enough to accept jurisdiction and commence review.***

16 ***The motion was seconded by Joan Monroe.***

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

18
19 No one appeared to represent the application. Mr. Corwin explained the nature of the boundary line
20 adjustment.
21

22 Ms. Romano inquired about the notation regarding the septic system. Mr. Corwin confirmed that the
23 stipulation is that the septic system remain on the inhabited portion of the property.
24

25 Chair Garland invited public comment.

26
27 Cindy Taylor, the potential owner of the new lot, appeared to state her intention to purchase the property.
28

29 Chair Garland closed the Public Hearing.
30

31 ***A MOTION by Matthew Hall that the Lebanon Planning Board APPROVE the application of William C.***
32 ***Solari Jr, Trustee & William C. Solari Jr. Rev Trust, for a proposed Boundary Line Adjustment between***
33 ***lands located at 60 Slayton Hill Road (Tax Map 119, Lot 1, Plot 200) and 0 Slayton Hill Road (Tax Map***
34 ***119, Lot 1, Plot 300), PB2021-32-BLA, as shown on a plat titled "Boundary Line Adjustment Survey, Land***
35 ***of William C. Solari Jr. Revocable Trust", prepared by Holt Gilmour Survey Associates, LLC, dated August***
36 ***30, 2021, revised October 22, 2021, including any and all supplemental submissions and testimony***
37 ***provided during the public hearing, with the following conditions to be satisfied prior to the signing and***
38 ***recording of the plat:***

- 39 1. The applicant shall provide verification to the Planning and Development Department demonstrating
40 that the septic system will remain on the 60 Slayton Hill Road property, as adjusted.
41
42 2. The applicant shall provide to the Planning and Development Department a digital record drawing
43 (Cad .dwg Format using NH State Plane Coordinate system).
44
45 3. Within 30 days of the recording of the subdivision plat, the property owner shall provide the
46 Assessing Department with an updated current use plan/map for the subject properties, as applicable.
47

48 ***The motion was seconded by Joan Monroe.***

1
2 Ms. Monroe inquired about Condition #3 regarding the term “applicant” versus the property owner. The
3 condition was amended to read, “...property owner.”
4

5 ****The MOTION was approved (9-0).***
6

7 ***A MOTION by Matthew Hall*** that the Lebanon Planning Board authorizes the Chair to sign the Boundary
8 Line Adjustment plat for William C. Solari Jr, Trustee & William C. Solari Jr. Rev Trust, PB2021-32-BLA,
9 titled “Boundary Line Adjustment Survey, Land of William C. Solari Jr. Revocable Trust”, prepared by
10 Holt Gilmour Survey Associates, LLC, dated August 30, 2021, revised October 22, 2021.

11 ***The motion was seconded by Joan Monroe.***
12

13 ****The MOTION was approved (9-0).***
14

15 **C. Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned**
16 **R-3:** Pursuant to Section 14.1.B.1.c of the Subdivision Regulations, a request for an extension of
17 time to achieve active and substantial development of Phase II of a project identified as Prospect
18 Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect
19 Street, Tax Map 108 Lot 2 (phase 2) and Lot 14 (phase 1). PB2021-02-EXT *The public hearing*
20 *for this application closed on March 8, 2021. The Board denied the extension request and the*
21 *applicant appealed. Pursuant to an Interim Order of the Housing Appeals Board, the public*
22 *hearing will be reopened on November 8, 2021, for the Planning Board’s reconsideration of the*
23 *extension request.*
24

25 Attorney John Cronin and John Rokeh, Engineer with Rokeh Consulting, appeared in support of the
26 application.
27

28 Chair Garland asked for a motion to rescind the motion of March 8, 2021.
29

30 ***A MOTION by Laurel Stavis to rescind the Planning Board Motion of March 8, 2021 to deny the***
31 ***extension for Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3.***
32 ***The motion was seconded by Matthew Hall.***
33

34 Ms. Romano inquired about the impact of the motion. Chair Garland stated that it would cancel the
35 original motion.
36

37 ****The MOTION was approved (9-0).***
38

39 Mr. Cronin stated that the Housing Appeals Board’s interim decision gave some guidance for
40 reconsidering the application. He gave a history and rationale for the extension request and described
41 issues impacting the project. Mr. Cronin stated that construction is anticipated to begin in the spring of
42 2022 if an extension is granted, and the applicant is asking for a one-year extension to achieve active and
43 substantial development, with an expected substantial completion date of 2024.
44

45 Chair Garland inquired about background information regarding Brady Sullivan’s scope of operations.
46 Mr. Rokeh gave the basic details of the number of Brady Sullivan employees and the region in which the
47 company operates. He also described the work that was done to restore the Prospect Hills project when
48 Brady Sullivan took it over. This included the specific work required to complete the infrastructure
49 necessary to begin construction of the Phase One units. Chair Garland asked the applicant to explain what
50 work is necessary to be completed in order for the project to achieve active and substantial development.

1 Mr. Rokeh stated that the site work of blasting, grading, and detention ponds would need to be completed.
2 The sequencing of the work, which would take at least a year, was described using an overview map.
3

4 Chair Garland recalled Attorney Pinard's comment from the prior hearing in March when it was noted
5 that the pandemic caused Brady Sullivan's business to be closed at the end of March 2020. Mr. Hall
6 inquired about the progress of the project just prior to the pandemic closure. Mr. Rokeh explained the
7 work that was in progress and the status of arrangements with subcontractors at that time, adding that
8 there were shortages of staff and materials as far back as 2017.
9

10 Ms. Stavis inquired about the ability to deal with current workforce and material shortages. Mr. Cronin
11 noted that several Brady Sullivan projects competing with the Lebanon project have been completed in
12 the southeastern area of the state thereby freeing up resources to be directed toward the Lebanon project.
13

14 Ms. Stavis inquired if Phase One had to be completed before beginning Phase Two. Mr. Brooks stated
15 that it was not a specific condition of approval.
16

17 Chair Garland stated that there were no permits or subcontractors ready to begin Phase Two in March of
18 2020 when the pandemic caused the shutdown.
19

20 Ms. Chewning inquired about the work that was done in 2019 and what work was scheduled in 2020. Mr.
21 Rokeh stated that the bond was established, and plans were underway to work with Busby Construction
22 Co., but there was no specific date to begin the work.
23

24 Ms. Chewning inquired about any work that had to be cancelled due to the pandemic. Mr. Rokeh stated
25 that Brady Sullivan had to decide what projects were most in need of their limited resources when the
26 pandemic started. Brady Sullivan determined that it had other projects that were more in need, but the
27 bond was maintained for Phase 2 to protect the investment and future work. Mr. Amaro inquired about
28 the deployment of Brady Sullivan's resources to other projects. Mr. Cronin stated that he did not know
29 those details.
30

31 Chair Garland invited further public comment.
32

33 Andrew Diamond, a resident of Prospect Hills Phase One and president of the Board of Directors for
34 Phase One, spoke in support of Brady Sullivan and their efforts to continue the project. He asserted that
35 the under-utilization of the sewer system at capacity has caused serious maintenance issues. This year the
36 system was refurbished for only two of the four pumps, excluding the two needed for Phase Two. Brady
37 Sullivan has agreed to pay for the upgrade of the system when Phase Two moves forward.
38

39 Ms. Romano noted that the Housing Appeals Board instructed the Planning Board to focus on the "good
40 cause and substantial progress" and asked what work would be completed with the extension. She stated
41 that Brady Sullivan previously said that it regretted making the decision to halt work in Lebanon. Mr.
42 Cronin stated that with the amount of the investment to date on the bonds and premiums, Brady Sullivan
43 has demonstrated the intention to continue the project. Making them start over with the project application
44 would cause major delays and substantial cost.
45

46 Mr. Hall stated that he would like to know how Brady Sullivan was considering the project in January of
47 2020. Mr. Cronin stated that Brady Sullivan is interested in protecting their investment. Mr. Rokeh added
48 that resources have been deployed to Lebanon all along. Mr. Cronin noted the carrying costs of the bond,
49 which have been substantial.
50

1 Ms. Stavis inquired why no work was done on Phase Two when the completion of Phase One was not
2 required to begin that work. Mr. Rokeh stated that only Mr. Brady or Mr. Sullivan could confirm what the
3 plan was for work on Phase Two. He added that the Alteration of Terrain Permit was received in March
4 of 2021.

5
6 Chair Garland asked whether it was appropriate to consider a straw poll of the Board to assist with the
7 preparation of a draft motion for the next meeting. Mr. Brooks stated that staff originally thought the
8 public hearing would be closed by the end of tonight's meeting and that guidance for drafting a decision
9 would be useful. However, he noted that the Board had asked the applicant to provide additional
10 information for the next meeting, so it would be premature to consider a straw poll before the Board had
11 received and considered that information. Mr. Brooks suggested that if the Board still has more questions,
12 this would be the time to ask for any additional information.

13
14 Chair Garland stated that it would be most helpful to know what plans were in place in 2020. Mr. Rutter
15 asked when Brady Sullivan became aware of issues with the pump station. Mr. Cronin stated that he
16 would make a note to get that information.

17
18 Ms. Romano asked for clarification of Brady Sullivan's offer to pay for the upgrade of the sewage
19 system. Mr. Brooks stated that Brady Sullivan will have to cover the cost if they receive the extension
20 since the system was designed and sized to accommodate both phases.

21
22 Ms. Stavis referenced a recent article that noted that there is a severe housing shortage in New
23 Hampshire, but Lebanon is not listed as one of the communities contributing to that shortage because of
24 strict regulations.

25
26 Matthew McKenney of 90 Mountain View Drive in the Prospect Hills Community stated that the sewage
27 pump was in place when Brady Sullivan took over the project, and it was designed to support both Phase
28 One and Phase Two. The burden of cost was shared by members of the community, and Brady Sullivan
29 paid its portion for the units they owned. Mr. McKenney added that Brady Sullivan has been actively
30 engaged in correcting the problem. The community remains concerned about the pump and the large
31 expense involved. Mr. Rokeh stated that Brady Sullivan had to upgrade the pump station when they took
32 over the project, as the original pump was rotted out due to inadequate usage.

33
34 Chair Garland invited any additional public comment. There was none.

35
36 Mr. Hall asked for the full scope of the issues to be considered for "good cause." Mr. Cronin detailed the
37 issues and stated that he would get the specific details from one of the owners of Brady Sullivan. Ms.
38 Romano inquired about the future responsibility for the pump station if the extension is not approved. Mr.
39 Brooks stated that the homeowners' association would be maintaining it as their responsibility. Mr.
40 Cronin noted that Brady Sullivan does own some units in Phase One and would pay their pro rata portion.

41
42 ***A MOTION by Laurel Stavis to continue the hearing until November 22, 2021, at 6:30 PM.***
43 ***The motion was seconded by Gregorio Amaro.***

44
45 ****The MOTION was approved (8-1). Mr. Hall voted against.***

46
47 **4. Other Business**

48
49 **5. Approval of Minutes**

50
51 A. October 12, 2021

Page 3, line 6, to read, "...would be outfitted with sprinklers..."

A MOTION by Kathie Romano to approve the Planning Board minutes of October 12, 2021, as amended.

The motion was seconded by Jeremy Rutter.

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

6. Adjournment

A MOTION by Matthew Hall to adjourn the meeting.

The motion was seconded by Kim Chewning.

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

The meeting was adjourned at 8:40 PM.

Respectfully submitted,

Holly Howes

Recording Secretary

**Agenda
Planning Board
December 13, 2021**

**Agenda Item #5B
Approval of Minutes**

November 22, 2021

DRAFT

LEBANON PLANNING BOARD
Work Session
Monday, November 22, 2021, 6:30 PM
City Council Chambers, City Hall
or Remote Via Webex
LebanonNH.gov/Live

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Karen Zook (Council Representative), Gregorio Amaro, Kim Chewning, Joan Monroe, Kathie Romano, Laurel Stavis

MEMBERS ABSENT: Jeremy Rutter, Michael Smith (Alternate)

STAFF PRESENT: David Brooks (Planning Director), Tim Corwin (Senior Planner)

1. Call to Order

Chair Garland called the meeting to order at 6:30 PM.

2. Public Hearings

- A. **Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3:** Pursuant to Section 14.1.B.1.c of the Subdivision Regulations, a request for an extension of time to achieve active and substantial development of Phase II of a project identified as Prospect Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect Street, Tax Map 108 Lot 2 (phase 2) and Lot 14 (phase 1). PB2021-02-EXT *The public hearing for this application closed on March 8, 2021. The Board denied the extension request and the applicant appealed. Pursuant to an Interim Order of the Housing Appeals Board, the public hearing was reopened on November 8, 2021, for the Planning Board's reconsideration of the extension request. - Continued from November 8, 2021*

Attorney John Bisson and Engineer John Rokeh of Rokeh Consulting appeared in support of the application. Attorney John Cronin joined the meeting remotely.

Mr. Rokeh addressed a number of the Board members' concerns expressed at the November 8, 2021, meeting. In late 2019 and early 2020, Brady Sullivan was considering how to mobilize to get people to the Lebanon site. There were no site disturbance issues, but many other open Brady Sullivan sites in New Hampshire and other states did have significant issues. Mr. Rokeh stated that Brady Sullivan was doing all it could to make sure approvals stayed in place. The Alteration in Terrain was in place, and all permits and the wildlife report were also obtained. In his view, the existing plan could still be approved and could even handle more density with the zoning remaining the same. Other contractors were not available for sitework, and Brady Sullivan could not begin obtaining quotes. Busby Construction was contacted to see if they were available now, and they have worked on lining up contractors. All arrangements depend upon the extension to finalize plans. Brady Sullivan has been working out a potential schedule of milestones with the Planning Department and would begin work immediately with approval of the extension. The sewer pump station would work more efficiently if more units were online.

1 Mr. Cronin discussed the proposed benchmarks set for the project.

2
3 Mr. Brooks described the scope of the rehearing set by the Housing Appeals Board. If the Board decides
4 Brady Sullivan has not established “good cause,” it can still decide against the extension. All information
5 from the rehearing process will go back to the Housing Appeals Board. If the Housing Appeals Board
6 believes the applicant has demonstrated good cause, it can overrule the Planning Board with no further
7 input from the City. As an alternative, establishing specific benchmarks the applicant must meet could
8 avoid being overruled by the Appeals Board. Staff has considered some possible benchmarks and
9 reviewed them internally and with the applicant.

10
11 There was an issue with Mr. Cronin’s microphone, and he communicated his remarks in writing to Mr.
12 Rokeh, who shared them with the Board. Mr. Cronin stated that incurring the \$8 million cost of
13 infrastructure without any income is a very difficult situation. The first portion of Phase Two would be
14 the entrance to the first main intersection of townhomes, with some potentially coming online in 2022.

15
16 Mr. Brooks stated that the extension could be broken into specific phased segments once more
17 information is gathered from the applicant.

18
19 With a waiver of Section 14.4.A, the applicant can build as they go and sell as they go, but it would still
20 be one approval

21
22 Ms. Monroe commented that the phasing of Phase Two is difficult to understand.

23
24 Ms. Romano inquired if it would be possible to give a one-year extension with specific, measurable
25 progress.

26
27 Mr. Hall stated that it is important to poll the Board members to see if they believe the applicant has
28 satisfied the “good cause” measure.

29
30 Ms. Stavis noted that Mr. Cronin presented a one-year extension, but now it is back to two years.

31
32 Mr. Bisson stressed the importance of having enough time to complete the work. Ms. Stavis inquired
33 about the length of the active work with Busby. Mr. Rokeh outlined a draft schedule, stating that all plans
34 would be finalized by the end of January 2022. All permits would be in place by February of 2022, with a
35 third party to supervise the inspection schedule established by March 2022. Site work would commence
36 by 4/15/2022. A construction report would be filed by 11/1/2022.

37
38 Chair Garland brought up the issue of the upgrade of the pump station. Mr. Rokeh stated that there must
39 be additional flow into the pump station to make it work properly, which would require more units. Chair
40 Garland suggested crafting a condition to ensure that Brady Sullivan would upgrade the pump station and
41 assist the owners in Phase One. Mr. Rokeh stated that the pump station is designed for 174 units, but
42 currently there are only 56 using it. Mr. Cronin stated that the Housing Board would extend the timeframe
43 for the rehearing if progress were being made toward an agreement. Ms. Chewning inquired if there is a
44 way to make the pump station work with the current number of units. Mr. Rokeh stated that it is an
45 enormous pump station that would have to be divided somehow. He added that there is no easy way to
46 accomplish that. In 2011, the pump station was being pumped as a septic system rather than a pump
47 station when Brady Sullivan took over the project and dealt with the pump station.

48
49 Chair Garland invited public comment. There was none.

1 Chair Garland stated that the notion of phases would make the project more manageable and assist the
2 current owners of Phase One. Mr. Hall explained that he voted against the extension last spring, because
3 the project was not explained in such detail. The Housing Appeals Board has provided a structure for
4 reconsideration in terms of “good cause.” The new testimony makes it difficult to decide against good
5 cause. In his opinion, an extension is probably an appropriate action given the impact of the pandemic and
6 other testimony.

7
8 Ms. Romano spoke in favor of a phased presentation for the project and going forward. Timelines and
9 benchmarks would be important and continuing the discussion in December would be possible.

10 Mr. Amaro expressed his view that breaking down the project into segments would be best with a
11 proposal from the applicant with specific details.

12 Ms. Monroe noted that in 2018 the applicant was seeking road contractors, and the contractor from Phase
13 One is unknown. Mr. Brooks stated that the original owners were the contractors for Phase One and
14 Brady Sullivan took over around 2011 and moved quickly to complete the units in Phase One by 2014.
15 Mr. Rokeh noted that Phase One was done by 2016.

16
17 Ms. Monroe observed that the staffing and supply have turned a corner well enough to allow for progress
18 to occur by granting an extension, but phasing would be very difficult to predict and accomplish.

19 Ms. Stavis expressed that the challenges Brady Sullivan is facing are like what other contractors are
20 facing in terms of labor and material shortages. She would be in favor of having another conversation to
21 review a plan of what to expect to be completed. Ms. Chewing noted that finding road contractor seemed
22 to center on only Busby. Mr. Rokeh stated that there were other contractors being considered.

23
24 Mr. Bisson inquired if there was good cause to ask for an extension. Good faith would be a matter for the
25 future. Chair Garland noted that the Board still has questions.

26
27 Ms. Zook stated that moving toward a phased project would be a good outcome. Chair Garland
28 summarized that most of the Board was in favor of considering the extension upon an agreement on a
29 phased project with specific commitments on progress. Ms. Stavis suggested that the hesitancy is over the
30 many factors involved, and the Phase One homeowners’ association is in a difficult situation with the
31 contractor owning half of the homes making a well-informed decision important.

32
33 Ms. Zook inquired what the logistics would look like moving forward. Mr. Brooks stated that the project
34 could move forward with a phasing plan, which the Board could approve. Ms. Romano inquired if a
35 phased project would reduce the carrying cost of the bond. Mr. Brooks stated that performance security
36 would be held only for the active phase.

37
38 Chair Garland inquired if December 13, 2021, would allow enough time for creating a phasing plan. Mr.
39 Rokeh confirmed that it would be possible. Mr. Brooks stated that Planning Staff may need to re-notice
40 this hearing as a separate hearing, but they will explore the best way to accomplish it, and it would be
41 done as quickly as possible. Ms. Monroe commented on the proposed plan with a gap from April to
42 November without any updates and suggested additional checkpoints would be necessary.

43
44 Ms. Chewing noted that the question of “good cause” has been ignored with the discussion of a phased
45 plan. Chair Garland stated that the previous discussion of Rock Ridge and “good cause” showed that the
46 Board did a poor job of determining it with Rock Ridge. Ms. Romano observed that a path forward would
47 be acceptable to the Housing Appeals Board. Mr. Brooks stated that the only way to grant an extension
48 implies a finding of “good cause”. That is the standard set forth in the Board’s regulations. The Housing
49 Appeals Board will review all the information from the applicant and the meeting minutes to determine if
50 good cause was demonstrated. There should be a finding of “good cause” by the Planning Board with an
51 explanation of the determination and the reasons identified. Ms. Stavis stated that in State Law there is no

1 definition of “good cause”. Mr. Brooks stated that it was defined by the Housing Appeals Board as to
2 what can and cannot be considered to determine “good cause.”

3
4 Chair Garland polled the Board regarding the determination of “good cause”. The Board was divided
5 among needing more information, wanting to move forward, and citing the pandemic as good cause.

6
7 Mr. Brooks commented on “good cause,” and suggested the attorneys could meet to determine if there is
8 a way to move forward that doesn’t involve a “good cause” determination by the Board. Ms. Monroe
9 suggested a statement that regardless of good cause, the Board is in favor of finding a way of moving
10 forward with a phased plan. Mr. Hall stressed the need for a decision on whether there is good cause for
11 an extension.

12 Mr. Bisson stated that the Housing Appeals Board would not interfere if the Board approved an
13 extension. If the extension is not approved, the case goes back to the Housing Appeals Board. If the
14 project goes forward, the Housing Appeals Board has nothing more to say.

15
16 Chair Garland suggested continuing the discussion of changing from a single project to a phased project
17 on December 13 and then deciding on the extension. Mr. Corwin added that depending on the outcome of
18 a straw vote on moving forward, staff would work with the applicant and discuss with legal counsel to
19 draft a formal motion with certain conditions for consideration at the December meeting. Mr. Brooks
20 noted that there was no information to prepare a motion for tonight’s meeting.

21
22 The Board members discussed various aspects and methods of moving forward.

23
24 Chair Garland conducted a poll of the members regarding whether there was good cause to move forward
25 with the application process for Brady Sullivan.

26
27 In favor of moving forward – 6

28 Against moving forward – 2

29
30 ***A MOTION by Laurel Stavis to continue the rehearing of Brady Sullivan Prospect Hills, LLC, 0***
31 ***Prospect Street (Tax Map 108, Lot 2), zoned R-3 to December 13, 2021, at 6:30PM.***

32 ***The motion was seconded by Joan Monroe.***

33
34 ****The MOTION was approved (8-0).***

35 36 37 **3. Committee Reports**

38 39 **A. City Council Subcommittees:**

40 --Class VI Roads Advisory Committee (J. Monroe) – The committee is taking a break until February.

41 --Lebanon Energy Advisory Committee (J. Monroe) – The committee did not meet this month but will
42 meet in December.

43 44 **B. Planning Board Subcommittees:**

45 --Planning Board Capital Improvement Program (B. Garland/L. Stavis/M. Hall/K. Chewning)

46 --Planning Board Development Regulations Update (M. Hall/K. Romano/J. Rutter/ J. Monroe)

47
48
49 ***A MOTION by Matthew Hall to extend the meeting to 10:00 PM.***

50 ***The motion was seconded by Joan Monroe.***

1 ****The MOTION was approved (7-1). Matthew Hall voted against.***

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5 **C. Other Subcommittees:**

6 --City Council Representative (D. Whittlesey/K. Zook)

7 --Heritage Commission (J. Rutter)

8 --Pedestrian & Bicyclist Advisory Committee (G. Amaro)

9 --Upper Valley Lake Sunapee Regional Planning Commission (B. Garland)

10 --UV SubCommittee of the Connecticut River Joint Commissions (B. Garland)

11 --Upper Valley Transportation Management Association (VACANT)

12 --Mascoma River Local Advisory Committee (K. Romano)

13 --Steering Committee for the Implementation of the Master Plan (B. Garland/K. Chewning /VACANT/J. Monroe)

14 --West Lebanon Revitalization Advisory Committee (L. Stavis)

15 --Planning & Development Department – Task Status (D. Brooks/ M. Goodwin/T. Corwin/R. Owens)

16
17
18 Chair Garland commented on issues raised by Sarah Riley regarding the park next to the bridge to WRJ. Mr. Brooks stated that too much vegetation clearing occurred inadvertently, and a mitigation plan is being prepared by the City for submission to NHDES. Ms. Chewning, who lives near the bridge, noted that there is trash and poison ivy and appreciated the work that was done. She stated there was nothing to cause an environmental issue. Mr. Brooks commented on the State's shoreland regulations and described the grid system used for evaluating the vegetation, trees, and ground cover. There is a need to maintain certain coverage and replant areas that don't meet the coverage level, but there is no obligation to replant the same species.

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28 **4. Other Business**

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30 **A. Review of Zoning Amendments**

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32 Mr. Corwin opened the discussion of the draft zoning amendments, which the Board began reviewing in September. The Board members received clarification on the several items. There was discussion of the amendment regarding rezoning the West Lebanon Central Business District to match the Lebanon Downtown District (LDD). Ms. Stavis shared the comments of the West Lebanon Revitalization Advisory Committee and noted that no bank today will give a loan to an eating business without a drive thru. She observed that times have changed, and people expect drive-thru services and having things delivered to them in their cars. She questions if adopting the LDD zoning would put brakes on future development in West Lebanon by imposing the downtown district limitations. Mr. Brooks shared comments in an email from architect Dan Winny regarding urban design and planning issues, and his comments will be shared with both the advisory committee and Planning Board. Mr. Winny stated that drive thru's don't make a downtown better, they take up space and are not necessarily useful for creating an enticing pedestrian environment. Things can be delivered to people in cars without a drive thru. The Board making a motion would be helpful, stating support with certain exceptions.

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46 Ms. Romano commented on the 3 Seminary Hill property and the need for a motion to change the zoning back to R-2 if the City was not going to use the property for the Recreation Department offices.

47
48
49 ***A MOTION by Joan Monroe to change the zoning of #3 Seminary Hill and #5 South Main in West Lebanon from CBD to R-2.***

50
51 ***The motion was seconded by Kathie Romano.***

1
2 ****The MOTION was approved (6-1-1). Mr. Hall voted against, and Karen Zook abstained.***
3

4 Mr. Amaro noted that the public should be engaged in the drive thru discussion. Ms. Zook inquired if it
5 could be on the ballot in March. Mr. Brooks said the Council has that authority. Ms. Romano suggested
6 that since people haven't had a chance to hear about it, the Board should keep the zoning as it is now until
7 the public can discuss it. Ms. Stavis observed that the LDD was intended for the older part of Lebanon
8 and the park, but West Lebanon is different. There is a need for public input and discussion of the issue of
9 drive thru's. Mr. Hall suggested the two downtown areas could have the same zoning and rules, noting
10 that the regulations would change over time. From a policy standpoint, treating them by same rules would
11 provide consistency, and the City Council should debate it.

12 Chair Garland commented that the zoning amendments are fine except having the LDD applied to West
13 Lebanon.
14

15 ***A MOTION by Joan Monroe to extend the meeting to 10:10PM.***
16 ***The motion was seconded by Kathie Romano.***
17

18 ****The MOTION was approved (7-1). Matthew Hall voted against.***
19
20

21 ***A MOTION by Joan Monroe that the Planning Board supports the proposed Zoning Amendments***
22 ***dated 11/2021 except the amendment to Section 306 to replace the West Lebanon Central Business***
23 ***District designation with the Lebanon Downtown District designation for zoning.***
24 ***The motion was seconded by Kathie Romano.***
25

26 ****The MOTION was approved (6-1-1). Matthew Hall voted against, and Karen Zook abstained.***
27
28

29 B. UVLSRPC Nomination - Dan Nash
30

31 ***A MOTION by Joan Monroe to approve the nomination of Dan Nash to the UVLSRPC.***
32 ***The motion was seconded by Matthew Hall.***
33

34 ****The MOTION was approved (7-0-1). Karen Zook abstained.***
35

36 C. Review of 2022 Meeting Calendar
37

38 Mr. Brooks explained that the schedule is the same as the current year.
39

40 ***A MOTION by Kathie Romano that the Planning Board adopt the 2022 Planning Board Meeting***
41 ***Calendar.***
42 ***The motion was seconded by Laurel Stavis.***
43

44 ****The MOTION was approved (8-0).***
45

46 D. UVLSRPC Draft Regional Corridor Transportation Plan
47

48 Mr. Brooks reported that the draft corridor plans have been completed and requested that Planning Board
49 members take only one or two to focus on. The draft is very detailed, and there are eight corridors. All
50 comments are due to the RPC by December 6, 2021.
51

1 Mr. Brooks gave an update on the issues at Exit 18 in the Little Heater Road neighborhood. The property
2 owner has responded to the Notices of Violation and Planning Staff is reviewing the responses.

3
4 **5. Approval of Minutes**

5
6 A. October 25, 2021

7
8 Page 6, line 6, to read, "A successful Celebration Block Party was held..."

9 Page 7, Line 15 to read, "behind the Volvo dealership in the Little Heater Road neighborhood..."

10
11 ***A MOTION by Laurel Stavis to approve the Planning Board Minutes of October 25, 2021, as amended.***
12 ***The motion was seconded by Kim Chewning.***

13
14 ****The MOTION was approved (8-0).***

15
16 Ms. Monroe expressed concern over the damage being done to a local business by the pigeons that lost
17 their home with the demolition of the Westboro buildings.

18
19 **6. Adjournment**

20
21 ***A MOTION by Matthew Hall to adjourn the meeting.***
22 ***The motion was seconded by Joan Monroe.***

23
24 ****The MOTION was approved (8-0).***

25
26 The meeting was adjourned at 10:04 PM.

27
28
29 Respectfully Submitted,

30
31 Holly Howes
32 Recording Secretary